

ITEM 5
PROPOSED PARAMETERS AND GUIDELINES
AND
STATEMENT OF DECISION

Title 5, California Code of Regulations,
Sections 3001 and 3052

Behavioral Intervention Plans, CSM-4464

Butte County Office of Education,
San Diego Unified School District,
San Joaquin County Office of Education, Claimants

TABLE OF CONTENTS

Exhibit A

Corrected Statement of Decision, *Behavioral Intervention Plans, CSM-4464*, Adopted
September 20, 2000, Corrected November 23, 2010..... 4

Exhibit B

Claimants' Revised Proposed Parameters and Guidelines, December 17, 2010..... 25

Exhibit C

SCO Comments on Revised Proposed Parameters and Guidelines, January 27, 2011 566

Exhibit D

Claimants' Rebuttal to SCO Comments, February 23, 2011 568

Exhibit E

DOF Comments on Revised Proposed Parameters and Guidelines, August 9, 2011 575

Exhibit F

Claimants' Rebuttal to DOF Comments, October 14, 2011 578

Exhibit G

Commission Request for Comments on Proposed Pending RRM's, August 12, 2011 588

Exhibit H

Claimants' Response to Request for Comments on Pending RRM's, December 20, 2011..... 590

Exhibit I

Claimants’ Comments on Voter Identification Procedures (03-TC-23), Draft Staff Analysis and Proposed Parameters and Guidelines, February 23, 2012 601

Exhibit J

Claimants’ Comments and Amended Exhibit 2, August 15, 2012..... 605

Exhibit K

Proposed Parameters and Guidelines, Behavioral Intervention Plans, CSM-4464, submitted October 26, 2000..... 3082

Exhibit L

SCO Comments on Draft Staff Analysis, December 21, 2012..... 3091

Exhibit M

DOF Comments on Draft Staff Analysis, December 28, 2012..... 3096

Exhibit N

Claimant Comments on Draft Staff Analysis, December 24, 2012 3099

Exhibit O

Supporting Documentation 3131

AB 114

AB 602

AB 661

AB 1222

AB 1476

AB 1610 (Stats. 2010, ch. 724)

AB 2856

SB 856

SB 982

20 USC 1401

20 USC 1411

20 USC 1412

Code of Civil Procedure section 1094.5

Code of Civil Procedure sections 2012 and 2015.5

Evidence Code section 500

Evidence Code section 720

Evidence Code sections 800-801; 805

Government Code sections 11513-11514

Education Code section 41601

Education Code section 56836 et seq.

Education Code section 56836.06 et seq.

Education Code section 56844

Bossert v. Southern Pacific Co. (1916) 172 Cal. 504

Chesney v. Byram (1940) 15 Cal.2d 460

People v. Davis (1965) 62 Cal.2d 791, at p. 800

Topanga Ass'n for a Scenic Community v. County of Los Angeles (1974) 11 Cal.3d 506

Tobe v. City of Santa Ana (1995) 9 Cal.4th 1069

Renee J. v. Superior Court (2001) 26 Cal.4th 735

Porter v. City of Riverside (1968) 261 Cal.App.2d 832

Cornell v. Reilly (1954) 127 Cal.App.2d 178

Desert Turf Club v. Board of Supervisors for Riverside County (1956) 141 Cal.App.2d 446

Board of Trustees of the Woodland Union High School District v. Munro (Cal. Ct. App. 3d Dist. 1958) 163 Cal.App.2d 440

California Teachers Ass'n v. Hayes (Cal. Ct. App. 3d Dist. 1992) 5 Cal.App.4th 1513

Kaufman & Broad Communities, Inc. v. Performance Plastering (Cal. Ct. App. 3d Dist. 2005) 133 Cal.App.4th 26

WRI Opportunity Loans II LLC v. Cooper (Cal. Ct. App. 2d Dist. 2007) 154 Cal.App.4th 525

CSBA v. State of California (CSBA II) (Cal. Ct. App. 4th Dist. 2011) 192 Cal.App.4th 770

Settlement and Release Agreement

Joint Stipulation for Entry of Judgment and Proposed Judgment

“State-Local Working Group Proposal to Improve the Mandate Process,” Legislative Analyst’s Office, June 21, 2007, p. 1.

California Jurisprudence 3d, Volume 31A, Evidence, section 613

Webster’s Third New International Dictionary

LAO Report on Education 2005

Budget Summary 2013

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Section 56523 as added by Statutes of 1990, Chapter 959; and

Title 5, California Code of Regulations, Sections 3001 and 3052

Filed on September 28, 1994

By the Butte County Office of Education, San Joaquin County Office of Education, and the San Diego Unified School District, Co-Claimants.

No. CSM-4464

Behavioral Intervention Plans

STATEMENT OF DECISION PURSUANT TO GOVERNMENT CODE SECTION 17500 ET SEQ.; TITLE 2, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 2.5, ARTICLE 7

(Adopted on September 28, 2000)

(Corrected on November 23, 2010)

STATEMENT OF DECISION

The attached Statement of Decision of the Commission on State Mandates is hereby adopted in the above-entitled matter. This Decision shall become effective on September 29, 2000.

On November 23, 2010, this Statement of Decision was corrected to add the Butte County Office of Education and the San Joaquin County Office of Education to the caption as Co-Claimants.

Paula Higashi, Executive Director

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(Adopted on September 28, 2000)

(Corrected on November 23, 2010)

STATEMENT OF DECISION

On September 30, 1999, the Commission first heard this test claim and took no action due to a 3-3 tie vote. On November 30, 1999, the Commission directed staff to hold this test claim until the appointment of the seventh Commission member. The seventh Commission member was appointed in April 2000. On August 24, 2000, the Commission heard this test claim during a regularly scheduled hearing. Therefore, the sole issue before the Commission is whether the Proposed Statement of Decision accurately reflects the vote of the Commission.¹ James Cunningham and Frank Terstegge appeared on behalf of the San Diego Unified School District, Gail Cafferata appeared on behalf of the Butte County Office of Education, and Nona Martinez and Dan Stone appeared on behalf of the Department of Finance.

The law applicable to the Commission's determination of a reimbursable state mandated program is Government Code section 17500 et seq., article XIII B, section 6 of the California Constitution and related case law.

The Commission, by a vote of 5-2, approved this test claim.

BACKGROUND AND FINDINGS

The Legislature found that the state has continually sought to provide an appropriate and meaningful educational program in a safe and healthy environment for all children regardless of

¹ Title 2, California Code of Regulations, section 1188.1, subdivision (g).

possible physical, mental, or emotional disabling conditions.² In addition, the Legislature declares that teachers of children with special needs require training and guidance that provides positive ways for working successfully with children who have difficulties conforming to acceptable behavior patterns in order to provide an environment in which learning can occur.³

The test claim legislation and the implementing regulations involve special education services for children with disabilities. It requires an IEP team⁴ to develop a behavioral intervention plan whenever an individual exhibits a serious behavior problem that significantly interferes with the implementation of the goals and objectives of the individual's IEP.⁵ The IEP is a written statement developed in a meeting between the school, the teacher, and the parents. The IEP includes the child's current performance, the annual goals and short-term instructional objectives, specific educational services, and the objective criteria and evaluation procedures to determine whether the objectives are being achieved.⁶ Special education services include both *special education*, defined as specially designed instruction to meet the unique needs of a child with disabilities, and *related services*, defined as such developmental, corrective, and other supportive services as may be required to assist a child with disabilities to benefit from special education.⁷ There is no prior state law that addresses behavioral intervention plans.

The Test Claim Legislation

Education Code section 56523 requires the Superintendent of Public Instruction and the State Board of Education to adopt regulations establishing behavioral intervention plans, which: (1) include the types of behavioral interventions that can be used; (2) require that a pupil's IEP include a description of behavior interventions that meet certain guidelines; and (3) specify standards and guidelines regarding the use of behavior interventions in emergency situations. In response to Education Code section 56523, the California Department of Education adopted sections 3001 and 3052, which detail school districts' obligations concerning the development and implementation of behavioral intervention plans.

The Commission found that Education Code section 56523 only requires the *State* Superintendent of Public Instruction and the *State* Board of Education to adopt regulations.

² Education Code section 56520.

³ *Ibid.*

⁴ Chapter 5.5, Education Code, sections 56520 et seq. Federal law requires that the IEP team's membership include the individual's parents, at least one regular education teacher of the individual, at least one special education teacher, a local agency representative who is qualified to provide or supervise the provision of special instruction to meet the individual's needs, an individual who can interpret the instructional implications of evaluation results (may be a member listed above), at the parent's or agency's discretion, other individuals who have knowledge or special expertise regarding the child, and whenever appropriate, the disabled individual. (*See* Title 20, United States Code, section 1414, subdivision (d)(1)(B); Title 34, Code of Federal Regulations, section 300.344.)

⁵ Title 5, California Code of Regulations, section 3001, subdivision (h).

⁶ Title 20, United States Code, section 1401, subdivision (a)(19).

⁷ Title 20, United States Code, section 1401(a)(17). The IDEA includes specific services in the related services section, but the text does not limit the provision to those services. These services include transportation, early identification and assessment of disabling conditions in children, speech pathology and audiology, psychological services, physical and occupational therapy, recreation, and medical and counseling services, except those medical services that are for diagnostic and evaluation purposes only.

Section 56523, on its face, does not impose any requirements upon school districts and therefore, does not impose any reimbursable state mandated activities upon school districts. However, the Commission noted that this conclusion does not resolve the inquiry as to whether the regulations promulgated pursuant to section 56523 constitute reimbursable state mandated activities upon school districts.

The Commission found that in order for a statute, or executive order, which is the subject of a test claim, to impose a reimbursable state mandated program, the statutory and regulatory language: (1) must direct or obligate an activity or task upon local governmental entities; and (2) the required activity or task must be new, thus constituting a “new program,” or it must create an increased or “higher level of service” over the former required level of service. The court has defined a “new program” or “higher level of service” as a program that carries out the governmental function of providing services to the public, or a law, which to implement a state policy, imposes unique requirements on local agencies or school districts that do not apply generally to all residents and entities in the state. To determine if a required activity is new or imposes a higher level of service, a comparison must be undertaken between the test claim legislation and the legal requirements in effect immediately before the enactment of the test claim legislation. Finally, the newly required activity or increased level of service must be state mandated.⁸

The test claim legislation involves the provision of special education to disabled students enrolled in public education. Public education in California is a peculiarly governmental function administered by local agencies as a service to the public. Moreover, the test claim legislation imposes unique requirements upon school districts that do not apply generally to all residents and entities of the state. Therefore, the Commission found that public education constitutes a “program” within the meaning of section 6, article XIII B of the California Constitution.⁹

However, the Commission continued the inquiry to determine if the activities are new or impose a higher level of service and if the activities are mandated by the state. The claimants contended that the test claim legislation and regulations impose a higher level of service by requiring school districts to perform *additional* activities not required under state or federal law.

The Test Claim Regulations

Behavioral Intervention Plans Defined

The test claim legislation and regulations define *behavioral intervention* as the systematic implementation of procedures that result in lasting positive changes in an individual’s behavior.¹⁰ Specifically, *behavioral interventions* are the design, implementation, and evaluation of instructional and environmental modifications to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.¹¹ Generally, behavioral intervention plans are implemented for pupils with an IEP.

⁸ *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56; *Carmel Valley Fire Protection Dist. v. State of California* (1987) 190 Cal.App.3d 521, 537; *Lucia Mar Unified School Dist. v. Honig* (1988) 44 Cal.3d 830, 835.

⁹ *Long Beach Unified School Dist. v. State of California* (1990) 225 Cal.App.3d 155, 172.

¹⁰ Title 5, California Code of Regulations, section 3001, subdivision (f).

¹¹ *Ibid.*

The Commission noted that the *behavioral intervention plan* is the written document developed by an IEP team and is integrated into an individual's current IEP when an individual exhibits a serious behavior problem that interferes with the implementation of the individual's IEP.¹² *Serious behavior problems* are behaviors that are self-injurious, assaultive, cause serious property damage, or other severe behavior problems that are pervasive and maladaptive for which the instructional or behavioral approaches in the individual's IEP are ineffective.¹³

SELPA Plan Requirements¹⁴

Under the test claim legislation's implementing regulations, each SELPA must include procedures in its local plan regarding the systematic use of behavioral interventions.¹⁵ These procedures include training of behavioral intervention case managers, training of personnel involved with implementing behavioral intervention plans, special training for emergency interventions, and identification of approved behavioral emergency procedures.¹⁶ SELPAs must inform all staff members and parents of these procedures whenever a behavioral intervention plan is proposed.¹⁷

The Commission found that these activities represent a new program or higher level of service because SELPAs were under no obligation to include such information in their local plans before the adoption of the test claim legislation's implementing regulations.¹⁸

Development of Behavioral Intervention Plans

An IEP team must supervise all assessment, intervention, and evaluation activities related to an individual's behavioral intervention plan.¹⁹ When a behavioral intervention plan is being developed, the IEP team is expanded to include a behavioral intervention case manager who is trained in behavior analysis including positive behavioral interventions.²⁰ A *behavioral intervention case manager* is a designated certificated school/district/county staff member or other qualified personnel who has been trained in behavior analysis with an emphasis on positive

¹² *Id.* at subdivision (h).

¹³ *Id.* at subdivision (ah).

¹⁴ SELPA is an acronym for "Special Education Local Plan Area." Title 2, California Code of Regulations, section 60010 defines SELPA as "the service area covered by a special education local plan, and its governance structure created under any of the planning options" set forth in the Education Code.

¹⁵ Title 5, California Code of Regulations, section 3052, subdivision (j).

¹⁶ *Id.* at subdivision (j)(2)(A)-(D).

¹⁷ *Id.* at subdivision (j)(1).

¹⁸ The test claim legislation requires nonpublic schools to develop policies consistent with those specified in the emergency intervention section of the regulations. The Commission found that this requirement does not impose any activities upon public school districts. (*See* Title 5, California Code of Regulations, section 3052, subdivision (k).)

¹⁹ *Id.* at section 3052, subdivision (a)(1).

²⁰ *Ibid.* Federal law does not require the inclusion of a behavioral intervention case manager in the IEP team. (*See* Title 20, United States Code, section 1414, subdivision (d)(1)(B).)

behavioral interventions.²¹ The case manager is not intended to be a new staff person, but rather may be an existing staff member with the appropriate training.²²

The Commission found that the activities of including in the IEP team and training a staff member to become a behavioral intervention case manager represents a new program or higher level of service because school districts were under no obligation to perform behavioral interventions before the adoption of the test claim legislation's implementing regulations.

Functional Analysis Assessments

A behavioral intervention plan is based on a *functional analysis assessment* of the individual.²³ A *functional analysis assessment* includes a description of the maladaptive behavior and replacement positive behavior, goals and objectives, detailed descriptions of the interventions to be used, schedules for recording the frequency of use of the interventions, how the intervention will be phased out, those interventions to be used at home or other non-educational settings, and dates for plan review.²⁴ A functional analysis assessment occurs when the IEP team finds that the instructional/behavioral approaches specified in an individual's IEP have been ineffective.²⁵

The assessment must include: (1) systematic observation of the behavior; (2) the immediate antecedent events associated with that behavior; (3) the consequences to determine the function the behavior serves for the individual; (4) ecological analysis of the settings in which the behavior occurs most frequently; (5) review of records of health and medical factors that may influence behavior; and (6) review history of behavior including effectiveness of past interventions.²⁶

The Commission found that following an assessment, a written report of the results is prepared and provided to the parent.²⁷ The report includes: (1) a description of the nature and severity of the targeted behavior; (2) a description of the antecedents and consequences that maintain the targeted behavior across all settings in which it occurs; (3) a description of the rate of alternative behaviors, their antecedents and consequences; and (4) recommendations for consideration by the IEP team.²⁸

The Commission found that all of the activities associated with functional analysis assessments represent a new program or higher level of service because school districts were under no obligation to perform functional analysis assessments before the adoption of the test claim legislation's implementing regulations.

²¹ Title 5, California Code of Regulations, section 3001, subdivision (g).

²² *Ibid.*; *Id.* at section 3052, subdivision (a).

²³ *Id.* at section 3052, subdivision (a)(3).

²⁴ *Ibid.*

²⁵ *Id.* at section 3052, subdivision (b); *See also* section 3001, subdivision (ah), which provides: "serious behavior problems are behaviors that are self-injurious, assaultive, cause serious property damage, or other severe behavior problems that are pervasive and maladaptive for which the instructional or behavioral approaches in the individual's IEP are ineffective."

²⁶ *Id.* at subdivision (b)(1)(A)-(F).

²⁷ *Id.* at subdivision (b)(2).

²⁸ *Id.* at subdivision (b)(2)(A)-(D).

Upon completion of the functional analysis assessment, the IEP team meets to review the results and, if necessary, develop a behavioral intervention plan.²⁹ The Commission found that this activity represents a new program or higher level of service because school districts were under no obligation to convene an IEP team meeting specifically for review of functional analysis assessments before the adoption of the test claim legislation's implementing regulations.

Implementation of Behavioral Intervention Plans

In developing a behavioral intervention plan, the IEP team may develop positive programming strategies that address the individual's behavior. Positive programming for behavioral intervention may include: (1) altering the identified antecedent event to prevent the occurrence of the behavior (e.g., change the setting); (2) teaching the individual alternative behaviors or adaptive behaviors that produce the same consequences as the inappropriate behavior; and (3) positively reinforcing alternative and other acceptable behaviors and ignoring or redirecting unacceptable behavior.³⁰

The Commission found that, to the extent these activities are required to implement an individual's behavioral intervention plan, the activities represent a new program or higher level of service because school districts were under no obligation to develop and implement behavioral intervention plans before the adoption of the test claim legislation's implementing regulations.

Once an IEP team has developed and/or modified an individual's IEP to include a behavioral intervention plan, responses to the targeted behavior shall include, but are not limited to: (1) ignoring the behavior, but not the individual; (2) verbal, or verbal and physical redirection; (3) the provision of feedback (e.g., "you are talking too loudly"); (4) the message of the behavior is acknowledged (e.g., "you are having a hard time with your work"); or (5) a brief, physical prompt to interrupt or prevent aggression, self-abuse, or property destruction.³¹

The Commission found that, to the extent these activities are required to implement an individual's behavioral intervention plan, the activities represent a new program or higher level of service because school districts were under no obligation to develop and implement behavioral intervention plans before the adoption of the test claim legislation's implementing regulations.

Once a behavioral intervention plan is implemented, it is evaluated to measure the frequency, duration, and intensity of the targeted behavior identified in the functional analysis assessment.³² The teacher, the behavioral intervention case manager, parent or care provider, and others, as

²⁹ *Id.* at subdivision (c); although subdivision (c) provides that IEP teams shall develop a behavioral intervention plan *if necessary*, section 3001, subdivision (h), defines a behavioral intervention plan as a written document that *is developed* when an individual exhibits a serious behavior problem that significantly interferes with the implementation of the goals and objectives of the individual's IEP. Accordingly, the Commission found that school districts *must* develop a behavioral intervention plan once an individual exhibits a serious behavior problem.

³⁰ *Id.* at subdivision (d).

³¹ *Id.* at subdivision (e).

³² *Id.* at subdivision (f)(1)-(3).

appropriate, review the evaluation at scheduled intervals determined by the IEP team.³³ If the IEP team determines changes are necessary, the teacher and behavioral intervention case manager conduct additional functional analysis assessments, and based on the outcomes, propose changes to the plan.³⁴

The Commission found that these activities represent a new program or higher level of service because school districts were under no obligation to evaluate the effectiveness of behavioral intervention plans or to modify them based on an additional functional analysis assessment before the adoption of the test claim legislation's implementing regulations.

Modifications and Contingent Behavioral Intervention Plans

Minor modifications to the behavioral intervention plan can be made by the behavioral intervention case manager and the parent or parent representative.³⁵ In addition, the IEP team may develop the behavioral intervention plan in such a way as to allow for alterations or changes to the plan without reconvening the IEP team.³⁶

The Commission found that the activities of the behavioral intervention case manager and the IEP team regarding development and modification of behavioral intervention plans represent a new program or higher level of service because school districts were under no obligation to implement behavioral intervention plans before the adoption of the test claim legislation's implementing regulations.

Development and Implementation of Emergency Interventions

In instances where the individual's behavior is unpredictable or spontaneous and poses a clear and present danger of serious bodily harm, an emergency intervention approved by the SELPA may be used.³⁷ School districts must notify the individual's parent and residential care provider within one school day whenever an emergency intervention is used or serious property damage occurs.³⁸

Anytime an emergency intervention is used, schools must complete a "Behavioral Emergency Report," place the Report in the individual's file, and immediately forward it to a responsible administrator who must review the Report.³⁹ The Report includes: (1) the name and age of the individual; (2) the setting/location of the incident; (3) name of staff or others involved; (4) a description of the emergency intervention used and whether the individual currently has a behavioral intervention plan; and (5) injuries sustained by the individual or others.⁴⁰

Anytime a "Behavioral Emergency Report" is written regarding an individual who does not have a behavioral intervention plan, the designated and responsible administrator must, within two

³³ *Id.* at subdivision (f)(4).

³⁴ *Id.* at subdivision (f)(5).

³⁵ *Id.* at subdivision (g).

³⁶ *Id.* at subdivision (h).

³⁷ *Id.* at subdivision (i) and (i)(2).

³⁸ *Id.* at subdivision (i)(5).

³⁹ *Ibid.*; *Id.* at subdivision (i)(6).

⁴⁰ *Id.* at subdivision (i)(5)(A)-(E).

days, convene an IEP team meeting to review the Report, determine the necessity of a functional analysis assessment, and the necessity for an interim behavioral intervention plan.⁴¹

Anytime a “Behavioral Emergency Report” is written regarding an incident involving previously unseen serious behavior problems or where a previously designed intervention is ineffective for an individual who has a behavioral intervention plan, the IEP team should meet to review the Report and determine if the incident requires the need to modify the plan.⁴²

SELPAAs are required to collect data on “Behavioral Emergency Reports” and annually report the number of Reports to the California Department of Education and the Advisory Committee on Special Education.⁴³

The Commission found that all activities associated with emergency interventions represent a new program or higher level of service because school districts were under no obligation to develop and implement emergency behavioral intervention plans before the adoption of the test claim legislation’s implementing regulations.

Prohibited Behavioral Intervention Plans

Interventions that may cause physical harm, deprivation of sleep or food, humiliation or ridicule, or deprivation of one or more senses are prohibited.⁴⁴ The use of restrictive devices that limit mobility, locked seclusion, or inadequate supervision is also prohibited.⁴⁵

The Commission found that the activity of informing school district personnel of the restrictions represents a new program or higher level of service because school districts were under no obligation to develop and implement behavioral intervention plans before the adoption of the test claim legislation’s implementing regulations.

Due Process Hearings

The provisions of the test claim legislation that relate to functional analysis assessments and the development and implementation of behavioral intervention plans are subject to the due process hearing procedures specified in the Education Code.⁴⁶ Before the enactment of the test claim legislation’s implementing regulations school districts were under no obligation to develop and implement behavioral intervention plans.

⁴¹ *Id.* at subdivision (i)(7).

⁴² *Id.* at subdivision (i)(8). Although the subdivision provides that the IEP team *should*, not *shall* or *must*, review the incident and current IEP, the Commission found that, to the extent these activities are required to implement an individual’s behavioral intervention plan, the activities represent a new program or higher level of service because school districts were under no obligation to develop or implement behavioral intervention plans before the enactment of the test claim legislation and implementing regulations.

⁴³ *Id.* at subdivision (i)(9).

⁴⁴ *Id.* at subdivision (l).

⁴⁵ *Ibid.*

⁴⁶ *Id.* at subdivision (m). Education Code section 56501 et seq. details the state’s due process procedures, due process hearings, mediation conferences, parent’s access to school records, rights of parties, and the use of attorneys at due process hearings.

Therefore, the Commission found that any due process procedures associated with the development and implementation of behavioral intervention plans represents a new program or higher level of service.⁴⁷

The Commission found that the test claim legislation's implementing regulations impose a new program upon school districts. However, the Commission noted that the inquiry must continue to determine whether behavioral intervention plans required by the regulations impose costs mandated by the state.

The Commission noted that in order for the test claim legislation to impose a reimbursable program under section 6, article XIII B of the California Constitution, the newly required activities must be state mandated.⁴⁸ Government Code section 17556, subdivision (c), provides that the Commission shall not find costs mandated by the state if the Commission finds that the test claim legislation implements a federal law or regulation and resulted in costs mandated by the federal government.⁴⁹ Therefore, if the Commission finds that federal law requires the development and implementation of behavioral intervention plans, then the Commission should deny this test claim.

DOF argued that the test claim legislation implements federal requirements as detailed in the IDEA. Specifically, DOF contended that the test claim legislation allows for the provision of a free appropriate public education and related services as required under federal statutes and case law.

Federal Special Education Law and Behavioral Management Plans⁵⁰

The Education for All Handicapped Children Act (Act) of 1975 is the backbone of the federal statutory provisions governing special education.⁵¹ The 1975 Act begins with findings that the special education needs of children with disabilities are not being fully met. Thus, the purpose of the Act is to assist state and local educational efforts in order to assure equal protection of the law and to assure that children with disabilities have available special education and related services designed to meet their unique needs.⁵²

The Act also lists substantive definitions, which both clarify the meaning of terms and set out some of the obligations the Act creates. For example, the Act defines *free appropriate public education* as special education and related services that: (1) are provided at public expense, under public supervision and direction, and without charge; (2) meet the standards of the state

⁴⁷ To be discussed below in Issue 2.

⁴⁸ *Lucia Mar Unified School Dist. v. Honig* (1988) 44 Cal.3d 830, 835.

⁴⁹ Government Code section 17513 provides: “Costs mandated by the federal government’ means any increased costs incurred by a local agency or school district . . . in order to comply with the requirements of a federal statute or regulation. . . .”; In *Hayes v. Commission on State Mandates* (1992) 11 Cal.App.4th 1564, 1593, 1594, the appellate court stated, “the determination whether certain costs were imposed upon a local agency by a federal mandate must focus on the local agency which is ultimately forced to bear the costs and how these costs came to be imposed upon that agency.”

⁵⁰ The background on federal special education law comes from, Special Education Law and Litigation Treatise, by Mark C. Weber.

⁵¹ In 1990, Congress changed the title of the Act to the “Individuals with Disabilities Education Act.”

⁵² Title 20, United States Code, section 1400.

educational agency; (3) include an appropriate preschool, elementary, or secondary school education in the state involved; and (4) are provided in conformity with the individualized education program required under federal law.

The Act continues with administration and funding provisions, which include state eligibility requirements. In order to receive federal funding, the state must have a policy that assures all children with disabilities, who meet the age requirements, the right to a free appropriate public education.⁵³

Moreover, the eligibility and plan requirements require a system of procedural hearing rights for parents of children with disabilities. These rights include prior written notice when the designation, evaluation, or placement of a child is initiated or changed. They also include the right of children whose parents are not known or available, or who are wards of the state, to have surrogate parents acting in their place. Furthermore, parents or guardians have the right to examine educational records and receive an independent evaluation of the child.⁵⁴

Are Behavioral Intervention Plans Required Under the Federal Statutory Scheme?

The Commission found that the issue of whether behavioral intervention plans are a federal or state mandate relates to whether they can be defined as a *related service* under federal law. Federal law defines *related services* as supportive services required to assist a child with a disability to benefit from special education. Such supportive services include psychological services.⁵⁵ The Commission noted that the issue of whether behavioral intervention plans are a related service centers on whether they can be defined as a *psychological service*.

Before the U.S. Department of Education's March 11, 1999, amendments to the implementing regulations for the IDEA,⁵⁶ federal law defined *psychological services* as: (1) administering psychological and educational tests, and other assessment procedures; (2) interpreting assessment results; (3) obtaining, integrating, and interpreting information about child behavior and conditions relating to learning; (4) consulting with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests, interviews, and behavioral evaluations; and (5) planning and managing a program of psychological services, including psychological counseling for children and parents.⁵⁷

The Commission found three reasons why behavioral intervention plans, as defined by the test claim legislation and implementing regulations, were not a *psychological service* and therefore not a *related service* under the IDEA's implementing regulations as they existed before the U.S. Department of Education's March 11, 1999, amendments.

First, the U.S. Department of Education recently amended the definition of *related services* to *include* behavioral interventions in the implementing regulations for the IDEA.⁵⁸ Specifically, the *psychological services* definition, as amended, now provides that such services include

⁵³ *Id.* at section 1412(1).

⁵⁴ *Id.* at section 1415(b)(1)(A).

⁵⁵ Title 20, United States Code, section 1401(a)(18); Title 34, Code of Federal Regulations, section 300.24.

⁵⁶ The Commission addresses the March 11, 1999, amendments below.

⁵⁷ Title 34, Code of Federal Regulations, section 300.24(b)(9).

⁵⁸ Title 34, Code of Federal Regulations, section 300.24.

assisting in developing positive behavioral intervention strategies.⁵⁹ The fact that the U.S. Department of Education recently *added* behavior interventions to the related service section of the IDEA’s implementing regulations is evidence that behavior interventions were not previously considered a related service or psychological service.

Second, under California law, in order to perform behavioral intervention tasks a person is not required to be a licensed psychologist as defined in the Business and Professions Code.⁶⁰ Rather, the California Department of Education provides that an individual wishing to develop behavioral intervention plans need only receive training in behavior analysis with an emphasis on positive behavioral interventions.⁶¹ Thus, California’s behavioral intervention plans would not qualify under the federal definition of psychological services.

Third, California Department of Consumer Affairs’ Counsel to the Board of Psychology and Board of Behavioral Science concluded behavior analysts do not engage in the practice of psychology or the practice of marriage, family, and child counseling. Thus, Consumer Affairs’ Counsel concluded that behavioral analysts do not engage in diagnosing mental disorders, but focus on external environmental factors that influence behavior.

Accordingly, the Commission found that behavioral intervention plans were not a *psychological service* or a *related service* under the federal statutory scheme before the March 11, 1999, U.S. Department of Education amendments to the implementing regulations for the IDEA. Further evidence that behavioral intervention plans were not part of federal law when the test claim legislation and implementing regulations were enacted is the fact that Congress made several attempts before finally *adding* such plans to the federal statutory scheme.

In 1995, Congress was unsuccessful in its attempt to amend the IDEA to include provisions relating to behavior management plans. Both the House and Senate introduced bills that were unsuccessful in adding a new section to the IDEA with the following language:

“In developing an IEP, the IEP team shall . . . in the case of a child whose behavior impedes his or her learning or that of others, consider strategies, including *behavior management plans*, to address that behavior.”
(Emphasis added.)

In 1996, Congress again was unsuccessful in its attempt to amend the IDEA to include a new section with the following language:

“An individualized education program team shall develop the IEP. . . . In developing such IEP, the IEP Team . . . shall . . . in the case of a child whose behavior impedes his or her learning or that of others, consider, when appropriate,

⁵⁹ Title 34, Code of Federal Regulations, section 300.24(b)(9)(vi) as amended on March 11, 1999, by the U.S. Department of Education provides: “(b) *Individual terms defined*. The terms used in this definition are defined as follows: . . . (9) *Psychological services* includes—. . . (vi) Assisting in developing positive behavioral intervention strategies.”

⁶⁰ Under Business and Professions Code section 2914, an individual wishing to provide psychological services must possess a doctorate in psychology, have two years of supervised professional experience, pass a specialized examination, complete training regarding the detection of alcohol or other chemical abuse, and complete coursework in spousal or partner abuse assessment.

⁶¹ Title 5, California Code of Regulations, section 3052, subdivision (a)(1)-(2).

strategies, including *positive behavior management interventions and strategies* to help the child behave in an appropriate and responsible manner conducive to learning.” (Emphasis added.)

On June 4, 1997, Congress successfully amended the IDEA, which states in pertinent part:⁶²

“(d) Individualized education programs

“

“(3) Development of IEP

“

“(B) Consideration of special factors – the IEP Team shall—

“(i) in the case of a child whose behavior impedes his or her learning or that of others, *consider*, when appropriate, strategies, *including positive behavioral interventions*, strategies, and supports to address that behavior.”⁶³ (Emphasis added.)

The claimants contended that the test claim legislation and implementing regulations were not enacted to implement the IDEA Amendments of 1997. The test claim legislation was enacted in 1990 and the regulations in 1993. Thus, it is not possible to conclude that the test claim legislation and implementing regulations were adopted to implement federal requirements that did not exist at the time.

DOF contended that Congress did not view the recent amendments to the IDEA as a new extension or expansion of children’s rights. Rather, DOF took the position that these amendments were meant to clarify federal policies already in place.⁶⁴ Thus, DOF concluded that behavioral interventions are not new to federal law and that such interventions have always been required under the IDEA. DOF maintained that the central purpose of the IDEA is to ensure that disabled children receive a free appropriate public education and, since public education is defined to include such related services necessary to achieve this goal, interventions that are necessary to ensure the education of a disabled child are federally mandated under the IDEA.

The Commission found that, although the IDEA paints the special education landscape with broad strokes, the specificity in the test claim legislation and implementing regulations do not fit onto the canvas. The state *requires* school districts to engage in functional analysis assessments and implement behavioral intervention plans whenever a disabled child exhibits serious behavior problems. Under the IDEA, if a disabled child exhibits such behavior, school districts are not tied to one response. Before, and even after, the IDEA Amendments of 1997, school districts are free to consider interventions as a possible approach, but are not required to use them. Furthermore, the Commission found that consideration of strategies, such as behavioral intervention plans, were not an express part of federal law before the enactment of the test claim

⁶² Title 20, United States Code, section 1414.

⁶³ *Id.* at section 1414(d)(3)(B)(i).

⁶⁴ In the Department of Finance’s May 6, 1999, response, DOF quoted the following from the House of Representatives Report on the IDEA Amendments of 1997: “It is the Committee’s intent that this set of practical and balanced guidelines reinforce and clarify the understanding of Federal policy on this matter, which is currently found in statute, case law, regulations, and informal policy guidance.”

legislation and implementing regulations because Congress recently amended the IDEA to *include* consideration, when appropriate, of such strategies in the federal statutory scheme.

Based on the foregoing, the Commission found that behavioral intervention plans are not required under the federal statutory scheme. However, the question remains whether the recent amendments to the IDEA's implementing regulations by the U.S. Department of Education may create a federal mandate to develop and implement behavioral intervention plans.

Are Behavioral Intervention Plans Required Under the U.S. Department of Education's Current Regulations?

Current language in the United States Code only requires an IEP team to *consider* strategies such as positive behavioral interventions when developing a child's IEP. However, regulations recently adopted by the U.S. Department of Education may *require* the inclusion of behavioral intervention strategies in a child's IEP.

The recently amended version of Title 34, Code of Federal Regulations, section 300.346, provides that IEP teams are required to *consider* behavioral interventions in instances where the child's behavior impedes his or her learning or that of others. If, upon considering the use of an intervention, the IEP team determines that intervention is necessary to ensure that the child receives a free appropriate public education, the IEP team *must* include a statement to that effect in the child's IEP.⁶⁵ Prior federal regulations did not require the inclusion of behavioral intervention plans in a child's IEP. The U.S. Department of Education adopted the amended regulations on May 11, 1999.⁶⁶

The claimants contended that the U.S. Department of Education's regulations do not require the use of behavioral interventions under the IDEA. The regulations provide that an IEP team shall *consider* interventions, but they are not *required* to develop or implement behavioral intervention plans. Furthermore, section 300.346, subdivision (c), only requires a statement concerning interventions to be placed in a child's IEP, *if* the IEP team deems it necessary. Federal law gives IEP teams the leeway to develop IEPs as they see fit. Federal law does not *require* the development and implementation of behavioral intervention plans.

DOF contended that the new regulations only underscore the point that the U.S. Department of Education is charged with providing explanation, elaboration, and interpretation of the IDEA and the states are responsible for filling in the details. It was DOF's contention that the foregoing amendments to the IDEA's implementing regulations are nothing more than clarifying amendments to ensure special education children are receiving a free appropriate public

⁶⁵ Title 34, Code of Federal Regulations, section 300.346 provides in pertinent part: "(a) . . . (2) Consideration of Special Factors. The IEP team also shall—(i) In the case of a child whose behavior impeded his or her learning or that of others, *consider, if appropriate, strategies, including positive behavioral intervention, strategies, and supports to address that behavior. . . .* (c) Statement in IEP. *If, in considering the special factors described in paragraphs (a)(1) and (2) of this section, the IEP team determines that a child needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the child to receive [a free appropriate public education], the IEP team must include a statement to that effect in the child's IEP. . . .*" (Emphasis added.)

⁶⁶ Compliance with the new regulations is not required until either the fiscal year 1998 funds that are unobligated by states and school districts become carryover funds (October 1, 1999) or, if earlier, the state receives fiscal year 1999 funding (expected to be available for obligation to states July 1, 1999.)

education in the least restrictive environment. Therefore, DOF concluded that the test claim legislation and implementing regulations are designed to fill in the interstices of the IDEA to achieve the purposes and policies of the Act. And, as such, the test claim legislation and implementing regulations must be considered part and parcel of the federal mandate and not reimbursable as a state mandate.

The Commission found that the U.S. Department of Education’s regulations do not require the development and implementation of behavioral intervention plans. The plain language of section 300.346 provides that IEP teams shall *consider* using intervention strategies *if* appropriate. However, there is no language requiring teams to engage in such consideration. Furthermore, it cannot be said that state law is filling in the interstices of federal law. The Legislature has created a new program, one that was not described or outlined in federal law before the adoption of the test claim legislation’s implementing regulations. Although behavioral intervention plans may aid the provision of a free appropriate public education to certain disabled children, so may other techniques or services, which IEP teams have at their disposal. The test claim legislation and implementing regulations take a step beyond federal law by *requiring* the use of a technique which, under federal law, IEP teams have *discretion* to use.

DOF further contended that “Assuming that there are in fact several alternative approaches to compliance with a federally mandated program, the fact that a given state, in implementing the mandate, selects only one or two such compliance options changes nothing: *in making that choice, obviously, the state is doing nothing more than adopting a reasonable and appropriate means of complying with the federal mandate.*” (Emphasis in original.)

The Commission found that nothing in federal law requires school districts to develop and implement behavioral intervention plans. Under federal law the bottom line is simple; school districts must provide disabled children a free and appropriate public education in the least restrictive environment. If an individual exhibits serious behavior problems, federal law provides a wide array of strategies to address such behavioral problems. However, state law requires the use of one strategy, behavioral intervention plans.

Accordingly, the Commission found that the IDEA’s implementing regulations do not require IEP teams to develop and implement behavioral intervention plans.

Cedar Rapids Community School District v. Garret F.

DOF cited *Cedar Rapids Community School District v. Garret F.* as support for its contention that behavioral intervention plans are required under federal law. Specifically, DOF contended that *Cedar Rapids* stands for the proposition that behavioral intervention plans help guarantee that students receive a free appropriate public education. Accordingly, it concluded that the test claim legislation and implementing regulations are not state mandated, but rather flow from requirements found in the IDEA, its purposes, and case law. The Commission disagreed.

On March 4, 1999, the United States Supreme Court decided *Cedar Rapids Community School District v. Garret F.*⁶⁷ The issue centered on whether the definition of “related services” in Title 20, United States Code, section 1401, subdivision (a)(17), requires a public school district to provide a ventilator-dependent student with certain nursing services during school hours. When Garret was four years old, his spinal column was severed in a motorcycle accident. As a

⁶⁷ *Cedar Rapids Community School Dist. v. Garret F.* (1999) 119 S.Ct. 992.

result of the accident, Garret was paralyzed from the neck down and is ventilator dependent, requires assistance with urinary bladder catheterization at least once a day, suctioning of his tracheotomy tube, getting into a reclining position for five minutes of every hour, and ambu-bagging when his ventilator is checked for proper operation. At the time the decision was entered, Garret was a sophomore in the Cedar Rapids Community School District.

The Supreme Court developed a two-part test for determining whether a particular activity falls under the “related service” portion of the IDEA in *Irving Independent School Dist. v. Tatro*.⁶⁸ Under this test, it must first be determined whether the requested services are included within the phrase “supportive services;” and second it must be determined whether the services are excluded as “medical services.”

In *Cedar Rapids*, the District argued that the cost of providing a full-time nurse to attend to Garret’s needs while in school was too costly. Therefore, the District’s main contention focused on the second part of the test; whether the services Garret requires are excluded as medical services. Specifically, it was contended that Garret’s needs fall under the “medical services” exclusion detailed in *Tatro*. In *Tatro*, the Court concluded that the term “medical services” referred only to services that *must* be performed by a physician. The *Tatro* court found that a specific form of health care (clean intermittent catheterization) that is often, though not always, performed by a nurse is not an excluded medical service.⁶⁹ Therefore, the *Cedar Rapids* court found that the phrase “medical services” under the IDEA does not embrace all forms of care that might loosely be described as “medical” in other contexts, such as allowable expenses for an income tax medical deduction.

The *Cedar Rapids* court concluded that under the statute, the Court’s precedent in *Tatro*, and in accordance with the purposes of the IDEA, the District must fund such “related services” in order to help guarantee that students like Garret are integrated into the public schools.

DOF concluded that “from the *Cedar Rapids* case we learn that federal courts interpret the rights of disabled students very broadly under the IDEA, even when such an interpretation requires elaborate substantive services and imposes extremely burdensome costs on local school districts.” The Commission agreed with this conclusion. However, the Commission found that acceptance of this conclusion does not support DOF’s contention that *Cedar Rapids* stands for the proposition that federal case law requires school districts to develop and implement behavioral intervention plans.

Case Law in Other Jurisdictions

DOF contended that “it is clear that [the following] cases, though not entirely on point, shed important light on the questions here presented and support the Department’s argument that the challenged state laws here are reasonably designed to ensure compliance with the federal mandate.”⁷⁰ The Commission agreed. However, as discussed below, the Commission found that the following cases cited by DOF do not answer the question of whether federal case law mandates that the state require the development and implementation of behavioral intervention plans under certain circumstances.

⁶⁸ *Irving Independent School Dist. v. Tatro* (1984) 468 U.S. 883.

⁶⁹ *Cedar Rapids Community School Dist. v. Garret F.* (1999) 119 S.Ct. 992.

⁷⁰ *Ibid.*

In *Chris D. v. Montgomery County Board of Education*,⁷¹ the court addressed Chris' need for a free appropriate public education and the school board's inability to provide such an education. For Chris to receive an appropriate education it was determined that he needed training in behavior management and anger control. The court found that Chris' behavior deteriorated to a point where intensive behavior management techniques were required due to the school board's poor response to Chris' special educational needs.

In *Oberti v. Board of Education*,⁷² the court focused on the IDEA requirements regarding the education of disabled children in regular classroom settings. The court held that the IDEA requires disabled children to receive a free appropriate public education in the least restrictive environment. Regarding the pupil's behavior problems, the court found that the informal behavior plan developed by the school district was inadequate because it did not include the appropriate supplementary aids and services required under the IDEA. The court found that the school district failed to provide the pupil a free appropriate public education in the least restrictive environment because the district failed to provide the necessary supplementary aids and services that would allow the pupil to be educated in a regular classroom setting.

In *Cremeans v. Fairland Local School District*⁷³, the district determined that a pupil, a severely disabled autistic child, could not benefit from education in a regular classroom setting. The IEP drafted for this child stated he needed 24 hours-a-day, 7 days-a-week in-home education and behavior management training. The court held that the school district failed to provide a free appropriate public education for the child because it failed to implement the IEP.

The Commission found the foregoing cases illustrate the point that federal case law recognizes there are a variety of strategies to ensure that disabled children receive a free appropriate public education in the least restrictive environment. These strategies range from behavior management as in *Chris D.*, to 24 hours-a-day, 7 days-a-week in-home education as in *Cremeans*. Accordingly, the Commission found that federal case law does not mandate that the state require school districts to develop and implement behavioral intervention plans whenever an individual exhibits serious behavior problems.

Is the Due Process Hearing Requirement Detailed in the Test Claim Legislation's Implementing Regulations Required Under Federal Law?

The Commission found that the test claim legislation's implementing regulations provide that functional analysis assessments and the development and implementation of behavioral intervention plans are subject to the procedural protections and due process hearing procedures specified in the Education Code for special education.⁷⁴

The 14th Amendment to the Federal Constitution provides that no state may deprive any person of life, liberty, or property without due process of law. The due process provisions of

⁷¹ *Chris D. v. Montgomery County Board of Education* (M.D. Ala. 1990) 743 F.Supp. 1524.

⁷² *Oberti v. Board of Education* (D.N.J. 1992) 801 F.Supp. 1392.

⁷³ *Cremeans v. Fairland Local School District* (Ohio App. 4th Dist.) 91 Ohio App.3d 668.

⁷⁴ Title 5, California Code of Regulations, section 3052, subdivision (m). Education Code section 56501 et seq. details the state's due process procedures, due process hearings, mediation conferences, parent's access to school records, rights of parties, and the use of attorneys at due process hearings.

California's Constitution⁷⁵ are identical in purpose and in scope with the due process clause of the 14th Amendment. The IDEA also establishes procedures for according due process to parents and guardians of a disabled child.⁷⁶

However, as the Commission previously noted, the IDEA does not require the development and implementation of behavioral intervention plans – the state does. Therefore, although due process hearings are required under federal law and the IDEA, the provision for due process hearings relating to behavioral intervention plans remains a state mandate. In other words, the Commission found that these hearings would not be required but-for the test claim legislation's implementing regulations.

Therefore, the Commission found that providing due process hearings regarding a child subject to a functional analysis assessment or developing and implementing a behavioral intervention plan represent reimbursable state mandated activities.

Does Government Code Section 17556, Subdivision (e), Preclude the Commission from Finding that the Test Claim Legislation and Implementing Regulations Impose Costs upon School Districts?

DOF contended that:

“The State of California has already allocated billions of dollars to fund its Special Education program, the vast majority of which is dictated by the IDEA and other federal mandates. Most of this state funding, . . . \$1.4 billion, . . . was available to locals to spend on any costs they may have incurred as a result of the state behavioral intervention requirements challenged here. Accordingly, this state revenue, which was manifestly intended to fund the Special Education program, more than offsets any such costs, and leaves the claimants with an untenable, and entirely, moot, test claim.”

The Commission recognized that the claimants did not have the opportunity to address DOF's section 17556, subdivision (e) argument.

Section 17556, subdivision (e), sets forth two tests for determining whether the Commission shall find that there are no costs mandated by the state. Under the first test, the Commission shall find that there are no costs mandated by the state if the statute or executive order provides for offsetting savings that result in *no net costs*. The second test of subdivision (e), provides that the Commission shall find there are no costs mandated by the state if the statute or executive order includes additional revenue *specifically intended* to fund the costs of the state mandate in an amount sufficient to fund the cost of the state mandate.

The Commission found that DOF oversimplifies the application of section 17556, subdivision (e), by concluding that if any funding has been provided for special education that school districts are not entitled to reimbursement for the behavioral intervention plans test claim, even if the Commission finds that the test claim imposes a reimbursable state mandate. The fact that an agency or school district has received funding is only the beginning of the analysis. The

⁷⁵ California Constitution, Article I, sections 7, 15.

⁷⁶ See Title 20, United States Code, section 1415; Title 34, Code of Federal Regulations, sections 300.482-300.487, 300.500-300.515.

Commission must then determine if either of the two tests of section 17556, subdivision (e), apply.

(1) Does the Statute or Executive Order Provide for Offsetting Savings that Result in No Net Costs?

As stated above, under the first test of Government Code section 17556, subdivision (e), the Commission shall not find costs mandated by the state if the statute or executive order provides for *offsetting savings which result in no net costs* to local agencies or school districts.

DOF did not contend that the test claim legislation provides for offsetting savings that result in no net costs to the claimants. Nor did the Commission find any language in either the test claim legislation or implementing regulations that specifically provides for *offsetting savings which result in no net costs* to the claimants. Accordingly, the Commission found that there is no evidence that the test claim legislation provides for *offsetting savings, which result in no net costs* to the claimants. However, the analysis must continue to determine whether the second test of section 17556, subdivision (e), applies.

(2) Does the Statute or Executive Order Include Additional Revenue Specifically Intended to Fund the Costs of the State Mandate in an Amount Sufficient to Fund the Cost of the State Mandate?

As stated above, the second test of Government Code section 17556, subdivision (e), provides that the Commission shall not find costs mandated by the state if the statute or executive order includes additional revenue *specifically intended* to fund the cost of the state mandate in an amount sufficient to fund the cost of the state mandate.

From the plain language of subdivision (e), the Commission looked at the test claim legislation and implementing regulations to determine if there are funds specifically intended to fund the mandate. Based on the documentation provided by the parties and the Commission's review of the test claim legislation, the Commission found that although the state has provided substantial funding for special education, school districts have not received funds *specifically intended* to fund the costs of the state mandate.

CONCLUSION

The Commission concluded that the test claim legislation and implementing regulations impose a reimbursable state mandated program upon school districts within the meaning of section 6, article XIII B of the California Constitution and Government Code section 17514 for the following activities:

- SELPA plan requirements. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052, subd. (j).)
- Development and implementation of behavioral intervention plans. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052, subds. (a), (c), (d), (e), and (f).)
- Functional analysis assessments. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052, subds. (b), (c), and (f).)

- Modifications and contingent behavioral intervention plans. (Cal. Code of Regs., tit. 2, § 3052, subds. (g) and (h).)
- Development and implementation of emergency interventions. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052, subd. (i).)
- Prohibited behavioral intervention plans. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052, subd. (l).)
- Due process hearings. (Cal. Code of Regs., tit. 2, § 3052, subd. (m).)

COMMISSION ON STATE MANDATES

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December 23, 2010

Ms. Diana McDonough
 Fagen Friedman & Fulfrost LLP
 70 Washington Street, Suite 205
 Oakland, CA 94607

And Interested Parties and Affected State Agencies (See Enclosed Mailing List)

RE: Revised Proposed Parameters and Guidelines with Reasonable Reimbursement Methodology, Comment Period, and Informal Conference

Behavioral Intervention Plans, CSM-4464
 Education Code Section 56523
 Statutes 1990, Chapter 959
 Title 5, California Code of Regulations, Sections 3001 and 3052
 Butte County Office of Education, San Joaquin County Office of Education, and
 San Diego Unified School District, Claimants

Dear Ms. McDonough:

The Commission on State Mandates received the co-claimants' revised proposed parameters and guidelines with reasonable reimbursement methodology (RRM) for the above-referenced program. Staff reviewed the proposal and deemed it to be complete and timely filed. The proposal is available for review on the Commission's website at:
http://www.csm.ca.gov/pub_comment.shtml.

Review and Comments. All state agencies and interested parties are invited to provide written comments or recommendations on the revised proposed parameters and guidelines with RRM. Written comments and recommendations must be submitted to the Commission by **January 24, 2011**. The co-claimants and interested parties may submit written rebuttals to the Commission by **February 23, 2011**. All comments, recommendations and rebuttals will be posted on the Commission's website.

Informal Conference. An informal conference on the above-referenced matter will be set when the record closes.

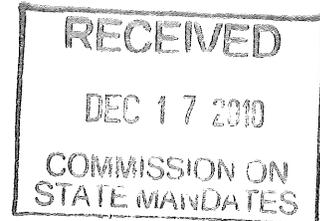
Please contact Heidi Palchik at (916) 323-8218 if you have questions.

Sincerely,

Drew Bohan
 Executive Director

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Attorneys for SAN DIEGO UNIFIED SCHOOL
DISTRICT, BUTTE COUNTY OFFICE OF
EDUCATION and SAN JOAQUIN COUNTY
OFFICE OF EDUCATION



BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Section 56523 as added by
Statutes of 1990, Chapter 959; and

Title 5, California Code of Regulations,
Sections 3001 and 3052

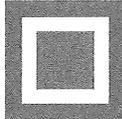
Filed on September 28, 1994

By the San Diego Unified School District,
Butte County Office of Education, and San
Joaquin County Office of Education, Co-Test
Claimants.

CSM-4464

BEHAVIORAL INTERVENTION PLANS

**REVISED PROPOSED PARAMETERS
AND GUIDELINES WITH REASONABLE
REIMBURSEMENT METHODOLOGY**



Peter K. Fagen
 Howard A. Friedman
 Howard J. Fulfroft
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December 16, 2010

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Paula Higashi
 Executive Director
 Commission on State Mandates
 980 Ninth Street, Suite 300
 Sacramento, CA 95814

Re: CSM-4464 - Behavioral Intervention Plans Mandate
Revised Proposed Parameters and Guidelines

Dear Ms. Higashi:

Enclosed, please find an original and seven copies of the following materials:

William F. Schuetz, Jr.
 Anne M. Sherlock
 Shawn Olson Brown
 Kelly R. Minnehan
 Airionna S. Whitaker
 Angela Gordon
 Cynthia M. Smith
 Emily E. Sugrue
 Jennifer R. Rowe
 Joshua A. Stevens
 Lyndsy B. Rutherford
 Dean T. Adams
 Tiffany M. Santos
 L. Carlos Villegas
 Kerrie E. Taylor
 Maggy M. Athanasious
 Susan B. Winkelman
 Gregory Rodriguez
 Andrea N. Epps
 Anna J. Miller
 Melissa L. Phung
 Keith Yanov
 Kelley A. Owens
 Leslie A. Reed
 Melanie D. Seymour

- Revised Proposed Parameters and Guidelines
- Declaration of Diana McDonough
- Declaration of Linda S. Grundhoffer
- Declaration of R. Michael Lenahan
- Exhibit 1: Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey
- Exhibit 2: CSM-4464 Behavioral Intervention Plans Statewide Cost Survey (Due to its voluminous nature, Exhibit 2 follows these exhibits as a separate, stand-alone binder.)
- Exhibit 3: Summary Survey of Hughes Bill Costs
- Exhibit 4: Hughes Bill Survey Data
- Exhibit 5: Hughes Bill Survey with Department of Finance and Claimant Discrepancies
- Exhibit 6: Hughes Bill Survey Reconciling Discrepancies
- Exhibit 7: Summary – Survey of Hughes Bill Costs with Reimbursement Methodology Calculation

As you know, the above-referenced test claim was filed on September 28, 1994, for activities first required of schools in 1993-94. The test claim legislation required behavioral intervention plans for students with serious behavior problems. The Commission issued its Statement of Decision on September 28, 2000 finding that the subject legislation and regulations resulted in a reimbursable mandate. Co-Test Claimants San Diego Unified School District, Butte County Office of Education and San Joaquin County Office of Education

Diana McDonough
 Lynn Murphy, Ed.D.
 Of Counsel

Paula Higashi
December 16, 2010
Page 2

("Co-Test Claimants") filed Proposed Parameters and Guidelines on October 26, 2000.

The Department of Finance ("Finance") petitioned Sacramento Superior Court to overturn the Commission's decision in September 2003. The parties struggled to settle the matter and ultimately reached a settlement, but the Legislature refused to fund it in 2008-09 and again in 2009-10. As a result, in October 2010, seven years after filing, Finance filed to dismiss the Petition with prejudice and Sacramento Superior Court did so on October 29, 2010. Meanwhile, due to the intervening litigation, the Commission has not adopted Parameters and Guidelines – and no claimants have been paid.

In the course of seeking to resolve this matter by settlement in 2007-08, Co-Test Claimants completed a state-wide survey of costs of this mandate and the results were reviewed by Finance. The data obtained in this survey is the basis for the reasonable reimbursement methodology ("RRM") which Co-Test Claimants are proposing today as part of the Revised Proposed Parameters and Guidelines.

As explained more fully in the Declarations and Exhibits accompanying the Revised Proposed Parameters and Guidelines, we believe this is a careful and conservative assessment of the costs of the activities found reimbursable under the Statement of Decision and is reasonable, representative, and cost-effective. Further, given the number of years that have passed since the mandate took effect, it will be always difficult, and often impossible, for school agencies to provide documentation of activities and actual costs to perform the mandate. In addition, the time and effort involved in obtaining such documentation would be extensive and burdensome. Therefore we are hopeful that, with the cooperation of appropriate state agencies, the Commission will adopt the Revised Proposed Parameters and Guidelines, including the proposed RRM, and forward them to the Controller so that school agencies may begin submitting claims as soon as possible.

In addition, pursuant to title 2 of the California Code of Regulations, section 1183.131(a), we would like to propose that all parties convene in an informal conference to discuss the Revised Proposed Parameters and Guidelines and proposed RRM. We understand that an informal conference normally precedes submission of an RRM; however, we are hopeful that we can expedite this lengthy process by submitting our proposed RRM at this time. Please let us know at your earliest convenience when the parties may meet for this purpose.

Paula Higashi
December 16, 2010
Page 3

If you have any questions, please do not hesitate to contact me.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP

A handwritten signature in cursive script, appearing to read "Diana McDonough".

Diana McDonough

DKM:Imm

cc: Andra Donovan
Kathy Skeels
Santee Kludt
Roy Applegate
Dick Hamilton

00334.00100/239654.1

Revised Proposed Parameters and Guidelines

CSM-4464
REVISED PROPOSED PARAMETERS AND GUIDELINES

Chapter 959, Statutes of 1990
Education Code section 56523
Title 5, California Code of Regulations section 3001 and 3052

Behavioral Intervention Plans

I. Summary of the Mandate.

On September 28, 2000, the Commission on State Mandates ("Commission") adopted its Statement of Decision finding that Education Code section 56523, as added by Chapter 959, Statutes of 1990, and regulations in Title 5, California Code of Regulations, sections 3001 and 3052 imposed a reimbursable state-mandated new program on school districts. Education Code section 56523 and the implementing regulations require school districts to develop and implement behavioral intervention plans for pupils who exhibit serious behavior problems that interfere with their education.

II. Eligible Claimants.

School districts and county offices of education, as defined in Government Code section 17519, are eligible to claim reimbursement where specified below. Special education local plan areas (SELPAs), whose sole constituents are school districts and county offices of education, are also eligible as specified below. Community colleges and charter schools are not eligible to claim reimbursement.

III. Period of Reimbursement.

Section 17557 of the Government Code states that a test claim must be submitted on or before December 31 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on September 28, 1994. Therefore, costs incurred on or after July 1, 1993 are eligible for reimbursement, pursuant to these Parameters and Guidelines.

Pursuant to section 17561(d)(1) of the Government Code, all claims for reimbursement of the initial years' costs shall be submitted within 120 days of issuance of the claiming instructions by the State Controller. If the total costs for a given fiscal year do not exceed \$1000 (one thousand dollars), no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

REVISED PROPOSED PARAMETERS AND GUIDELINES

IV. Reimbursable Activities.

A. One-Time Activities – SELPA Only.

The direct and indirect costs of labor, materials and supplies, contracted services, equipment and other capital assets, travel, and training incurred for the following mandate components are eligible for reimbursement on a one-time basis:

1. Preparing and Providing SELPA Procedures And Initial Training.

Preparing procedures for the SELPA local plan regarding the systematic use of behavioral intervention, for the training of behavioral intervention case managers and personnel involved with implementing behavioral intervention plans, for special training for emergency interventions, and for identification of approved behavioral emergency procedures.

B. On-Going Activities – SELPA Only.

The direct and indirect costs of labor, materials and supplies, contracted services, equipment and other capital assets, travel, and training incurred for the following mandate components are eligible for reimbursement on an on-going basis:

1. Training.

Providing and obtaining training in behavior analysis, positive behavioral interventions, and behavioral emergency interventions. Time spent by personnel who design and conduct the training and time spent by personnel who receive the training is reimbursable. Such personnel include behavioral intervention case managers and personnel involved with implementing behavioral intervention plans, conducting functional analysis assessments, or implementing emergency interventions.

2. Emergency Interventions.

Preparing reports on the number of Behavioral Emergency Reports to the California Department of Education and Advisory committee on Special Education.

3. Due Process Hearings.

Preparing for, attending, and documenting and informing appropriate staff concerning the results of any mediation or due process hearing related to functional analysis assessments or the development or implementation of behavioral intervention plans.

CSM-4464
REVISED PROPOSED PARAMETERS AND GUIDELINES

C. On-going Activities – Districts and COEs Only.

The direct and indirect costs of labor, materials and supplies, contracted services, equipment and other capital assets, travel, and training incurred for the following mandate components are eligible for reimbursement on an on-going basis:

1. Conducting Functional Analysis Assessments.

Providing notice to and obtaining written consent from parents to conduct functional analysis assessments; conducting functional analysis assessments; preparing written reports of assessment results; providing copies of assessment reports to parents and the IEP Team; conducting IEP Team meetings to review assessment results.

2. Developing and Evaluating Behavioral Intervention Plans.

Participating in IEP Team meetings in which behavioral intervention plans are developed, evaluated, or modified, or in which functional analysis assessment results are reviewed; preparing behavioral intervention plans; and developing contingency plans for altering the procedures or the frequency or duration of the procedures. Providing copies of SELPA procedures on behavioral interventions and behavioral emergency interventions to parents and staff.

3. Implementing Behavioral Intervention Plans.

Implementing and supervising the implementation of behavioral intervention plans; measuring and documenting the frequency, duration, and intensity of targeted behavior and effectiveness of the behavioral intervention plan. Costs of employing personnel with documented training in behavioral analysis including positive behavioral interventions (whether such personnel are new staff or existing staff) to serve as behavioral intervention case managers is reimbursable under this component.

4. Modifications to Behavioral Intervention Plans.

Providing notice to parents or parent representatives of the need to make minor modifications to the behavioral intervention plans, meeting with parents to review existing program evaluation data; and developing minor modifications to behavioral intervention plans with parents or parent representatives.

REVISED PROPOSED PARAMETERS AND GUIDELINES

5. Emergency Interventions.

Employing emergency interventions; notifying parents and residential care providers after an emergency intervention is used; preparing and maintaining a Behavioral Emergency Report following the use of an emergency intervention; administrative review of Behavioral Emergency Reports; scheduling and conducting an IEP Team meeting to review a Behavioral Emergency Report and the need for a functional analysis assessment, interim behavioral intervention plan, or modification to an existing behavioral intervention plan.

6. Prohibited Interventions.

Training appropriate staff regarding the types of interventions that are prohibited under Title 5, California Code of Regulations section 3052, subdivision (1).

7. Due Process Hearings.

Preparing for, attending, and documenting and informing appropriate staff concerning the results of any mediation or due process hearing related to functional analysis assessments or the development or implementation of behavioral intervention plans.

V. Claim Preparation.

The Commission is adopting a reasonable reimbursement methodology to reimburse claimants for all *direct* and *indirect* costs of the mandated activities for the Behavioral Intervention Plan Mandate, as authorized by Government Code Section 17557, subdivision (b), and 17518.5, in lieu of filing detailed documentation of actual costs.

A. Reasonable Reimbursement Methodology – Definition.

The definition of reasonable reimbursement methodology is contained in Government Code section 17518.5 (as amended by Statutes 2007, Chapter 329 (A.B. 1222)) as follows:

(a) "Reasonable reimbursement methodology" means a formula for reimbursing local agencies and school districts for costs mandated by the state, as defined in Section 17514.

(b) A reasonable reimbursement methodology shall be based on cost information from a representative sample of eligible claimants, information provided by associations of local agencies and school districts, or other projections of local costs.

CSM-4464
REVISED PROPOSED PARAMETERS AND GUIDELINES

(c) A reasonable reimbursement methodology shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner.

(d) Whenever possible, a reasonable reimbursement methodology shall be based on general allocation formulas, uniform cost allowances, and other approximations of local costs mandated by the state, rather than detailed documentation of actual local costs. In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the determination of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years.

(e) A reasonable reimbursement methodology may be developed by any of the following:

- (1) The Department of Finance.
- (2) The Controller.
- (3) An affected state agency.
- (4) A claimant.
- (5) An interested party.

B. Uniform Cost Allowance.

The reasonable reimbursement methodology for the mandated activities shall consist of three uniform cost allowances, one for the one-time activities and two for the on-going activities. The RRM shall allow each eligible claimant to be reimbursed at the adopted unit cost rates per ADA per fiscal year.

1. RRM for One-time Activities – SELPA Only.

The RRM for the one-time activities shall be calculated as follows: Multiply the total number of SELPA ADA for the one fiscal year during which the one-time activities were performed, likely the 1993-94 fiscal year, by the relevant unit cost rate for one-time SELPA activities for that fiscal year. The unit cost rate for one-time SELPA activities is \$.32818 for FY 2006-07. This unit cost rate shall be adjusted by the Implicit Price Deflator to the appropriate fiscal year during which the one-time activities were performed.

SELPA ADA figures shall be those found on the CDE website for AB 602, P2 ADA or a comparable source.

CSM-4464
REVISED PROPOSED PARAMETERS AND GUIDELINES

2. RRM for On-going Activities – SELPA Only - Training.

The RRM for the on-going activities shall be calculated as follows: Multiply the total number of SELPA ADA for the fiscal year by the relevant unit cost rate for on-going SELPA activities for the fiscal year. The unit cost rate for on-going SELPA activities is \$1.18702 for FY 2006-07. This unit cost rate shall be adjusted for each prior and subsequent year by the Implicit Price Deflator.

ADA figures shall be those found on the CDE website for AB602, P2 ADA or a comparable source.

3. RRM for On-going Activities – School Districts and COEs.

The RRM for the on-going activities shall be calculated as follows: Multiply the total number of ADA per fiscal year by the relevant unit cost rate for on-going school district and COE activities for the fiscal year. The unit cost rate for on-going school district and COE activities is \$9.45701 for FY 2006-07. This unit cost rate shall be adjusted for each prior and subsequent year by the Implicit Price Deflator.

ADA figures shall be those found on the CDE website for AB602, P2 ADA or a comparable source.

VI. Record Retention.

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, which ever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. Pursuant to Government code section 17561, subdivision (d)(2), the Controller has the authority to audit the application of a reasonable reimbursement methodology. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. Claimants must retain documentation that supports the application of the reasonable reimbursement methodology, including ADA documentation.

VII. Offsetting Savings and Other Reimbursements.

Any offsetting savings that the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source,

CSM-4464
REVISED PROPOSED PARAMETERS AND GUIDELINES

including but not limited to, service fees collected, federal funds, and other state funds, shall be identified and deducted from this claim.

The Statement of Decision has not identified any existing general school, COE, or SELPA funding, or special education program funding as an offset to the reimbursable activities.

VIII. State Controller's Claiming Instructions.

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. Remedies Before the Commission.

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

X. Legal and Factual Basis for the Parameters and Guidelines.

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

**Declaration of
Diana K. McDonough**

DECLARATION OF DIANA K. MCDONOUGH

I, Diana K. McDonough, declare as follows:

I have personal knowledge of the facts stated herein. If called as a witness, I could and would testify competently to these facts under oath.

1. I am an attorney admitted to practice in California in 1978. I am employed by Fagen Friedman & Fulfroft, LLP and am the attorney of record for Co-Test Claimants, San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively, "Co-Test Claimants") in this matter.

2. I have represented California school districts as clients since 1979. I have represented school districts in many special education matters, including at administrative hearings, in federal and state trial courts, and in three matters at the Ninth Circuit Court of Appeals. Starting in 1995 I represented CSBA's Education Legal Alliance and associated test claimants in the Special Education Mandated Cost Claim, CSM-3986, which was successfully settled in 2000-2001.

3. In the fall of 1994 Co-Test Claimants filed a test claim with the Commission on Behavioral Intervention Plans (BIP) based on legislation passed in 1990, and regulations promulgated in April 1993; this legislation and regulations are also referred to collectively as "The Hughes Bill." The Commission adopted a Statement of Decision on September 28, 2000, CSM-4464, determining that the subject legislation and regulations constituted a reimbursable state mandate.

4. The Co-Test Claimants timely filed proposed Parameters and Guidelines thirty days later. State agencies objected to the proposed Parameters and Guidelines on various grounds. The parties later met in an attempt to establish the statewide costs of the mandate, but could not agree on a method. Ultimately, on September 26, 2003, the last day before the review period was exhausted, the Department of Finance ("Finance") filed a Petition for Administrative Mandamus in the Sacramento Superior Court, Department of Finance v. Commission on State Mandates (Case No. 03CS01432), seeking to overturn the Commission's determination.

5. On October 4, 2007, approximately one year before the expiration of the five year

1 statute to bring the Petition to trial, the Deputy Attorney General representing Finance wrote to the
2 Co-Test Claimants to explore settlement again. At that point, Co-Test Claimants, with the support
3 of CSBA's Education Legal Alliance, contacted me and my firm for representation, which we
4 agreed to provide. The parties met and ultimately agreed that they needed cost data to reach a
5 settlement agreement. Co-Test Claimants suggested surveying representative Special Education
6 Local Plan Areas (SELPAs). The SELPA is the organizational unit in the state of California
7 responsible for delivering special education services. There are approximately 120 SELPAs
8 statewide made up of the approximately 950 school districts. Large districts may qualify as a
9 SELPA in and of themselves, but typically a SELPA is a grouping of districts in the same
10 geographical area/county. Every district must belong to a SELPA.

11 6. From October through December 2007, Co-Test Claimants worked with Finance to
12 develop a survey of costs based on the reimbursable activities identified in the Commission's
13 decision. The Commission had identified the following areas as reimbursable:

- 14 • SELPA plan requirements. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052, subd. j.)
- 15 • Development and implementation of behavioral intervention plans. (Cal. Code of
16 Regs., tit. 2, §§ 3001 and 3052, subds. (a), (c), (d), (e), and (f).)
- 17 • Functional analysis assessments. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052,
18 subds. (b), (c), and (f).)
- 19 • Modifications and contingent behavioral intervention plans. (Cal. Code of Regs.,
20 tit. 2, §§ 3001 and 3052, subds. (g) and (h).)
- 21 • Development and implementation of emergency interventions. (Cal. Code of
22 Regs., tit. 2, §§ 3001 and 3052, subd. (i).)
- 23 • Prohibited behavioral intervention plans. (Cal. Code of Regs., tit. 2, §§ 3001 and
24 3052, subd. (l).)
- 25 • Due process hearings. (Cal. Code of Regs., tit. 2, §§ 3001 and 3052, subd. (m).)

26 I drafted and redrafted a survey document to accurately assess the costs of implementing these
27 mandates and shared these drafts with Finance.

28 7. Ultimately we decided the survey would best measure the costs of Hughes Bill
implementation by seeking information at three different levels within each SELPA: The
Behavioral Intervention Case Manager ("BICM") level, the district level, and the SELPA level.

1 The BICM level survey collected information on services provided students. The district level
2 survey collected information on administrative hearings, required state reports, and the district's
3 2006-07 salary and benefit costs. The SELPA level surveyed the development of required
4 regulations and delivery of training. The parties agreed that the survey would collect information
5 only on the school year just completed, 2006-07, so that school districts would have ready access
6 to recent student Individualized Education Programs (IEPs), staff calendars, salary and benefit
7 costs, and other relevant data. Only the SELPA level survey, which asked for the costs of the
8 initial adoption of Hughes Bill regulations in or about 1993-94 and the initial training necessary to
9 implement the program, collected data on costs outside of 2006-07. A true and correct copy of the
10 final survey is labeled as Exhibit 1 and submitted with these documents.

11 8. In December 2007, Co-Test Claimants sought a range of volunteer SELPAs to
12 participate in the survey. Co-Test Claimants took great care to ensure participation by both small
13 and large SELPAs, and single district and multi-district SELPAs. However, because substantial
14 staff time was involved to complete the survey and no funding for the effort was available, Co-
15 Test Claimants were not in a position to require participation. Thirty SELPAs signed on to
16 participate in the survey. By May, 2008 Co-Test Claimants had received complete data from 21
17 SELPAs. These 21 SELPAs represented 11.34% of state ADA in the 2006 – 2007 school year, or
18 674,263.55 ADA out of 5,946,121.83 total statewide ADA. The California Department of
19 Education website for AB 602 2006-07 P-2 ADA was the source of the ADA numbers. Co-Test
20 Claimants and Finance agreed that this was an adequate sampling.

21 9. Survey returns were collected in my office under the direction of Kate Parnes, an
22 educational consultant with our firm and a retired SELPA director. Staff sent a copy of all survey
23 returns to Finance. Ms. Parnes called and emailed various SELPA directors and staff members,
24 birddogging many details until the surveys were complete. Our law firm retained Linda
25 Grundhoffer and Mike Lenahan, experienced school business officials, as consultants to compile
26 the data from the surveys. Ms. Grundhoffer and Mr. Lenahan developed a spreadsheet to collect
27 the survey return information and to calculate costs for each of the three levels within each of the
28 21 SELPAs. A binder containing all of those spreadsheets is Exhibit 2 submitted with these

1 documents.

2 10. The survey results were reviewed and modified by Finance until Finance and the
3 Co-Test Claimants agreed they were accurate. The survey results demonstrated a wide range of
4 2006-07 costs per ADA, from \$1.3096 dollars per ADA in Inyo County to \$81.9353 dollars per
5 ADA in Modoc County. The average 2006-07 cost per ADA was \$10.64403 dollars. A document
6 developed by Ms. Grundhoffer and Mr. Lenahan entitled Summary-Survey of Hughes Bill Costs is
7 submitted with these documents as Exhibit 3. That document shows, by SELPA, the 2006-07
8 costs, the 2006-07 costs per ADA, and the one time costs, as well as the relevant totals and
9 averages. The total statewide retroactive costs from the 1993-94 to 2008-09 school years,
10 including the total statewide extrapolated annual costs and the total statewide extrapolated one-
11 time costs, was \$1,014,605,046.17. Ms. Grundhoffer and Mr. Lenahan developed a document
12 with that calculation entitled Hughes Bill Survey Data, a copy of which is submitted with these
13 documents as Exhibit 4.

14 11. From July to November 2008, Co-Test Claimants engaged in settlement
15 negotiations with Finance. The parties reached a final settlement, but the legislature failed to fund
16 it in 2008-09 and again in 2009-10.

17 12. On October 26, 2010, Finance filed a dismissal with prejudice of its appeal in the
18 Sacramento Superior Court. On October 29, 2010, the superior court endorsed and filed the
19 dismissal with prejudice. As a result of the dismissal of the appeal, the Commission on State
20 Mandates' September 28, 2000 Statement of Decision stands.

21 13. Co-Test Claimants filed proposed Parameters and Guidelines October 26, 2000, a
22 little more than ten years ago. Since that time, the law has been amended to provide for a
23 Reasonable Reimbursement Methodology under Government Code section 17518.5. The code
24 section requires that the methodology be representative, take account of the variation in costs
25 among school districts to implement the mandate in a cost-effective manner, and suggests it be
26 based on a general allocation formula.

27 14. Co-Test Claimants are filing a Revised Proposed Parameters and Guidelines to
28 incorporate the Reasonable Reimbursement Methodology based on information we collected from

1 the survey described above. We propose that districts and COEs be reimbursed for the Behavioral
2 Intervention Plan mandates annual activities based on \$9.45701 per ADA in 2006-07, adjusted by
3 the Implicit Price Deflator for the applicable year. We propose that SELPAs be reimbursed
4 \$.32818 per 2006-07 ADA, one-time only, for the development of required regulations, adjusted
5 by the Implicit Price Deflator for the applicable year; and at \$1.18702 per 2006-07 ADA for on-
6 going activities, adjusted by the Implicit Price Deflator for the applicable year.

7 15. Our survey represents 11.34% of ADA statewide in 2006-07. Participating were 21
8 SELPAs which included 197 school districts and 11 County Offices of Education. Districts
9 ranged in size from Fresno Unified (71,980 ADA) to some, like Lincoln Elementary in Marin
10 county, with fewer than 100 ADA. Some were in urban areas (South San Diego County, Fresno
11 Unified, Tri-City Los Angeles), some in rural (Mono and Modoc Counties), and some suburban
12 (Poway Unified, Clovis Unified). They ranged from the southern border of the state (South
13 County San Diego) to the northern border (Modoc). We believe a review of this data will
14 establish its representative nature.

15 16. In our data collection we did everything we could to collect the most reliable, non-
16 inflated data. We stated in the survey instructions repeatedly that accuracy was important. We
17 explained that the data could not "include any activities related to the development of behavior
18 support plans (non-Hughes Bill)." (Survey, BICM cover sheet.) On the salary data, District
19 Survey at p. 4, we asked for the "average" salary and benefits level, not the "actual" level,
20 although many practitioners assured us that psychologists and BICMs involved in this mandate
21 were likely to be much more experienced than the average and therefore placed higher on the
22 schedule. When compiling the information, Ms. Grundhoffer, Mr. Lenahan, and I determined that
23 it was best to eliminate the data in response to SELPA Survey question 9 on SELPA Survey at p. 2
24 because it was too difficult to accurately assess. When reviewing the returns totals with Finance,
25 most of the adjustments to our totals were upward – indicating that whenever there was a question,
26 we took a careful and pessimistic look at the data.

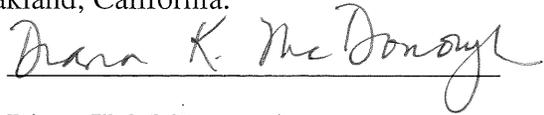
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED December 15, 2010 in Oakland, California.



Diana K. McDonough

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Oakland, California 94607
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**Declaration of
Linda S. Grundhoffer**

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DECLARATION OF LINDA S. GRUNDHOFFER

I, Linda S. Grundhoffer, declare as follows:

1. I have personal knowledge of the facts stated herein. If called as a witness, I could and would competently testify to these facts.

2. I am a consultant for CSM-4464, the Behavioral Intervention Plans Test Claim before the Commission on State Mandates. Co-Test Claimants are San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively, "Co-Test Claimants"). I am currently employed as a State Trustee for the California Department of Education, a position I have held for four years. In my capacity as State Trustee, I oversee the fiscal recovery of West Contra Costa Unified School District, a school district that has had a state loan for the past 19 years. I am also a consultant to the Fiscal Crisis and Asset Management Team, a position I have held for six years. In that capacity I assist districts who are fiscally unstable or who have sought management assistance voluntarily. I also have approximately 10 years experience as a school business official. My most recent position with a school district was as Financial Services Officer for the Oakland Unified School District. My duties included planning, implementing, and monitoring the district budget. Previous to that, I was the Director of Business Services for the Contra Costa County Office of Education for three years. My duties included the administration of AB1200 oversight for 18 school districts. In the course of my professional duties I calculated and reviewed costs for programs, and based on those calculations, developed school district budgets involving \$100 million or more. I have significant experience compiling and reviewing financial data.

3. In December 2007, Mike Lenahan and I were retained by Fagen, Friedman & Fulfroft to compile the data for the Hughes Bill Cost Survey. In December 2007 I reviewed the draft survey and told Diana McDonough, attorney for Claimants, that we could compile a reasonable cost study based on the information it would elicit. The Hughes Bill Cost Survey is based on the reimbursable activities identified in the Commission on State Mandates decision. The survey was designed to measure the costs of Hughes Bill implementation in the 2006-07 school year, at three different levels within each SELPA: The Behavioral Intervention Case

1 Manager ("BICM") level, the district Special Education Director level, and the Special Education
2 Local Plan Area ("SELPA") Director level. A true and correct copy of the final survey is
3 submitted with these Revised Proposed Parameters and Guidelines as Exhibit 1.

4 4. In December 2007, Co-Test Claimants sought a range of volunteer SELPAs to
5 participate in the survey. In January and February, 2008, SELPAs submitted the survey returns. I
6 spoke with many business and special education personnel during that period, clarifying questions
7 and assisting them in providing the information required. In total, 30 (thirty) SELPAs attempted
8 to complete the survey. However, we received complete data from only 21 (twenty-one) SELPAs.
9 The final survey results include only data obtained from the 21 SELPAs that fully completed the
10 survey. These 21 SELPAs represented 11.34% of state ADA in the 2006 – 2007 school year, or
11 674,263.55 ADA out of 5,946,121.83 total statewide ADA. The California Department of
12 Education website for AB 602 2006-07 P-2 ADA was the source of the ADA numbers.

13 5. To compile the data collected from the surveys, Mr. Lenahan and I developed an
14 input spreadsheet for each of the three levels of the survey: BICM, District, and SELPA. We
15 worked with Ms. McDonough to make sure that the result would be understandable, would
16 accurately reflect the survey information, and would reduce the services to a cost figure. While
17 we considered using clerks to assist us in inputting the data, we ultimately decided to do it
18 ourselves.

19 6. The system we developed was as follows. Survey returns were sent to Fagen
20 Friedman & Fulfroft's office in Oakland. Kate Parnes, an educational consultant with Fagen
21 Friedman & Fulfroft and a retired SELPA director, checked them for completeness and called
22 school personnel to obtain missing information. Once all information was in, Fagen Friedman &
23 Fulfroft's staff made a copy which was sent to the Department of Finance ("Finance"). Then the
24 original was turned over to Mr. Lenahan or me for compilation. We often needed to call school
25 personnel while compiling the data as we became aware of missing information. We always
26 checked to obtain the actual information, and if we were unsuccessful we ultimately did not use
27 any of that SELPA's information. We did not estimate.

28 7. Mr. Lenahan and I summarized our results on spreadsheets and shared the template

1 with the Finance personnel. A true and correct copy of the documents on which we compiled the
2 survey results is included in a binder, submitted with these documents as Exhibit 2.

3 8. We entered and compared Finance's results with ours and resolved discrepancies
4 with them by phone or email. A true and correct copy of the spreadsheet showing the Finance
5 results and our results is submitted with these documents as Exhibit 5, "Hughes Bill Survey with
6 Department of Finance and Claimant Discrepancies." The differences are reflected in the columns
7 titled "DOF Hours" and "Our Hours." Hours listed are the staff hours recorded to perform the
8 various tasks surveyed. We met with DOF personnel and ultimately agreed on the numbers on the
9 spreadsheet in the binder as Exhibit 6, "Hughes Bill Survey Reconciling Discrepancies." That
10 exhibit highlights the cells where changes were made based on reviewing the figures with DOF.

11 9. The survey results demonstrated a wide range of 2006-07 costs per ADA, from
12 \$1.3096 dollars per ADA in Inyo County to \$81.9353 dollars per ADA in Modoc County. The
13 average 2006-07 cost per ADA was \$10.64403 dollars. I was not surprised by the range in cost
14 figures among districts and SELPAs. In my experience special education costs can vary widely
15 from year to year in the same district depending on the needs of particular students, let alone
16 among districts which may vary substantially depending on community advocates and litigation.
17 Further districts in remote locations may have high costs based on obtaining particular services in
18 remote locations. The total statewide retroactive costs from the 1993-94 to 2008-09 school years
19 was \$1,014,605,046.17 dollars, including the total statewide extrapolated annual costs and the
20 total statewide extrapolated one-time costs.

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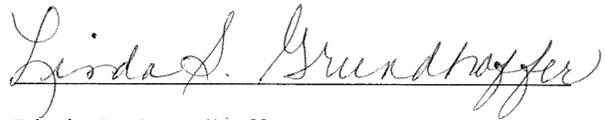
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED DECEMBER 13, 2010 in King City, California.



Linda S. Grundhoffer, Consultant

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**Declaration of
R. Michael Lenahan**

1 BICMS and Districts. Then I divided the total cost of all on-going activities at each level by the
2 2006-07 P-2 ADA. The resulting unit cost rate for on-going SELPA activities was \$1.18702. The
3 resulting unit cost rate for on-going school district and BICM activities was \$9.45701. With
4 respect to one-time activities, I calculated the per ADA unit cost rate for the one-time activities of
5 developing BIP procedures at the SELPA level by dividing the total of \$221,279.26 by the ADA
6 total of surveyed SELPAs, 674,263.55, for a result of \$.32818 (FY 2006-07). A true and correct
7 copy of the spreadsheet showing the calculations of Reasonable Reimbursement Methodology unit
8 cost rates is submitted with these documents as Exhibit 7.

9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11 EXECUTED December 15, 2010 in Oakland, California.

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14 R. Michael Lenahan, Consultant

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Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

Three Levels: BICM – District Special Education Director – SELPA Director

January 2008

Dear SELPA Director:

As you know, your SELPA has volunteered to provide information on the costs of Hughes Bill implementation. This information will be used to further negotiations on possible Hughes Bill mandate reimbursement for all SELPAs, districts and County offices. The survey data sought are negotiation points in ongoing settlement discussions with the Department of Finance. The survey is not intended to signify the Department's agreement that all surveyed activities are reimbursable.

The survey is in three parts - a BICM level, a District Special Education Director level, and a SELPA Director level. The BICM and District Director surveys collect data from the **2006-07** school year only. The District director and SELPA director surveys both include spreadsheets to calculate hourly rate. The SELPA survey asks you to cumulate the District data and to provide SELPA level data from activities associated with training and Local Plan procedures. Note that each person working as a BICM in the SELPA in 2006-07, or his/her successor, should complete the survey. **As the SELPA director, you are responsible for distributing the survey to your member districts, obtaining their cooperation, and returning their data to us. Please make sure that you include County office BICMs and programs.**

We know this survey will require effort but your accuracy is important in obtaining valid data. Please remember to black out any personally identifiable student information that exists on any documents attached to the survey. Also, where you are asked to identify personnel, please list the positions, not the person's name. Finally, make sure that people completing this survey keep track of their time and provide it in the space indicated since we hope to obtain reimbursement for that.

As you know, CSBA's Education Legal Alliance has contracted with the law firm Fagen, Friedman & Fulfrost to represent school agencies in this matter. Kate Parnes, a retired SELPA director, is an educational consultant with Fagen Friedman. If you have any questions about the process or a particular part of the survey, please contact Kate at Fagen Friedman's Oakland office, 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the calculation of the hourly rate on the spreadsheet, please contact Mike Lenahan at rmlenahan@gmail.com.

Thank you very much for your work. It is a valuable service. Return your completed surveys to Kate Parnes at Fagen, Friedman & Fulfrost, 70 Washington Street, Suite 205, Oakland, CA 94607 by Friday, February 1, 2008.

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

BICM

Dear Behavioral Intervention Case Manager (BICM):

We need your help in determining the costs of Hughes Bill implementation by answering this survey. The purpose is to identify the costs associated with this added state requirement. The information will be used to further negotiations on possible Hughes Bill reimbursement.

The survey asks you for the number of Functional Analysis Assessments (FAA) and Positive Behavioral Intervention Plans (PBIP) you or your predecessor were involved with in the **2006-07** school year and the amount of time those efforts took. We are asking for this information for the 2006-07 school year only and only for Hughes Bill PBIP/FAA activities. This does not include any activities related to the development of behavior support plans (non-Hughes Bill).

We understand that it will require some effort to reconstruct your 2006-07 schedule, but your accuracy is very important if we are to collect valid data. We suggest that you obtain copies of all your PBIP students' 2006-07 IEPs in order to provide the information requested. **Please note that each BICM working in the district/SELPA/County office in 2006-07 should complete the survey. If a BICM has left, please have the BICM's successor or another knowledgeable person complete the form.**

Please remember to:

- black out any personally identifiable student information that exists on any documents attached to the survey;
- identify personnel by position, not name; and
- record time required in hours, or portions thereof, not in days or weeks.

If you have any questions on the survey, please contact Kate Parnes, a retired SELPA director working with the law firm Fagen, Friedman & Fulfrost. Kate can be reached at Fagen Friedman's Oakland office, 510-550-8200, by cell at 650-400-2288 or by email at kparnes@fagenfriedman.com. Feel free to annotate data to provide clarity. **Please indicate the amount of time it took for you to complete this survey in the space provided.**

Return your completed survey to your district or SELPA supervisor by January __, 2008. Please provide a copy of your completed survey to all relevant district directors.

Thank you very much for your help in this important effort.

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): _____
 Name of BICM Completing Survey: _____
 Title: _____
 Phone Number(s): _____
 Email Address: _____

<p>1a. _____ 1b. _____ 1c. _____</p>	<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>
<p>2. _____</p>	<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>
<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>	<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	7a. _____ 7b. _____ 7c. _____	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

	<u># of Hours</u>
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

District Level Survey – Special Education Director

Dear Special Education Director:

We need your help in determining the costs of Hughes Bill implementation by answering this survey. The purpose is to identify costs associated with the mandates generated from the Hughes Bill at the District level. BICMs and the SELPA director are also completing surveys. This information will be used to further negotiations on possible Hughes Bill mandate reimbursement for all SELPAs, districts, and County offices. For purposes of the survey, we are focusing on the 2006-07 school year.

We recognize that the survey will require effort on your part. Your district superintendent will be receiving a letter from the California School Boards Association explaining the purpose of the survey and the time commitment involved.

Please remember:

- to black out any personally identifiable student information that exists on any documents attached to the survey;
- to identify personnel by position, not name; and
- to record time required in hours, or portions thereof, not in days or weeks.

Note that a critical part of this survey is to provide the hourly rate of each district position that you list or that one of your BICMs has listed. Your district BICMs should provide you a copy of their completed surveys to allow you or your business office to do this.

When complete, return this survey, along with those completed by your BICMs, to the SELPA office by **January __, 2008**. If you have any questions, please contact Kate Parnes, a retired SELPA director now working with the law firm Fagen, Friedman & Fulfrost. Kate can be reached at Fagen Friedman's Oakland office, 510-550-8200, by cell at 650-400-2288 or by email at kparnes@fagenfriedman.com. For questions on the calculation of hourly rate, please contact Mike Lenahan at mrlenahan@gmail.com.

Thank you so much for your help in this important endeavor.

SELPA: _____ Date: _____
 District: _____
 Person Completing Survey: _____
 Title: _____
 Phone Number(s): _____
 Email Address: _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?			1. _____
			<u># of Hours</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2. _____	a. Performing emergency behavioral interventions. _____ b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. _____ c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. _____ d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. _____ e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. _____ f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. _____ g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA. _____	2. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____		3. _____ _____ _____ _____

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?</p> <p>a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. _____</p> <p>4a. _____</p>
---	----------------------------------

Case #: _____ (use OAH filing number)

	<u>Position</u>	<u># of Hours</u>
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5. _____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>5. _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p>	<p>6. _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p>	<p>7. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p>
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p>	<p>8. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data **for 2006-07** on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____

Thank you for taking the time to complete this survey.

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: _____ DATE: _____
School District (if serving multiple districts, list all): _____

Name of BICM Completing Survey: _____

Title: _____

Phone Number(s): _____

Email Address: _____

Part 1: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	_____
2. How many BICM surveys have been returned to you?	_____
3. If not all BICM surveys have been returned, please indicate reason.	_____
4. How many districts are in your SELPA?	_____
5. How many district level surveys have been returned to you?	_____

6. If not all district surveys have been returned, please indicate reason.			
Part II: SELPA LEVEL ACTIVITIES			
A. PBIP Procedures in the Local Plan			
Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.			
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? _____ b. What is the basis for your estimate? _____	7. _____ _____ _____ _____	<u>Position</u>	<u># of Hours</u> 7. _____ _____ _____ _____
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? _____ b. What is the basis for your estimate? _____	8. _____ _____ _____ _____		8. _____ _____ _____ _____
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	9. _____ _____ _____ _____		9. _____ _____ _____ _____

	<u>Position</u>	<u># of Hours</u>
<p>10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>10. _____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>10. _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>B. Training</p>		
<p>Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.</p>		
<p>11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p>	<p>11. _____</p> <p>_____</p> <p>_____</p>	<p>11. _____</p> <p>_____</p> <p>_____</p>
<p>12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>12. _____</p> <p>_____</p> <p>_____</p>	<p>12. _____</p> <p>_____</p> <p>_____</p>

	<u>Position</u>	<u># of Hours</u>
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p>	<p>13. _____</p> <p>_____</p> <p>_____</p>	<p>13. _____</p> <p>_____</p> <p>_____</p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14. _____</p> <p>_____</p> <p>_____</p>	<p>14. _____</p> <p>_____</p> <p>_____</p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p>	<p>15. _____</p> <p>_____</p> <p>_____</p>	<p>15. _____</p> <p>_____</p> <p>_____</p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>16. _____</p> <p>_____</p> <p>_____</p>	<p>16. _____</p> <p>_____</p> <p>_____</p>

	<u>Position</u>	<u># of Hours</u>
<p>17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p>	<p>17. _____ _____ _____</p>	<p>17. _____ _____ _____</p>
<p>18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p>	<p>18. _____ _____ _____</p>	<p>18. _____ _____ _____</p>
<p>19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>19. _____ _____ _____</p>	<p>19. _____ _____ _____</p>
<p>20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p>	<p>20. _____ _____ _____</p>	<p>20. _____ _____ _____</p>

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above – i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs – i.e., individuals, district, county office, SELPA.

Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

	# Attdg.	District/Position	# of Hours
22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	22. _____ _____ _____	22. _____ _____ _____	22. _____ _____ _____
23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23. _____ _____ _____	23. _____ _____ _____	23. _____ _____ _____
24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	24. _____ _____ _____	24. _____ _____ _____	24. _____ _____ _____

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ _____

- a. Is this figure typical of annual costs and for how long has it been typical? _____
- b. If not, what have you typically done? _____
- c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	<u>Position</u>	<u># of Hours</u>
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. _____ _____ _____ _____	26. _____ _____ _____ _____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. _____ _____ _____ _____	27. _____ _____ _____ _____

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. _____

Thank you very much for taking the time to complete this survey.

**Please See Binder
Labeled Exhibit 2**

**Summary
Survey of Hughes Bill Costs**

Reconciled with DOF - June 27, 2008

SELPA	06-07 P-2 ADA	06-07 Costs	Total Costs 93-94 thru 07-08 (15 X 06-07 Costs)	One-Time Costs	Total (15 yrs + one time)	Cost of Survey	06-07 Costs per ADA
Butte County	30,848.48						
SELPA Level		6,699.37		56,446.88		144.10	
District Level		28,385.71				392.93	
BICM Level		15,077.09				179.70	
TOTAL		50,162.17	752,432.55	56,446.88	808,879.43	716.73	1.6261
Calaveras County	6,478.27						
SELPA Level		8,228.74		3,414.90		33.94	
District Level		0.00				16.73	
BICM Level		1,633.70				34.78	
TOTAL		9,862.44	147,936.60	3,414.90	151,351.50	85.45	1.5224
Clovis	35,667.83						
SELPA Level		39,657.24		7,525.74		158.64	
District Level		18,604.92				105.76	
BICM Level		115,371.03				949.12	
TOTAL		173,633.19	2,604,497.85	7,525.74	2,612,023.59	1,213.52	4.8681
Fresno County	73,258.27						
SELPA Level		104,460.91		30,038.67		910.70	
District Level		24,531.13				717.51	
BICM Level		598,070.28				2,653.71	
TOTAL		727,062.32	10,905,934.80	30,038.67	10,935,973.47	4,281.92	9.9246
Fresno Unified	71,980.15						
SELPA Level		99,561.04		11,391.71		674.00	
District Level		31,939.98				202.20	
BICM Level		8,123.64				195.15	
TOTAL		139,624.66	2,094,369.90	11,391.71	2,105,761.61	1,071.35	1.9398
Glenn County	5,624.16						
SELPA Level		19,862.22		4,117.83		1,057.80	
District Level		4,979.40				129.74	
BICM Level		2,463.31				78.69	
TOTAL		27,304.93	409,573.95	4,117.83	413,691.78	1,266.23	4.8549
Inyo County	2,877.02						
SELPA Level		2,519.10		1,563.88		68.67	
District Level		0.00				0.00	
BICM Level		1,248.64				51.51	
TOTAL		3,767.74	56,516.10	1,563.88	58,079.98	120.18	1.3096
Lodi Area	30,714.03						
SELPA Level		52,130.07		5,181.83		3,743.55	
District Level		1,021.80				90.02	
BICM Level		223,068.12				52.50	
TOTAL		276,219.99	4,143,299.85	5,181.83	4,148,481.68	3,886.07	8.9933
Marin County	27,879.59						
SELPA Level		24,157.56		1,267.35		2,808.40	
District Level		1,177.45				88.83	
BICM Level		43,539.15				283.03	
TOTAL		68,874.16	1,033,112.40	1,267.35	1,034,379.75	3,180.26	2.4704
Modoc County	2,022.51						
SELPA Level		4,684.46		2,949.63		148.98	
District Level		5,615.42				148.98	
BICM Level		155,415.09				794.56	
TOTAL		165,714.97	2,485,724.55	2,949.63	2,488,674.18	1,092.52	81.9353
Mono County	2,244.86						
SELPA Level							
District Level							
BICM Level							
TOTAL		0.00	0.00	0.00	0.00	0.00	0.0000

**Summary
Survey of Hughes Bill Costs**

Reconciled with DOF - June 27, 2008

SELPA	06-07 P-2 ADA	06-07 Costs	Total Costs 93-94 thru 07-08 (15 X 06-07 Costs)	One-Time Costs	Total (15 yrs + one time)	Cost of Survey	06-07 Costs per ADA
Poway Unified	31,843.96						
SELPA Level		23,369.10		10,149.51		186.00	
District Level		9,057.09				62.00	
BICM Level		173,655.66				1,581.67	
TOTAL		206,081.85	3,091,227.75	10,149.51	3,101,377.26	1,829.67	6.4716
South County	91,127.22						
SELPA Level		18,700.55		2,653.74		568.04	
District Level		33,697.47				446.82	
BICM Level		237,285.27				2,379.53	
TOTAL		289,683.29	4,345,249.35	2,653.74	4,347,903.09	3,394.39	3.1789
San Joaquin County	62,034.75						
SELPA Level		207,289.00		24,583.37		2,707.20	
District Level		130,122.09				3,263.58	
BICM Level		1,238,763.84				2,565.66	
TOTAL		1,576,174.93	23,642,623.95	24,583.37	23,667,207.32	8,536.44	25.4079
Solano County	48,462.07						
SELPA Level		55,985.75		9,681.43		359.40	
District Level		27,488.45				2,231.64	
BICM Level		1,108,521.35				2,313.57	
TOTAL		1,191,995.55	17,879,933.25	9,681.43	17,889,614.68	4,904.61	24.5965
Sonoma County	67,493.29						
SELPA Level		158.74		1,349.29		0.00	
District Level		2,231.41				76.12	
BICM Level		165,722.34				1,169.75	
TOTAL		168,112.49	2,521,687.35	1,349.29	2,523,036.64	1,245.87	2.4908
Tehama County	10,471.81						
SELPA Level		16,102.78		17,450.54		698.40	
District Level		22,937.90				382.40	
BICM Level		16,102.78				378.25	
TOTAL		55,143.46	827,151.90	17,450.54	844,602.44	1,459.05	5.2659
Tri-City	22,830.40						
SELPA Level		36,217.38		19,052.97		226.26	
District Level		44,548.21					
BICM Level		0.00					
TOTAL		80,765.59	1,211,483.85	19,052.97	1,230,536.82	226.26	3.5376
Tuolumne County	6,994.29						
SELPA Level		10,595.16		1,636.47		144.02	
District Level		0.00				0.00	
BICM Level		59,197.47				274.50	
TOTAL		69,792.63	1,046,889.45	1,636.47	1,048,525.92	418.52	9.9785
West Orange County	46,304.89						
SELPA Level		59,306.02		3,158.18		1,270.88	
District Level		78,259.51				519.13	
BICM Level		1,394,220.70				1,377.11	
TOTAL		1,531,786.23	22,976,793.45	3,158.18	22,979,951.63	3,167.12	33.0804
Yolo County	27,819.73						
SELPA Level		10,676.58		7,665.34		296.96	
District Level		12,815.75				181.53	
BICM Level		341,623.30				626.40	
TOTAL		365,115.63	5,476,734.45	7,665.34	5,484,399.79	1,104.89	13.1243
Total of Completed SELPAS	674,263.55	7,176,878.22	107,653,173.30	221,279.26	107,874,452.56	43,201.05	10.64403

Hughes Bill Survey Data

Hughes Bill Claimants

In 2007-08, Butte County Office of Education, San Diego Unified School District, and San Joaquin County Office of Education, the school agencies who were the Claimants in the Hughes Bill Test Claim, surveyed a number of California SELPAs regarding the costs of implementing the Hughes Bill. The Claimants received complete data from 21 SELPAs representing 11.34% of state ADA and the recorded results were reviewed and modified by the Department of Finance (DOF) until DOF and the Claimants agreed they were accurate.

Below we show the survey results on the first line of each section, the statewide total extrapolated from the survey data on the second line, and the final number used in calculating the settlement numbers on the third line, where relevant. The CDE website for AB 602 2006-07 P-2 ADA is the source of the ADA numbers.

ADA

674,263.55	Survey ADA	2006-07 P-2 AB602 (11.34% of total)
5,946,121.83	Total statewide ADA	2006-07 P-2 AB602

Annual costs

\$ 7,176,878.22	Surveyed SELPAs' costs, 2006-07 (\$10.64403 per ADA)
63,290,670.62	Total statewide extrapolated costs, 2006-07 (ADA x \$ 10.64403)
66,157,738.00	Total statewide extrapolated costs, 2007-08 (2006-07 costs + 4.53% COLA)

One time costs

\$ 221,279.26	Surveyed SELPAs' one-time costs
	Total statewide extrapolated one-time costs
1,951,316.23	(\$221,279.26 = 11.34% of this total)

Retroactive costs

\$1,012,650,729.94	Statewide retroactive costs (63,290,670.62 x 16 years, 1993-94 – 2008-09)
<u>+ 1,951,316.23</u>	Total statewide extrapolated one-time costs
<u>\$1,014,605,046.17</u>	Total statewide retroactive costs

Hughes Bill Survey with Department of Finance and Claimant Discrepancies

SELPA	06-07 P-2 ADA	Survey REC'D	DOF Hours	Our Hours	06-07 Costs	Estimated Costs - 93-94 thru 07-08	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
Butte County											
Number of BICM's in SELPA	14	2/4/2008									
	4	SELPA Level	281.00	259.00	7,708.07		56,446.88		144.10		Complete
		District Level	516.75	539.99	28,303.21				392.93		
Number of BICM surveys returned	4										
Number of LEA's in SELPA	15		259.00	262.00	15,077.09				179.70		
Number of LEA surveys returned	15	TOTAL	1,056.75	1,054.99	51,068.37		56,446.88	822,772.43	716.73	1.66	
Calaveras County											
Number of BICM's in SELPA	4	2/26/2008									
	3	SELPA Level	232.00	228.00	8,207.15		3,414.90		33.94		Complete
	3	District Level	0.00	0.25	0.00				16.79		
Number of BICM surveys returned	4										
Number of LEA's in SELPA	1		31.00	62.66	3,267.40				34.78		
Number of LEA surveys returned	1	TOTAL	263.00	290.91	11,474.55		3,414.90	175,533.15	85.45	1.77	
Clovis											
Number of BICM's in SELPA	1	2/4/2008									
	30	SELPA Level	809.50	806.50	39,657.24		7,525.74		158.64		Complete
		District Level	314.00	316.00	18,604.92				105.76		
Number of BICM surveys returned	8										
Number of LEA's in SELPA	1		2,104.50	2,129.50	114,425.47				949.12		
Number of LEA surveys returned	1	TOTAL	3,228.00	3,252.00	172,667.63		7,525.74	2,597,840.19	1,213.52	4.84	
Fresno County											
Number of BICM's in SELPA	30	2/17/2008									
	56	SELPA Level			113,205.97		30,036.67		910.70		97% done
	51	District Level			24,543.08				717.51		
Number of BICM surveys returned	32										
Number of LEA's in SELPA	19				593,149.67				2,653.71		
Number of LEA surveys returned	19	TOTAL			730,898.72		30,036.67	10,993,519.47	4,281.92	9.98	
Fresno Unified											
Number of BICM's in SELPA	1	3/19/2008									
	53	SELPA Level	1,867.00	1,877.00	99,561.04		11,391.71		674.00		Complete
	1	District Level	540.00	551.00	31,939.98				202.20		
Number of BICM surveys returned	1										
Number of LEA's in SELPA	n/a		45.00	218.00	8,123.64				195.15		
Number of LEA surveys returned	n/a	TOTAL	2,452.00	2,646.00	139,624.66		11,391.71	2,105,761.61	1,071.35	1.94	
Glenn County											
Number of BICM's in SELPA	9	2/11/2008									
	8	SELPA Level	177.00	521.00	19,862.22		4,117.83		1,057.80		Complete
	4	District Level	32.00	45.50	4,979.40				129.74		
Number of BICM surveys returned	10										
Number of LEA's in SELPA	2		50.50	51.50	2,463.31				78.69		
Number of LEA surveys returned	2	TOTAL	259.50	618.00	27,304.93		4,117.83	413,691.78	1,266.23	4.85	
Inyo County											
Number of BICM's in SELPA	7	2/6/2008									
	4	SELPA Level			2,519.10		1,563.88		68.67		Complete
	4	District Level			0.00				0.00		No District Surveys
Number of BICM surveys returned	7										
Number of LEA's in SELPA	7		45.00	1,248.64	1,248.64				51.51		
Number of LEA surveys returned	7	TOTAL			3,767.74		1,563.88	58,079.98	120.18	1.31	
Lodi Area											
Number of BICM's in SELPA	3	3/4/2008									
	27	SELPA Level	1,267.00	2,053.50	80,625.75		5,181.83		3,743.55		Complete
	3	District Level	22.00	22.00	883.60				90.02		
Number of BICM surveys returned	6										
Number of LEA's in SELPA	0		750.40	7,504.17	194,759.08				52.50		
Number of LEA surveys returned	0	TOTAL	2,039.40	9,579.67	276,268.43		5,181.83	4,149,206.28	3,886.07	8.99	

Hughes Bill Survey with Department of Finance and Claimant Discrepancies

SELPA	06-07 P-2 ADA	Survey REC'D	DOF Hours	Our Hours	06-07 Costs	Estimated Costs - 95-94 thru 07-08	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
Main County											
Number of BICM's in SELPA	17	2/4/2008									
Number of BICM surveys returned	24	SELPA Level			24,157.56		1,267.35		2,808.40		Complete
	24	District Level			1,178.43				88.83		
Number of LEA's in SELPA	20	BICM Level			43,597.37				283.03		
Number of LEA surveys returned	19	TOTAL			68,933.36	1,034,000.40	1,267.35	1,035,267.75	3,180.26	2.47	
Modoc County											
Number of BICM's in SELPA	3	2/4/2008									
Number of BICM surveys returned	1	SELPA Level	120.50	123.50	4,523.38		1,057.63		148.98		Complete
	1	District Level	120.00	122.50	3,508.23				148.98		
Number of LEA's in SELPA	4	BICM Level	2,988.40	2,942.90	155,990.26				794.56		
Number of LEA surveys returned	4	TOTAL	3,228.90	3,188.90	163,421.87	2,451,328.05	1,057.63	2,452,385.68	1,092.52	80.80	
Mono County											
Number of BICM's in SELPA	2	2/6/2008									
Number of BICM surveys returned		SELPA Level									Complete - see inyo
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	
Poway Unified											
Number of BICM's in SELPA	1	2/26/2008									
Number of BICM surveys returned	24	SELPA Level			23,369.10		10,149.51		186.00		Complete
	23	District Level			9,057.09				62.00		
Number of LEA's in SELPA	1	BICM Level			166,705.74				1,581.67		
Number of LEA surveys returned	1	TOTAL			199,131.93	2,986,978.95	10,149.51	2,997,128.46	1,829.67	6.25	
South County											
Number of BICM's in SELPA	6	2/15/2008									
Number of BICM surveys returned	39	SELPA Level			18,700.55		2,653.74		563.04		Complete
	39	District Level			33,697.47				446.82		
Number of LEA's in SELPA	6	BICM Level			235,692.25				2,379.53		
Number of LEA surveys returned	6	TOTAL			288,090.27	4,321,354.05	2,653.74	4,324,007.79	3,394.39	3.16	
San Joaquin County											
Number of BICM's in SELPA	10	2/15/2008									
Number of BICM surveys returned	22	SELPA Level	2,306.00	4,343.00	207,289.00		24,583.37		2,707.20		95% Complete
	13	District Level	1,846.00	1,655.00	102,459.87				3,263.58		
Number of LEA's in SELPA	11	BICM Level	29,254.00	28,732.42	1,237,381.77				2,565.66		
Number of LEA surveys returned	11	TOTAL	33,406.00	34,730.42	1,547,130.64	23,206,959.60	24,583.37	23,231,542.97	8,536.44	24.94	
Solano County											
Number of BICM's in SELPA	5	2/7/2008									
Number of BICM surveys returned	9	SELPA Level	174.10	867.10	55,985.75		9,681.43		359.40		Complete
	9	District Level	343.00	386.00	27,488.45				2,231.64		
Number of LEA's in SELPA	6	BICM Level	20,460.00	19,873.76	850,787.76				2,313.57		
Number of LEA surveys returned	6	TOTAL	20,977.10	21,126.86	914,261.96	13,713,929.40	9,681.43	13,723,610.83	4,904.61	18.87	
Sonoma County											
Number of BICM's in SELPA	40	2/19/2008									
Number of BICM surveys returned	7	SELPA Level	23.00	19.00	158.74		1,349.29		0.00		97% complete
	20	District Level	51.00	36.75	2,231.41				76.12		
Number of LEA's in SELPA	40	BICM Level	65,282.50	41,015.50	152,535.91				1,077.27		
Number of LEA surveys returned	20	TOTAL	65,336.50	41,071.25	154,926.06	2,323,890.90	1,349.29	2,325,240.19	1,153.39	2.30	
Tehama County											
Number of BICM's in SELPA	19	2/11/2008									
Number of BICM surveys returned	7	SELPA Level			16,102.78		17,450.54		698.40		98% complete
	11	District Level			23,041.74				382.40		
Number of LEA's in SELPA	18	BICM Level			18,937.02				378.25		
Number of LEA surveys returned	9	TOTAL			58,081.54	871,223.10	17,450.54	886,673.64	1,459.05	5.55	

Hughes Bill Survey with Department of Finance and Claimant Discrepancies

SELPA	06-07 P-2 ADA	Survey REC'D	DOF Hours	Our Hours	06-07 Costs	Estimated Costs - 99-94 thru 07-08	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
	3	4/4/2008									
Tulame County	22,830.40										
Number of BICM's in SELPA	8	SELPA Level			36,217.38		19,052.97		226.26		Complete
Number of BICM surveys returned	0	District Level			44,548.21						No BICM surveys
Number of LEA's in SELPA	3	BICM Level			0.00						
Number of LEA surveys returned	1	TOTAL			80,765.59	1,211,483.85	19,052.97	1,230,536.82	226.26	3.54	
Tuolumne County	6,994.29	3/17/2008									
Number of BICM's in SELPA	2	SELPA Level			10,595.16		1,636.47		144.02		Complete
Number of BICM surveys returned	2	District Level			0.00				0.00		No District surveys
Number of LEA's in SELPA	12	BICM Level			59,197.47				274.50		
Number of LEA surveys returned	0	TOTAL			69,792.63	1,046,889.45	1,636.47	1,048,525.92	418.52	9.98	
West Orange County	46,904.89	2/19/2008									
Number of BICM's in SELPA	16	SELPA Level	917.50	855.00	59,306.02		3,158.18		1,270.88		95% complete
Number of BICM surveys returned	13	District Level	687.00	686.40	78,241.02				519.13		
Number of LEA's in SELPA	5	BICM Level			1,394,367.69				1,977.11		
Number of LEA surveys returned	5	TOTAL	1,604.50	1,541.40	1,531,914.73	22,978,720.95	3,158.18	22,981,879.13	3,167.12	33.08	
Yolo County	27,819.73	2/4/2008									
Number of BICM's in SELPA	4	SELPA Level			10,676.58		7,665.34		296.96		Complete
Number of BICM surveys returned	6	District Level			12,815.75				181.53		
Number of LEA's in SELPA	6	BICM Level			341,623.30				626.40		
Number of LEA surveys returned	3	TOTAL			365,115.63	5,476,734.45	7,665.34	5,484,399.79	1,104.89	13.12	
Total of Completed SELPAS	674,263.55				6,854,661.24	102,820,218.60	219,387.26	103,039,605.86	43,108.57	10.17	
Total LEA's not including COE's or Charters	194										

Hughes Bill Survey with Department of Finance and Claimant Discrepancies

SELPA	06-07 P-2 ADA	Survey REC'D	DOF Hours	Our Hours	06-07 Costs	Estimated Costs - 99-94 thru 07-08	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
Hopeful to Obtain Remaining Information El Dorado County	14	2/5/2008									
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	Not complete; 70% done Missing training costs on SELPA survey
Greater Anaheim	5	2/14/2008									
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	Not complete; need SELPA and salary information
San Diego Unified	1										
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	Only have BICM forms
Ventura County	22	2/19/2008									
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	No salary info for SELPA survey; need about 70% of salary info for rest
West End	10	2/26/2008									
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	Not complete
Total LEA's not including COE's or Charters	52										
Likely to Remain Incomplete Antelope Valley	1	3/5/2008									
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	Not complete; emails 47 and 423; no response 30% done
North Region	5	2/5/2008									
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	Complete - only SELPA information
Number of BICM's in SELPA	1										
		SELPA Level			61,680.66		13,401.74		1,203.90		
Number of BICM surveys returned	1										
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	30% complete
Number of LEA's in SELPA	4										
		SELPA Level			61,680.66	925,209.90	13,401.74	938,611.64	1,203.90	2.49	
Number of LEA surveys returned	1										
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	No SELPA; district done; lots of salary information needed on BICM; 50% complete
Sacramento City Unified	23	2/4/2008 (2/1/08)									
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	30% complete
		SELPA Level									
		District Level									
		BICM Level									
		TOTAL			0.00	0.00	0.00	0.00	0.00	0.00	

Hughes Bill Survey with Department of Finance and Claimant Discrepancies

SELPA	06-07 P-2 ADA	Survey REC'D	DOF Hours	Our Hours	06-07 Costs	Estimated Costs - 93-94 thru 07-08	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
Total LEA's not including COE's or Charters	30	222,500									
DROPPED SELPA's		Placer, Sierra Sands, and Whittier									

Hughes Bill Survey
Reconciling Discrepancies

Indicates areas that DOF and FFF had differences and these are the		Reconciled with DOF - June 27, 2008									
SELPA	06-07 P-2 ADA	Survey REC'D	Our Hours	06-07 Costs	Estimated Costs - 93-94 thru 07-08	One-Time Hours	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
Butte County	14	30,848.48									
Number of BICM's in SELPA	4		100.00	6,699.37		143.00	56,446.88		144.10		Complete
Number of BICM surveys returned	4		530.25	28,385.71					392.93		
Number of LEA's in SELPA	15		259.00	15,077.09					179.70		
Number of LEA surveys returned	15		889.25	50,162.17	752,432.55		56,446.88	808,879.43	716.73	1,626.1	
Calaveras County	4	6,478.27									
Number of BICM's in SELPA	3		168.00	8,228.74		59.00	3,414.90		33.94		Complete
Number of BICM surveys returned	3		0.00	0.00					16.73		
Number of LEA's in SELPA	4		31.00	1,633.70					34.78		
Number of LEA surveys returned	1		199.00	9,862.44	147,936.60		3,414.90	151,351.50	85.45	1,522.4	
Clovis	1	35,667.83									
Number of BICM's in SELPA	30		803.50	39,657.24		133.50	7,525.74		158.64		Complete
Number of BICM surveys returned	8		314.00	18,604.92					105.76		
Number of LEA's in SELPA	1		2,103.50	115,371.03					949.12		
Number of LEA surveys returned	1		3,221.00	173,633.19	2,604,497.85		7,525.74	2,612,023.59	1,213.52	4,868.1	
Fresno County	30	73,258.27									
Number of BICM's in SELPA	56		1,951.25	104,460.91		524.25	30,038.67		910.70		97% complete
Number of BICM surveys returned	51		466.75	24,531.13					717.51		
Number of LEA's in SELPA	32		12,481.50	598,070.28					2,653.71		
Number of LEA surveys returned	19		14,899.50	727,062.32	10,905,934.80		30,038.67	10,935,973.47	4,281.92	9,924.6	
Fresno Unified	1	71,980.15									
Number of BICM's in SELPA	53		1,700.00	99,561.04	NO CHANGES	167.00	11,391.71		674.00		Complete
Number of BICM surveys returned	1		548.00	31,939.98					202.20		
Number of LEA's in SELPA	1		215.00	8,123.64					195.15		
Number of LEA surveys returned	n/a		2,463.00	139,624.66	2,094,369.90		11,391.71	2,105,761.61	1,071.35	1,939.8	
Glenn County	9	5,624.16									
Number of BICM's in SELPA	8		396.00	19,862.22	NO CHANGES	95.00	4,117.83		1,057.80		Complete
Number of BICM surveys returned	4		43.50	4,979.40					129.74		
Number of LEA's in SELPA	10		50.00	2,463.31					78.69		
Number of LEA surveys returned	2		489.50	27,304.93	409,573.95		4,117.83	413,691.78	1,266.23	4,854.9	
Inyo County	7	2,877.02									
Number of BICM's in SELPA	4		33.00	2,519.10	NO CHANGES	22.00	1,563.88		68.67		Complete
Number of BICM surveys returned	4			0.00					0.00		No District surveys
Number of LEA's in SELPA	7		16.00	1,248.64					51.51		
Number of LEA surveys returned	7		49.00	3,767.74	56,516.10		1,563.88	58,079.98	120.18	1,309.6	
Lodi Area	3	30,714.03									
Number of BICM's in SELPA	27		1,309.50	52,130.07		99.50	5,181.83		3,743.55		Complete
Number of BICM surveys returned	3		20.00	1,021.80					90.02		
Number of LEA's in SELPA	6		7,503.00	223,068.12					52.50		
Number of LEA surveys returned	0		8,852.50	276,219.99	4,143,299.85		5,181.83	4,148,481.68	3,886.07	8,993.3	

Hughes Bill Survey
Reconciling Discrepancies

SELPA	06-07 P-2 ADA	Survey REC'D	Our Hours	06-07 Costs	Estimated Costs - 93-94 thru 07-08	One-Time Hours	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
Marin County											
Number of BICM's in SELPA	17	2/4/2008									
Number of BICM surveys returned	24	SELPA Level	549.00	24,157.56		19.00	1,267.35		2,808.40		Complete
Number of LEA's in SELPA	24	District Level	15.17	1,177.45					88.83		
Number of LEA surveys returned	20	BICM Level	1,280.00	43,539.15	1,033,112.40		1,267.35	1,034,379.75	283.03		
	19	TOTAL	1,844.17	68,874.16					3,180.26	2,470.4	
Modoc County											
Number of BICM's in SELPA	3	2/4/2008									
Number of BICM surveys returned	1	SELPA Level	99.50	4,684.46		21.00	2,949.63		148.98		Complete
Number of LEA's in SELPA	4	District Level	119.50	5,615.42					148.98		
Number of LEA surveys returned	4	BICM Level	2,927.40	155,415.09	2,485,724.55		2,949.63	2,488,674.18	794.56		
	4	TOTAL	3,146.40	165,714.97					1,092.52	81.9353	
Mono County											
Number of BICM's in SELPA	2	2/6/2008									
Number of BICM surveys returned		SELPA Level			NO CHANGES						Complete - see Inyo
Number of LEA's in SELPA		District Level									
Number of LEA surveys returned		BICM Level									
		TOTAL	0.00	0.00	0.00		0.00	0.00	0.00	0.0000	
Poway Unified											
Number of BICM's in SELPA	1	2/26/2008									
Number of BICM surveys returned	24	SELPA Level	380.00	23,369.10		102.00	10,149.51		186.00		Complete
Number of LEA's in SELPA	23	District Level	142.00	9,057.09					62.00		
Number of LEA surveys returned	1	BICM Level	2,881.50	173,655.66	3,091,227.75		10,149.51	3,101,377.26	1,581.67		
	1	TOTAL	3,403.50	206,081.85					1,829.67	6,471.6	
South County											
Number of BICM's in SELPA	6	2/15/2008									
Number of BICM surveys returned	39	SELPA Level	243.50	18,700.55		31.00	2,653.74		568.04		Complete
Number of LEA's in SELPA	39	District Level	553.00	33,697.47					446.82		
Number of LEA surveys returned	6	BICM Level	3,738.61	237,285.27	4,345,249.35		2,653.74	4,347,903.09	2,379.53		
	6	TOTAL	4,535.11	289,683.29					3,394.39	3,178.9	
San Joaquin County											
Number of BICM's in SELPA	10	2/15/2008									
Number of BICM surveys returned	22	SELPA Level	3,934.00	207,289.00		369.00	24,583.37		2,707.20		95% Complete
Number of LEA's in SELPA	13	District Level	1,608.75	130,122.09					3,263.58		
Number of LEA surveys returned	11	BICM Level	28,704.50	1,238,763.84	23,642,623.95		24,583.37	23,667,207.32	2,565.66		
	11	TOTAL	34,247.25	1,576,174.93					8,536.44	25,407.9	
Solano County											
Number of BICM's in SELPA	5	2/7/2008									
Number of BICM surveys returned	9	SELPA Level	716.10	55,985.75		146.00	9,681.43		359.40		Complete
Number of LEA's in SELPA	9	District Level	356.75	27,488.45					2,231.64		
Number of LEA surveys returned	6	BICM Level	25,526.75	1,108,521.35	17,879,933.25		9,681.43	17,889,614.68	2,313.57		
	6	TOTAL	26,599.60	1,191,995.55					4,904.61	24,596.5	

Hughes Bill Survey
Reconciling Discrepancies

SELPA	06-07 P-2 ADA	Survey REC'D	Our Hours	06-07 Costs	Estimated Costs - 93-94 thru 07-08	One-Time Hours	One-Time Costs	Total	Survey Prep	06-07 Costs per ADA	Comments
Sonoma County											
Number of BICM's in SELPA	67,493.29	2/19/2008	2.00	158.74		17.00	1,349.29		0.00		98% complete
Number of BICM surveys returned		SELPA Level	35.50	2,231.41					76.12		
Number of LEA's in SELPA		District Level	42,148.00	165,722.34					1,169.75		
Number of LEA surveys returned		TOTAL	42,185.50	168,112.49	2,521,687.35		1,349.29	2,523,036.64	1,245.87	2,4908	
Tehama County											
Number of BICM's in SELPA	10,471.81	2/11/2008									98% complete
Number of BICM surveys returned		SELPA Level	233.50	16,102.78		180.00	17,450.54		698.40		
Number of LEA's in SELPA		District Level	288.50	22,937.90					382.40		
Number of LEA surveys returned		TOTAL	413.50	16,102.78					378.25		
			935.50	55,143.46	827,151.90		17,450.54	844,602.44	1,459.05	5,2659	
Tri-City											
Number of BICM's in SELPA	22,830.40	4/4/2008									Complete
Number of BICM surveys returned		SELPA Level	560.00	36,217.38	NO CHANGES	292.00	19,052.97		226.26		No BICM surveys
Number of LEA's in SELPA		District Level	686.40	44,548.21							
Number of LEA surveys returned		TOTAL	1,246.40	80,765.59	1,211,483.85		19,052.97	1,230,536.82	226.26	3,5376	
Tuolumne County											
Number of BICM's in SELPA	6,994.29	3/17/2008									Complete
Number of BICM surveys returned		SELPA Level	174.00	10,595.16	NO CHANGES	25.00	1,636.47		144.02		No District surveys
Number of LEA's in SELPA		District Level	0.00	0.00					0.00		
Number of LEA surveys returned		TOTAL	546.50	59,197.47	1,046,889.45		1,636.47	1,048,525.92	274.50	9,9785	
			720.50	69,792.63					418.52		
West Orange County											
Number of BICM's in SELPA	46,304.89	2/19/2008									95% complete
Number of BICM surveys returned		SELPA Level	921.00	59,306.02		34.00	3,158.18		1,270.88		
Number of LEA's in SELPA		District Level	503.85	78,259.51					519.13		
Number of LEA surveys returned		TOTAL	31,784.25	1,394,220.70	22,976,793.45		3,158.18	22,979,951.63	1,377.11	33,0804	
			33,209.10	1,531,786.23					3,167.12		
Yolo County											
Number of BICM's in SELPA	27,819.73	2/4/2008									Complete
Number of BICM surveys returned		SELPA Level	172.00	10,676.58	NO CHANGES	104.00	7,665.34		296.96		
Number of LEA's in SELPA		District Level	226.00	12,815.75					181.53		
Number of LEA surveys returned		TOTAL	7,135.25	341,623.30	5,476,734.45		7,665.34	5,484,399.79	626.40	13,1243	
			7,533.25	365,115.63					1,104.89		
Total of Completed SELPAS	674,263.55		190,649.03	7,176,878.22	107,653,173.30	2,583.25	221,279.26	107,874,452.56	43,201.05	10,64403	
Total LEA's not including COE's or charters											

Summary - Sur of Hughes Bill Costs With Reimbursement Method y Calculation

Reconciled with DOF - June 27, 2008								
SELPA	06-07 P-2 ADA	06-07 Costs	Total Costs 93-94 thru 07-08 (15 X 06-07 Costs)	One-Time Costs	Total (15 years + One-time)	Cost of Survey	06-07 Costs per ADA	SELPA 06-07 Costs
Butte County	30,848.48							
SELPA Level		6,699.37		56,446.88		144.10		6,699.37
District Level		28,385.71				392.93		
BICM Level		15,077.09				179.70		
TOTAL		50,162.17	752,432.55	56,446.88	808,879.43	716.73	1.6261	
Calaveras County	6,478.27							
SELPA Level		8,228.74		3,414.90		33.94		8,228.74
District Level		0.00				16.73		
BICM Level		1,633.70				34.78		
TOTAL		9,862.44	147,936.60	3,414.90	151,351.50	85.45	1.5224	
Clovis	35,667.83							
SELPA Level		39,657.24		7,525.74		158.64		39,657.24
District Level		18,604.92				105.76		
BICM Level		115,371.03				949.12		
TOTAL		173,633.19	2,604,497.85	7,525.74	2,612,023.59	1,213.52	4.8681	
Fresno County	73,258.27							
SELPA Level		104,460.91		30,038.67		910.70		104,460.91
District Level		24,531.13				717.51		
BICM Level		598,070.28				2,653.71		
TOTAL		727,062.32	10,905,934.80	30,038.67	10,935,973.47	4,281.92	9.9246	
Fresno Unified	71,980.15							
SELPA Level		99,561.04		11,391.71		674.00		99,561.04
District Level		31,939.98				202.20		
BICM Level		8,123.64				195.15		
TOTAL		139,624.66	2,094,369.90	11,391.71	2,105,761.61	1,071.35	1.9398	
Glenn County	5,624.16							
SELPA Level		19,862.22		4,117.83		1,057.80		19,862.22
District Level		4,979.40				129.74		
BICM Level		2,463.31				78.69		
TOTAL		27,304.93	409,573.95	4,117.83	413,691.78	1,266.23	4.8549	
Inyo County	2,877.02							
SELPA Level		2,519.10		1,563.88		68.67		2,519.10
District Level		0.00				0.00		
BICM Level		1,248.64				51.51		
TOTAL		3,767.74	56,516.10	1,563.88	58,079.98	120.18	1.3096	
Lodi Area	30,714.03							
SELPA Level		52,130.07		5,181.83		3,743.55		52,130.07
District Level		1,021.80				90.02		
BICM Level		223,068.12				52.50		
TOTAL		276,219.99	4,143,299.85	5,181.83	4,148,481.68	3,886.07	8.9933	
Marin County	27,879.59							
SELPA Level		24,157.56		1,267.35		2,808.40		24,157.56
District Level		1,177.45				88.83		
BICM Level		43,539.15				283.03		
TOTAL		68,874.16	1,033,112.40	1,267.35	1,034,379.75	3,180.26	2.4704	
Modoc County	2,022.51							
SELPA Level		4,684.46		2,949.63		148.98		4,684.46
District Level		5,615.42				148.98		
BICM Level		155,415.09				794.56		
TOTAL		165,714.97	2,485,724.55	2,949.63	2,488,674.18	1,092.52	81.9353	
Mono County	2,244.86							
SELPA Level								
District Level								
BICM Level								
TOTAL		0.00	0.00	0.00	0.00	0.00	0.0000	0.00
Poway Unified	31,843.96							
SELPA Level		23,369.10		10,149.51		186.00		23,369.10
District Level		9,057.09				62.00		
BICM Level		173,655.66				1,581.67		
TOTAL		206,081.85	3,091,227.75	10,149.51	3,101,377.26	1,829.67	6.4716	
South County	91,127.22							
SELPA Level		18,700.55		2,653.74		568.04		18,700.55
District Level		33,697.47				446.82		
BICM Level		237,285.27				2,379.53		
TOTAL		289,683.29	4,345,249.35	2,653.74	4,347,903.09	3,394.39	3.1789	
San Joaquin County	62,034.75							
SELPA Level		207,289.00		24,583.37		2,707.20		207,289.00
District Level		130,122.09				3,263.58		
BICM Level		1,238,763.84				2,565.66		
TOTAL		1,576,174.93	23,642,623.95	24,583.37	23,667,207.32	8,536.44	25.4079	

Summary - Summary of Hughes Bill Costs With Reimbursement Methodology Calculation

Reconciled with DOF - June 27, 2008								
SELPA	06-07 P-2 ADA	06-07 Costs	Total Costs 93-94 thru 07-08 (15 X 06-07 Costs)	One-Time Costs	Total (15 years + One-time)	Cost of Survey	06-07 Costs per ADA	SELPA 06-07 Costs
Solano County	48,462.07							
SELPA Level		55,985.75		9,681.43		359.40		55,985.75
District Level		27,488.45				2,231.64		
BICM Level		1,108,521.35				2,313.57		
TOTAL		1,191,995.55	17,879,933.25	9,681.43	17,889,614.68	4,904.61	24.5965	
Sonoma County	67,493.29							
SELPA Level		158.74		1,349.29		0.00		158.74
District Level		2,231.41				76.12		
BICM Level		165,722.34				1,169.75		
TOTAL		168,112.49	2,521,687.35	1,349.29	2,523,036.64	1,245.87	2.4908	
Tehama County	10,471.81							
SELPA Level		16,102.78		17,450.54		698.40		16,102.78
District Level		22,937.90				382.40		
BICM Level		16,102.78				378.25		
TOTAL		55,143.46	827,151.90	17,450.54	844,602.44	1,459.05	5.2659	
Tri-City	22,830.40							
SELPA Level		36,217.38		19,052.97		226.26		36,217.38
District Level		44,548.21						
BICM Level		0.00						
TOTAL		80,765.59	1,211,483.85	19,052.97	1,230,536.82	226.26	3.5376	
Tuolumne County	6,994.29							
SELPA Level		10,595.16		1,636.47		144.02		10,595.16
District Level		0.00				0.00		
BICM Level		59,197.47				274.50		
TOTAL		69,792.63	1,046,889.45	1,636.47	1,048,525.92	418.52	9.9785	
West Orange County	46,304.89							
SELPA Level		59,306.02		3,158.18		1,270.88		59,306.02
District Level		78,259.51				519.13		
BICM Level		1,394,220.70				1,377.11		
TOTAL		1,531,786.23	22,976,793.45	3,158.18	22,979,951.63	3,167.12	33.0804	
Yolo County	27,819.73							
SELPA Level		10,676.58		7,665.34		296.96		10,676.58
District Level		12,815.75				181.53		
BICM Level		341,623.30				626.40		
TOTAL		365,115.63	5,476,734.45	7,665.34	5,484,399.79	1,104.89	13.1243	
Total of Completed SELPAS	674,263.55	7,176,878.22	107,653,173.30	221,279.26	107,874,452.56	43,201.05	10.64403	800,361.77
SELPA		800,361.77					1.18702	
District Level and BICM		6,376,516.45					9.45701	
SELPA One-time Costs per ADA				0.328179				

CSM 4464

Behavioral Intervention Plans

Statewide Cost Survey

1. Butte
2. Calaveras
3. Clovis
4. Fresno County
5. Fresno Unified
6. Glenn
7. Inyo
8. Lodi
9. Marin
10. Modoc
11. North Region
12. Poway
13. San Joaquin
14. Solano
15. Sonoma
16. South County
17. Tehama
18. Tri-City
19. Toulumne County
20. West Orange
21. Yolo

BICM Level - Butte		BICM Summary		
			# of Hours	Total Costs
1a	Number of Students with PBIP			
	New	3		
	Existing	1		
3	FAA Activities			
	a - Parent notice and consent		3.00	179.70
	b - Information gathering & assessment		90.00	5,391.00
	c - Writing FAA		23.00	1,461.70
4	Initial PBIP			
	a - Preparing draft for IEP		11.00	634.90
	b - Attending IEP meetings		12.00	754.80
	c - Training/monitoring PBIP		20.00	1,318.00
	d - Evaluating PBIP effectiveness		4.00	263.60
	e - Modifications in IEP meetings		4.00	263.60
	f - Modifications outside of IEP meetings		10.00	659.00
5	FAA activities for pre-existing PBIP			
6	Review/revision of pre-existing PBIP		9.00	593.10
7	IEP's where PBIP was a component			
	Students with 1 IEP	7		
	Students with 2 IEP's	3		
	Students with 3 or more IEP's	0		
8	PBIP issues in IEP by non-BICM's when discussed for the first time		37.00	1,495.11
9	PBIP issues in IEP by non-BICM's when pre-existing		3.00	170.78
10	Implementation/monitoring of PBIP's by non-Bicm's		26.00	1,430.50
	Emergency Behavior Interventions			
	a - Performing interventions		2.00	131.80
	b - One day notification			
	c - Completing report for file			
	d - IEP meetings for no PBIP		1.00	65.90
	e - IEP meetings with PBIP		2.00	131.80
	f - Reporting dat for annual CDE report		2.00	131.80
BICM LEVEL TOTALS			259.00	15,077.09
	Completing survey		3.00	179.70

BICM Level - Butte	Position	Chico Unified		
		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	1			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	47.90	1.00	47.90
b - Information gathering & assessment	Psychologist	47.90	30.00	1,437.00
c - Writing FAA	Psychologist	47.90	3.00	143.70
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	47.90	5.00	239.50
b - Attending IEP meetings	Psychologist	47.90	2.00	95.80
c - Training/monitoring PBIP	n/a			
d - Evaluating PBIP effectiveness	n/a			
e - Modifications in IEP meetings	n/a			
f - Modifications outside of IEP meetings	n/a			
5 - FAA activities for pre-existing PBIP	n/a			0.00
6 - Review/revision of pre-existing PBIP	n/a			0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	1			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's	4 Administrator	50.01	7.00	350.07
when discussed for the first time	4 Parent	0.00	7.00	0.00
	4 Speech Ther	41.25	7.00	288.75
	4 Psychologist	47.90	7.00	335.30
9 - PBIP issues in IEP by non-BICM's	n/a			
when pre-existing				
10 - Implementation/monitoring of PBIP's	n/a			
by non-Bicm's				
Emergency Behavior Interventions	n/a			
a - Performing interventions				
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS			69.00	2,938.02
Completing survey	Psychologist	47.90	1.00	47.90

BICM Level - Butte		Orville City Elementary			
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	0			
	Existing	0			
3	FAA Activities	n/a			
	a - Parent notice and consent				
	b - Information gathering & assessment				
	c - Writing FAA				
4	Initial PBIP				
	a - Preparing draft for IEP	n/a			
	b - Attending IEP meetings	n/a			
	c - Training/monitoring PBIP	n/a			
	d - Evaluating PBIP effectiveness	n/a			
	e - Modifications in IEP meetings	n/a			
	f - Modifications outside of IEP meetings	n/a			
5	FAA activities for pre-existing PBIP	n/a			
6	Review/revision of pre-existing PBIP	n/a			
7	IEP's where PBIP was a component				
	Students with 1 IEP	n/a			
	Students with 2 IEP's				
	Students with 3 or more IEP's				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	n/a			
9	PBIP issues in IEP by non-BICM's when pre-existing	n/a			
10	Implementation/monitoring of PBIP's by non-Bicm's	n/a			
	Emergency Behavior Interventions	n/a			
	a - Performing interventions				
	b - One day notification				
	c - Completing report for file				
	d - IEP meetings for no PBIP				
	e - IEP meetings with PBIP				
	f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS				0.00	0.00
Completing survey					

BICM Level - Butte		Butte COE		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	2			
Existing	1			
3 - FAA Activities	n/a			
a - Parent notice and consent	Psychologist	65.90	2.00	131.80
b - Information gathering & assessment	Psychologist	65.90	60.00	3,954.00
c - Writing FAA	Psychologist	65.90	20.00	1,318.00
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	65.90	6.00	395.40
b - Attending IEP meetings	Psychologist	65.90	10.00	659.00
c - Training/monitoring PBIP	Psychologist	65.90	20.00	1,318.00
d - Evaluating PBIP effectiveness	Psychologist	65.90	4.00	263.60
e - Modifications in IEP meetings	Psychologist	65.90	4.00	263.60
f - Modifications outside of IEP meetings	Psychologist	65.90	10.00	659.00
5 - FAA activities for pre-existing PBIP	n/a			
6 - Review/revision of pre-existing PBIP	Psychologist	65.90	9.00	593.10
7 - IEP's where PBIP was a component				
Students with 1 IEP	7			
Students with 2 IEP's	2			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's	2 Teacher	52.59	4.00	210.36
when discussed for the first time	1 Nurse	47.03	1.00	47.03
	2 Psychologist	65.90	4.00	263.60
9 - PBIP issues in IEP by non-BICM's	1 Teacher	52.59	1.00	52.59
when pre-existing	1 Nurse	47.03	1.00	47.03
	1 Principal	71.16	1.00	71.16
10 - Implementation/monitoring of PBIP's	Teahcer	52.59	20.00	1,051.80
by non-Bicm's	Nurse	47.03	2.00	94.06
	Principal	71.16	4.00	284.64
Emergency Behavior Interventions				
a - Performing interventions	Psychologist	65.90	2.00	131.80
b - One day notification	n/a			
c - Completing report for file	n/a			
d - IEP meetings for no PBIP	Psychologist	65.90	1.00	65.90
e - IEP meetings with PBIP	Psychologist	65.90	2.00	131.80
f - Reporting dat for annual CDE report	Psychologist	65.90	2.00	131.80
BICM LEVEL TOTALS			190.00	12,139.07
Completing survey	Psychologist	65.90	2.00	131.80

BICM Level - Butte	Butte County SELPA			
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	0			
Existing	0			
3 - FAA Activities	n/a			
a - Parent notice and consent				
b - Information gathering & assessment				
c - Writing FAA				
4- Initial PBIP				
a - Preparing draft for IEP	n/a			
b - Attending IEP meetings	n/a			
c - Training/monitoring PBIP	n/a			
d - Evaluating PBIP effectiveness	n/a			
e - Modifications in IEP meetings	n/a			
f - Modifications outside of IEP meetings	n/a			
5 - FAA activities for pre-existing PBIP	n/a			
6 - Review/revision of pre-existing PBIP	n/a			
7 - IEP's where PBIP was a component				
Students with 1 IEP	n/a			
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a			
Emergency Behavior Interventions	n/a			
a - Performing interventions				
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS			0.00	0.00
Completing survey				

DISTRICT

District Level	Butte County SELPA District Level Summary Totals		
1 - # of Reports	40.00		
		# of Hours	Total Costs
2 Activities			
a - performing emergency interventions		117.75	5,925.95
b - 1 day notification of use of emergency intervention		63.00	3,256.02
c - Completing report		57.00	3,325.45
d - Scheduling and holding IEP meetings for students without PBIP		78.50	4,375.46
e - Scheduling and holding IEP meetings for students with PBIP		44.75	2,545.80
f - Reporting data for annual report to CDE		33.00	1,610.57
g - Reviewing reports & forwarding to SELPA		2.00	111.80
3 - Informing school personnel		109.75	4,259.26
4 - Number of due process requests filed			
a - Number of written responses For each response in 4a, there must be answers to 5 -8			
5 - Filing Response			
6 - Resolution Session			
7 - Mediation			
8 - Due Process Hearing			
9 - Outside Assistance		22.50	2,892.92
DISTRICT LEVEL TOTALS		528.25	28,303.21
Time to complete survey		5.74	392.93

District Level				
1 - # of Reports	0.00			
		Butte COE		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teacher	52.59	30.00	1,577.70
	Paraprofessional	29.21	20.00	584.20
b - 1 day notification of use of emergency intervention	Secretary	0.00	5.00	0.00
	Psychologist	65.90	5.00	329.50
c - Completing report	Teacher	52.59	10.00	525.90
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	52.59	4.00	210.36
	Psychologist	65.90	4.00	263.60
	Administrator	71.16	4.00	284.64
e - Scheduling and holding IEP meetings for students with PBIP	Teacher	52.59	3.00	157.77
	Psychologist	65.90	3.00	197.70
	Administrator	71.16	3.00	213.48
f - Reporting data for annual report to CDE	Secretary	33.07	1.00	33.07
g - Reviewing reports & forwarding to SELPA	n/a			
3 - Informing school personnel	Psychologist	65.90	5.00	329.50
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	n/a			
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			97.00	4,707.42
Time to complete survey	Sp Ed Director	85.20	2.00	170.40

District Level					
1 - # of Reports		0.00			
			Bangor		
		Position	Hourly Rate	# of Hours	Total Costs
2 Activities					
a - performing emergency interventions		n/a			
b - 1 day notification of use of emergency intervention		n/a			
c - Completing report		n/a			
d - Scheduling and holding IEP meetings for students without PBIP		n/a			
e - Scheduling and holding IEP meetings for students with PBIP		n/a			
f - Reporting data for annual report to CDE		n/a			
g - Reviewing reports & forwarding to SELPA		n/a			
3 - Informing school personnel		Psychologist	50.61	0.25	12.65
4 - Number of due process requests filed		n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8		n/a			
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				0.25	12.65
Time to complete survey		Psychologist	50.61	0.08	4.05

District Level				
1 - # of Reports	0.00			
		Biggs		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
3 - Informing school personnel	Psychologist	50.61	0.75	37.96
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	n/a			
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			0.75	37.96
Time to complete survey	Psychologist	50.61	0.08	4.05

District Level				
1 - # of Reports	1.00	Chico Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	Principal	50.01	1.00	50.01
c - Completing report	Teacher	41.25	1.50	61.88
d - Scheduling and holding IEP meetings for students without PBIP	Principal	50.01	7.00	350.07
	Teacher	41.25	7.00	288.75
	Psychologist	47.90	7.00	335.30
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	Principal	50.01	3.00	150.03
	Teacher	41.25	3.00	
g - Reviewing reports & forwarding to SELPA	Principal	50.01	1.00	50.01
3 - Informing school personnel	Principal	50.01	3.00	150.03
	Teacher	41.25	3.00	123.75
4 - Number of due process requests filed	n/a			
a - Number of written responses	n/a			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	Behavior Consultant		22.50	2,892.92
DISTRICT LEVEL TOTALS			59.00	4,452.75
Time to complete survey	Principal	50.01	0.50	25.01

District Level					
1 - # of Reports		0.00			
			Durham		
		Position	Hourly Rate	# of Hours	Total Costs
2 Activities					
a - performing emergency interventions		n/a			
b - 1 day notification of use of emergency intervention		n/a			
c - Completing report		n/a			
d - Scheduling and holding IEP meetings for students without PBIP		n/a			
e - Scheduling and holding IEP meetings for students with PBIP		n/a			
f - Reporting data for annual report to CDE		n/a			
g - Reviewing reports & forwarding to SELPA		n/a			
3 - Informing school personnel		Psychologist	64.27	1.00	64.27
4 - Number of due process requests filed		n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8		n/a			
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				1.00	64.27
Time to complete survey		Psychologist	64.27	0.25	16.07

District Level					
1 - # of Reports		0.00			
			Feather Falls		
		Position	Hourly Rate	# of Hours	Total Costs
2 Activities					
a - performing emergency interventions		n/a			
b - 1 day notification of use of emergency intervention		n/a			
c - Completing report		n/a			
d - Scheduling and holding IEP meetings for students without PBIP		n/a			
e - Scheduling and holding IEP meetings for students with PBIP		n/a			
f - Reporting data for annual report to CDE		n/a			
g - Reviewing reports & forwarding to SELPA		n/a			
3 - Informing school personnel		Psychologist	50.61	0.50	25.31
4 - Number of due process requests filed		n/a			
a - Number of written responses		n/a			
For each response in 4a, there must be answers to 5 -8					
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				0.50	25.31
Time to complete survey		Psychologist	64.27	0.17	10.73

District Level					
1 - # of Reports		0.00			
			Golden Feather		
		Position	Hourly Rate	# of Hours	Total Costs
2 Activities					
a - performing emergency interventions		n/a			
b - 1 day notification of use of emergency intervention		n/a			
c - Completing report		n/a			
d - Scheduling and holding IEP meetings for students without PBIP		n/a			
e - Scheduling and holding IEP meetings for students with PBIP		n/a			
f - Reporting data for annual report to CDE		n/a			
g - Reviewing reports & forwarding to SELPA		n/a			
3 - Informing school personnel		Psychologist	50.61	0.25	12.65
4 - Number of due process requests filed		n/a			
a - Number of written responses		n/a			
For each response in 4a, there must be answers to 5-8					
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			0.00
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				0.25	12.65
Time to complete survey		Psychologist	64.27	0.08	5.14

District Level					
1 - # of Reports		0.00			
		Manzanita and Pioneer			
2 Activities		Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions		n/a			
b - 1 day notification of use of emergency intervention		n/a			
c - Completing report		n/a			
d - Scheduling and holding IEP meetings for students without PBIP		n/a			
e - Scheduling and holding IEP meetings for students with PBIP		n/a			
f - Reporting data for annual report to CDE		n/a			
g - Reviewing reports & forwarding to SELPA		n/a			
3 - Informing school personnel		Psychologist	50.61	0.50	25.31
4 - Number of due process requests filed		n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8		n/a			
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			0.00
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				0.50	25.31
Time to complete survey		Psychologist	50.61	0.25	12.65

District Level					
1 - # of Reports		0.00			
			Orville City Elementary		
		Position	Hourly Rate	# of Hours	Total Costs
2 Activities					
a - performing emergency interventions		n/a			
b - 1 day notification of use of emergency intervention		n/a			
c - Completing report		n/a			
d - Scheduling and holding IEP meetings for students without PBIP		n/a			
e - Scheduling and holding IEP meetings for students with PBIP		n/a			
f - Reporting data for annual report to CDE		n/a			
g - Reviewing reports & forwarding to SELPA		n/a			
3 - Informing school personnel		Sp Ed Director	64.39	2.00	128.78
4 - Number of due process requests filed		n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8		n/a			
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			0.00
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				2.00	128.78
Time to complete survey		Sp Ed Director	64.39	0.33	21.25

District Level					
1 - # of Reports		39.00			
			ParadiseUnified		
		Position	Hourly Rate	# of Hours	Total Costs
2 Activities					
a - performing emergency interventions		Psychologist	55.24	39.00	2,154.36
		Principal	58.56	19.50	1,141.92
		Sp Ed Teacher	50.57	9.25	467.77
b - 1 day notification of use of emergency intervention		Psychologist	55.24	19.50	1,077.18
		Principal	58.56	19.50	1,141.92
		Sp Ed Teacher	50.57	13.00	657.41
c - Completing report		Psychologist	55.24	19.50	1,077.18
		Sp Ed Teacher	50.57	13.00	657.41
		Teacher	77.16	13.00	1,003.08
d - Scheduling and holding IEP meetings for students without PBIP		Psychologist	55.24	19.50	1,077.18
		Principal	58.56	9.75	570.96
		Sp Ed Teacher	50.57	9.75	493.06
		Teacher	77.16	6.50	501.54
e - Scheduling and holding IEP meetings for students with PBIP		Psychologist	55.24	19.50	1,077.18
		Principal	58.56	9.75	570.96
		Sp Ed Teacher	50.57	6.50	328.71
f - Reporting data for annual report to CDE		Psychologist	55.24	13.00	718.12
		Principal	58.56	6.50	380.64
		Sp Ed Teacher	50.57	6.50	328.71
g - Reviewing reports & forwarding to SELPA		Sp Ed Director	61.79	1.00	61.79
3 - Informing school personnel		Psychologist	55.24	30.50	1,684.82
		Principal	58.56	15.25	893.04
		Sp Ed Teacher	50.57	15.25	771.19
		Teacher	77.16	3.75	289.35
		Instructional Aide	26.13	3.75	97.99
		Sp Ed Director	61.79	25.00	1,544.75
4 - Number of due process requests filed		n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8		n/a			
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				367.00	20,768.21
Time to complete survey		Sp Ed Director	61.79	2.00	123.58

SELPA

SELPA Level		Butte County				
Number of BICM's in SELPA	4					
Number of BICM surveys returned	4					
Number of LEA's in SELPA	15					
Number of LEA surveys returned	15					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes
Local Plan						
* 7 - Procedures development	SELPA Director	73.24	8.00		585.92	
	Sr. Secretary	33.07	8.00		264.56	
	Prog Spec	72.05	8.00		576.40	
11 @ 8 hr/ea	Coordinators	770.35	8.00		6,162.80	
7 @ 8 hr/ea	Superintendents	596.78	8.00		4,774.24	
* 8 - Governing Board approval	Coordinators	770.35	42.50		32,739.88	
	Superintendents	596.78	12.50		7,459.75	
Training						
* 11 - Design training for initial BICM certification	Prog Spec	72.05	20.00		1,441.00	
** 12 - Update of training for initial BICM certification	Prog Spec	72.05	4.00	288.20		Annually
** 13 - Lead training for initial BICM certification	Prog Spec	72.05	24.00	1,729.20		Annually
** 14 - Lead training update for certified BICM's	Prog Spec	72.05	14.00	1,008.70		No answer
* 15 - Design training for PBIP implementers	N/A					
** 16 - Update training for PBIP implementers	N/A					N/A
** 17 - Lead training for PBIP implementers	N/A					N/A
* 18 - Design training on Emergency Behavioral Interventions	Prog Spec	72.05	20.00		1,441.00	
	Sr. Secretary	33.07	8.00		264.56	
** 19 - Update training on Emergency Behavioral Interventions	Prog Spec	72.05	2.00	144.10		Twice/year
** 20 - Lead training on Emergency Behavioral Interventions	Prog Spec	72.05	43.00	3,098.15		Annually
21 - Other costs of BICM certification training					736.77	
22 - Number of participants in BICM training by position/hours	Psy - Chico	47.90	3.50	167.65		
	Psy - OCESD	60.63	3.50	212.21		
	Tchr - OCESD	62.28	3.50	217.98		
23 - Number of participants in PBIP training by position/hours	Psy - Chico	47.90	3.50	167.65		
	Psy - OCESD	60.63	3.50	212.21		
	Tchr - OCESD	62.28	3.50	217.98		
24 - Number of participants in Emergency Beh Interv training by position/hours	Psy - Chico	47.90	1.00	47.90		
	Psy - OCESD	60.63	1.00	60.63		
	Tchr - OCESD	62.28	1.00	62.28		
25 - Other training costs	N/A				0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	73.24	1.00	73.24		
	Sr Secretary	33.07	2.00			
27 - Due process hearings	N/A			0.00		N/A
SELPA LEVEL TOTALS			257.00	7,708.07	56,446.88	
Time to complete survey	Prog Spec	72.05	2.00	144.10		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						



BICM

BICM Level - Calaveras	BICM Summary				
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				0
New					
Existing					
3 - FAA Activities					n/a
a - Parent notice and consent					
b - Information gathering & assessment					
c - Writing FAA					
4- Initial PBIP					
a - Preparing draft for IEP					n/a
b - Attending IEP meetings					n/a
c - Training/monitoring PBIP					n/a
d - Evaluating PBIP effectiveness					n/a
e - Modifications in IEP meetings					n/a
f - Modifications outside of IEP meetings					n/a
5 - FAA activities for pre-existing PBIP					n/a
6 - Review/revision of pre-existing PBIP					n/a
7 - IEP's where PBIP was a component					na/
Students with 1 IEP					
Students with 2 IEP's					
Students with 3 or more IEP's					
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					n/a
9 - PBIP issues in IEP by non-BICM's when pre-existing					n/a
10 - Implementation/monitoring of PBIP's by non-Bicm's					n/a
Emergency Behavior Interventions					
a - Performing interventions			6.00	316.20	
b - One day notification			4.00	210.80	
c - Completing report for file					n/a
d - IEP meetings for no PBIP			48.00	2,529.60	
e - IEP meetings with PBIP					n/a

f - Reporting dat for annual CDE report			4.00	210.80	
BICM LEVEL TOTALS			62.00	3,267.40	
Completing survey	Psychologist		0.66	34.78	

Psychologist	52.70	2.00	105.40				
		31.00	1,633.70				0.00
Psychologist	52.70	0.33	17.39	Psychologist	52.70		0.08

0.00	Psychologist	52.70	2.00	105.40
0.00			31.00	1,633.70
4.22	Psychologist	52.70	0.33	17.39

DISTRICT

District Level		Calaveras County SELPA		
1 - # of Reports	0			
		Calaveras Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
3 - Informing school personnel	n/a			
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8	0			
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			0.00	0.00
Time to complete survey	Sp Ed Director	66.92	0.25	16.73

SELPA

SELPA Level		Calaveras County				
Number of BICM's in SELPA	3					
Number of BICM surveys returned	3					
Number of LEA's in SELPA	4					
Number of LEA surveys returned	1					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Dir	70.33	2.00		140.66	
	Program Mgr	67.20	4.00		268.80	
* 8 - Governing Board approval	SELPA Dir	70.33	2.00		140.66	
	Program Mgr	67.20	2.00		134.40	
	Psychologist	52.70	6.00		316.20	
Training						
* 11 - Design training for initial BICM certification	Psychologist	52.70	16.00		843.20	
	Program Mgr	67.20	16.00		1,075.20	
** 12 - Update of training for initial BICM certification	n/a					N/A
** 13 - Lead training for initial BICM certification	n/a					N/A
** 14 - Lead training update for certified BICM's	Psychologist	52.70	20.00	1,054.00		No answer
	Program Mgr	67.20	8.00	537.60		
* 15 - Design training for PBIP implementers	Behv. Spec.	42.21	5.00		211.05	
** 16 - Update training for PBIP implementers	Behv. Spec.	42.21	5.00	211.05		No answer
** 17 - Lead training for PBIP implementers	Behv. Spec.	42.21	4.00	168.84		No answer
* 18 - Design training on Emergency Behavioral Interventions	Behv. Spec/ Psychologist	42.21 52.70	3.00 3.00		126.63 158.10	
** 19 - Update training on Emergency Behavioral Interventions	Behv. Spec/ Psychologist	42.21 52.70	16.00 16.00	675.36 843.20		No answer
** 20 - Lead training on Emergency Behavioral Interventions	Behv. Spec/ Psychologist	42.21 52.70	48.00 48.00	2,026.08 2,529.60		No answer
21 - Other costs of BICM certification training	n/a					
22 - Number of participants in BICM training by position/hours	n/a					
23 - Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in Emergency Beh Interv training by position/hours	n/a					
25 - Other training costs	n/a					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	66.51	1.00	66.51		
	Psychologist	52.70	1.00	52.70		
27 - Due process hearings	Behv Spec	42.21	1.00	42.21		
TOTAL			227.00	8,207.15	3,414.90	
Time to complete survey	Assoc. Supt	33.94	1.00	33.94		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

BICM

DISTRICT

District Level		Clovis Unified		
1 # of Behavioral Emergency Reports	14			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	BICM	59.32	181.00	10,736.92
b - 1 day notification of use of emergency intervention	BICM	59.32	16.00	949.12
c - Completing report	BICM	59.32	24.00	1,423.68
d - Scheduling and holding IEP meetings for students without PBIP	BICM	59.32	49.00	2,906.68
e - Scheduling and holding IEP meetings for students with PBIP	BICM	59.32	9.00	533.88
f - Reporting data for annual report to CDE	BICM	59.32	20.00	1,186.40
g - Reviewing reports & forwarding to SELPA	Director	52.88	1.00	52.88
3 - Informing school personnel	Psychologist Director	55.54	4.00	222.16
	BICM	59.32	10.00	593.20
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			314.00	18,604.92
Time to complete survey	SELPA Director	52.88	2.00	105.76

SELPA

SELPA Level	CLOVIS UNIFIED		35,667 P2 ADA			
Number of BICM's in SELPA		30				
Number of BICM surveys returned		8	22 BICMs did not complete PBIP or FAA during 2006-07			
Number of LEA's in SELPA		1				
Number of LEA surveys returned		1				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	52.88	1.00		52.88	
	Prog Spec	58.05	24.00		1,393.20	
	School Psych	59.32	4.50		266.94	
* 8 - Governing Board approval	SELPA Director	52.88	1.00		52.88	
	Area Supt	65.94	1.00		65.94	
Training						
* 11 - Design training for initial BICM certification	Asst Dir	52.54	12.00		630.48	
**12 - Update of training for initial BICM certification	Psychologist	59.32	16.00	949.12		
**13 - Lead training for initial BICM certification	Asst Director	52.54	16.00	840.64		
	PENT rep Psychologis	59.32	20.00	1,186.40		
	Psychologist	59.32	80.00	4,745.60		
**14 - Lead training update for certified BICM's	Same as #13					
* 15 - Design training for PBIP implementers	Behavior Specialist	47.63	68.00		3,238.84	
**16 - Update training for PBIP implementers				0.00		
**17 - Lead training for PBIP implementers	As needed Individually					
*18 - Design training on Emergency Behavioral Interventions	Program Specialist	58.05	10.00		580.50	
	Asst Director	52.54	4.00		210.16	
	Classified Support	35.49	8.00		283.92	
**19 - Update trainin on Emergency Behavioral Interventions	Program Specialist	58.05	20.00	1,161.00		
**20 - Lead training on Emergency Behavioral Interventions	MANDT Trainers	41.53	96.00	3,986.88		
21 - Other costs of BICM certification training	Registration			0.00	750.00	
22 - Number of participants in BICM training by position/hours	7 Psychologists	59.32	112.00	6,643.84		16 hrs each
23 - Number of participants in PBIP training by position/hours	NOT HELD					
24 - Number of participants in Emergency Beh Interv training by position/hours	44 Teachers	62.28	308.00	19,182.24		7 hrs each
25 - Other training costs				750.00	0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Director	52.88	2.00	105.76		
27 - Due process hearings	NONE					
Sub Total				105.76		
SELPA LEVEL TOTAL			803.50	39,657.24	7,525.74	
Time to complete survey	SELPA Director	52.88	3.00	158.64		
NOTES:						
one asterisk indicates a one time cost						
two asterisks indicates annual or more frequent costs						

BICM

BICM Level- FRESNO COUNTY	SUMMARY	
	# of Hours	Total Costs
1a Number of Students with PBIP	71.00	
New	33.00	
Existing	38.00	
3 - FAA Activities		
a - Parent notice and consent	12.75	886.36
b - Information gathering & assessment	241.75	15,553.73
c - Writing FAA	90.85	5,806.24
4- Initial PBIP		
a - Preparing draft for IEP	152.00	8,769.82
b - Attending IEP meetings	73.50	4,546.38
c - Training/monitoring PBIP	195.00	11,496.63
d - Evaluating PBIP effectiveness	106.50	6,092.57
e - Modifications in IEP meetings	38.25	2,290.82
f - Modifications outside of IEP meetings	86.25	5,302.58
5 - FAA activities for pre-existing PBIP		
5a Parent notice	10.50	737.78
5b Information gathering	38.00	2,237.25
5c Writing FAA	30.00	1,735.15
6 - Review/revision of pre-existing PBIP		
a - Preparing draft for IEP	58.50	3,382.63
b - Attending IEP meetings	51.50	3,025.33
c - Training/monitoring PBIP	41.25	2,503.68
d - Evaluating PBIP effectiveness	62.00	4,002.87
e - Modifications in IEP meetings	40.50	2,433.05
f - Modifications outside of IEP meetings	61.50	3,636.64
7 - IEP's where PBIP was a component		
Students with 1 IEP	16.00	
Students with 2 IEP's	25.00	
Students with 3 or more IEP's	12.00	

8 - PBIP issues in IEP by non-BICM's		38.50	1,798.73
when discussed for the first time		38.50	2,347.83
		33.50	1,696.17
Total Costs		19.75	1,086.68
18176.38		11.25	545.96
Total Hours		84.75	3,602.71
351.25		84.00	5,711.36
		5.00	55.00
		5.00	55.00
		3.00	0.00
		2.50	61.75
		2.00	22.00
		5.00	196.90
		2.50	71.78
		6.00	324.96
		6.00	361.40
		4.00	238.16
9 - PBIP issues in IEP by non-BICM's		32.50	1,681.48
when pre-existing		23.50	1,157.32
		23.00	1,075.59
Total costs		14.50	829.49
5328.17		4.50	184.37
Total Hours		1.50	0.00
108.00		3.00	180.00
		1.50	94.49
		3.00	84.00
		1.00	41.45
10 - Implementation/monitoring of PBIP's		2,678.00	172,994.64
by non-Bicm's		1,875.00	63,827.18
Total Costs		2,621.50	86,721.02
475788.62		1,503.00	43,292.34
Total Hours		1,496.00	104,181.44
10253.50		80.00	4,772.00
11 - Emergency Behavior Interventions			
a - Performing interventions		75.50	5,334.35
b - One day notification		13.75	961.98
c - Completing report for file		8.00	509.16
d - IEP meetings for no PBIP		19.50	1,296.19
e - IEP meetings with PBIP		16.00	1,052.27
f - Reporting dat for annual CDE report		4.00	263.09
TOTALS		12,240.10	593,149.67
Completing survey		43.25	2,653.71

BICM Level- FRESNO COUNTY		Beth White	Golden Plains		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	0	0.00	0
b	Information gathering & assessment	Psychologist	0	0.00	0
c	Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Darla Beeson	Golden Plains		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	0	0.00	0
b	Information gathering & assessment	Psychologist	0	0.00	0
c	Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Brett Bollinger	Kerman		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist	0	0.00	0
b	- Information gathering & assessment	Psychologist	0	0.00	0
c	- Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0
					0
					0
Total Costs					0
18176.38					0
Total Hours					0
351.25					
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0
					0
					0
Total costs					0
5328.17					0
Total Hours					
108.00					
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/a				0
					0
Total Costs					0
475788.62					0
Total Hours					0
10253.50					
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	0	0.00		0
b - One day notification	Psychologist	0	0.00		0
c - Completing report for file	Psychologist	0	0.00		0
d - IEP meetings for no PBIP	Psychologist	0	0.00		0
e - IEP meetings with PBIP	Psychologist	0	0.00		0
f - Reporting dat for annual CDE report	Psychologist	0	0.00		0
TOTALS			0.00		0.00
Completing survey	Psychologist	21.09	0.25		5.2725

BICM Level- FRESNO COUNTY		Patti Olsen	Kings Canyon		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	1				
New	1				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Lead Program Specialist	0	0.00	0
b - Information gathering & assessment		Lead Program Specialist	0	0.00	0
c - Writing FAA		Lead Program Specialist	0	0.00	0
4- Initial PBIP					
a - Preparing draft for IEP		Lead Program Specialist	0	0.00	0
b - Attending IEP meetings		Lead Program Specialist	0	0.00	0
c - Training/monitoring PBIP		Lead Program Specialist	0	0.00	0
d - Evaluating PBIP effectiveness		Lead Program Specialist	0	0.00	0
e - Modifications in IEP meetings		Lead Program Specialist	0	0.00	0
f - Modifications outside of IEP meetings		Lead Program Specialist	0	0.00	0
5 - FAA activities for pre-existing PBIP					0
5a Parent notice		Lead Program Specialist	0	0.00	0
5b Information gathering		Lead Program Specialist	0	0.00	0
5c Writing FAA		Lead Program Specialist	0	0.00	0
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP		Lead Program Specialist	0	0.00	0
b - Attending IEP meetings		Lead Program Specialist	0	0.00	0
c - Training/monitoring PBIP		Lead Program Specialist	0	0.00	0
d - Evaluating PBIP effectiveness		Lead Program Specialist	0	0.00	0
e - Modifications in IEP meetings		Lead Program Specialist	0	0.00	0
f - Modifications outside of IEP meetings		Lead Program Specialist	0	0.00	0
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				

BICM Level- FRESNO COUNTY		Lupe Vaughn	Kings Canyon		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	0	0.00	0
b	Information gathering & assessment	Psychologist	0	0.00	0
c	Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Cheryl Viera	Laton		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist	0	0.00	0
b	- Information gathering & assessment	Psychologist	0	0.00	0
c	- Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Rodney Smith	Mendota		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Sp.Ed. Director	0	0.00	0
		Sp.Ed. Director			
b	Information gathering & assessment	Sp.Ed. Director	0	0.00	0
c	Writing FAA	Sp.Ed. Director	0	0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Sp.Ed. Director	0	0.00	0
b	Attending IEP meetings	Sp.Ed. Director	0	0.00	0
c	Training/monitoring PBIP	Sp.Ed. Director	0	0.00	0
d	Evaluating PBIP effectiveness	Sp.Ed. Director	0	0.00	0
e	Modifications in IEP meetings	Sp.Ed. Director	0	0.00	0
f	Modifications outside of IEP meetings	Sp.Ed. Director	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Sp.Ed. Director	0	0.00	0
5b	Information gathering	Sp.Ed. Director	0	0.00	0
5c	Writing FAA	Sp.Ed. Director	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Sp.Ed. Director	0	0.00	0
b	Attending IEP meetings	Sp.Ed. Director	0	0.00	0
c	Training/monitoring PBIP	Sp.Ed. Director	0	0.00	0
d	Evaluating PBIP effectiveness	Sp.Ed. Director	0	0.00	0
e	Modifications in IEP meetings	Sp.Ed. Director	0	0.00	0
f	Modifications outside of IEP meetings	Sp.Ed. Director	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Sybil Kolbert	Orange Center		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist	0	0.00	0
b	- Information gathering & assessment	Psychologist	0	0.00	0
c	- Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0
					0
					0
Total Costs					0
18176.38					0
Total Hours					0
351.25					
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0
					0
					0
Total costs					0
5328.17					0
Total Hours					
108.00					
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0
					0
Total Costs					0
475788.62					0
Total Hours					0
10253.50					
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	0	0.00		0
b - One day notification	Psychologist	0	0.00		0
c - Completing report for file	Psychologist	0	0.00		0
d - IEP meetings for no PBIP	Psychologist	0	0.00		0
e - IEP meetings with PBIP	Psychologist	0	0.00		0
f - Reporting dat for annual CDE report	Psychologist	0	0.00		0
TOTALS			0.00		0.00
Completing survey	Psychologist	52.13	0.08		4.1704

BICM Level- FRESNO COUNTY		Pamela Hancock	Pine Ridge		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	0	0.00	0
b	Information gathering & assessment	Psychologist	0	0.00	0
c	Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Janelle Martin	Riverdale		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist	0	0.00	0
b	- Information gathering & assessment	Psychologist	0	0.00	0
c	- Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist	0	0.00	0
b	- Attending IEP meetings	Psychologist	0	0.00	0
c	- Training/monitoring PBIP	Psychologist	0	0.00	0
d	- Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Mike Thornton	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	1			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	RSP Teacher	63.69	1.00	63.69
b	- Information gathering & assessment	RSP Teacher	63.69	2.00	127.38
c	- Writing FAA	RSP Teacher	63.69	1.00	63.69
4- Initial PBIP					
a	- Preparing draft for IEP	RSP Teacher	63.69	1.00	63.69
b	- Attending IEP meetings	RSP Teacher	63.69	2.00	127.38
c	- Training/monitoring PBIP	RSP Teacher	63.69	1.00	63.69
d	- Evaluating PBIP effectiveness	RSP Teacher	63.69	0.00	0
e	- Modifications in IEP meetings	RSP Teacher	63.69	0.00	0
f	- Modifications outside of IEP meetings	RSP Teacher	63.69	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	RSP Teacher	63.69	0.00	0
5b	Information gathering	RSP Teacher	63.69	0.00	0
5c	Writing FAA	RSP Teacher	63.69	0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	RSP Teacher	63.69	0.00	0
b	- Attending IEP meetings	RSP Teacher	63.69	0.00	0
c	- Training/monitoring PBIP	RSP Teacher	63.69	0.00	0
d	- Evaluating PBIP effectiveness	RSP Teacher	63.69	0.00	0
e	- Modifications in IEP meetings	RSP Teacher	63.69	0.00	0
f	- Modifications outside of IEP meetings	RSP Teacher	63.69	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	1			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		David Figueroa	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	2			
	New	.0			
	Existing	2			
3 - FAA Activities					
	a - Parent notice and consent	Psychologist	72.11	0.50	36.055
	b - Information gathering & assessment	Psychologist	72.11	6.00	432.66
	c - Writing FAA	Psychologist	72.11	0.00	0
4- Initial PBIP					
	a - Preparing draft for IEP	Psychologist	72.11	0.00	0
	b - Attending IEP meetings	Psychologist	72.11	0.00	0
	c - Training/monitoring PBIP	Psychologist	72.11	0.00	0
	d - Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
	e - Modifications in IEP meetings	Psychologist	72.11	0.00	0
	f - Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
5 - FAA activities for pre-existing PBIP					
	5a Parent notice	Psychologist	72.11	6.50	468.715
	5b Information gathering	Psychologist	72.11	0.00	0
	5c Writing FAA	Psychologist	72.11	0.00	0
6 - Review/revision of pre-existing PBIP					
	a - Preparing draft for IEP	Psychologist	72.11	0.00	0
	b - Attending IEP meetings	Psychologist	72.11	0.00	0
	c - Training/monitoring PBIP	Psychologist	72.11	0.00	0
	d - Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
	e - Modifications in IEP meetings	Psychologist	72.11	0.00	0
	f - Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	2			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Amy Williams	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	1			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	72.11	2.00	144.22
b	Information gathering & assessment	Psychologist	72.11	13.00	937.43
c	Writing FAA	Psychologist	72.11	5.00	360.55
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	72.11	1.00	72.11
b	Attending IEP meetings	Psychologist	72.11	4.00	288.44
c	Training/monitoring PBIP	Psychologist	72.11	3.00	216.33
d	Evaluating PBIP effectiveness	Psychologist	72.11	3.00	216.33
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	2.00	144.22
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	72.11	0.00	0
5b	Information gathering	Psychologist	72.11	0.00	0
5c	Writing FAA	Psychologist	72.11	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	72.11	0.00	0
b	Attending IEP meetings	Psychologist	72.11	0.00	0
c	Training/monitoring PBIP	Psychologist	72.11	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	1			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Lori Leray	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	1			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Teacher	63.69	1.00	63.69
	b - Information gathering & assessment	Teacher	63.69	5.00	318.45
	c - Writing FAA	Teacher	63.69	4.00	254.76
4	Initial PBIP				
	a - Preparing draft for IEP	Teacher	63.69	2.00	127.38
	b - Attending IEP meetings	Teacher	63.69	3.00	191.07
	c - Training/monitoring PBIP	Teacher	63.69	1.00	63.69
	d - Evaluating PBIP effectiveness	Teacher	63.69	10.00	636.9
	e - Modifications in IEP meetings	Teacher	63.69	2.00	127.38
	f - Modifications outside of IEP meetings	Teacher	63.69	2.00	127.38
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Teacher	63.69	0.00	0
	5b Information gathering	Teacher	63.69	0.00	0
	5c Writing FAA	Teacher	63.69	0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Teacher	63.69	0.00	0
	b - Attending IEP meetings	Teacher	63.69	0.00	0
	c - Training/monitoring PBIP	Teacher	63.69	0.00	0
	d - Evaluating PBIP effectiveness	Teacher	63.69	0.00	0
	e - Modifications in IEP meetings	Teacher	63.69	0.00	0
	f - Modifications outside of IEP meetings	Teacher	63.69	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	1			

BICM Level- FRESNO COUNTY		K. Salomanson	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	1			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist	72.11	1.00	72.11
b	Information gathering & assessment	Psychologist	72.11	30.00	2163.3
c	Writing FAA	Psychologist	72.11	15.00	1081.65
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	72.11	4.00	288.44
b	Attending IEP meetings	Psychologist	72.11	5.50	396.605
c	Training/monitoring PBIP	Psychologist	72.11	36.00	2595.96
d	Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	7.00	504.77
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist	72.11	0.00	0
5b	Information gathering	Psychologist	72.11	0.00	0
5c	Writing FAA	Psychologist	72.11	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist	72.11	0.00	0
b	Attending IEP meetings	Psychologist	72.11	0.00	0
c	Training/monitoring PBIP	Psychologist	72.11	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	1			

BICM Level- FRESNO COUNTY		Anna Quintanilla	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	1			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Psychologist	72.11	0.75	54.0825
	b - Information gathering & assessment	Psychologist	72.11	35.00	2523.85
	c - Writing FAA	Psychologist	72.11	4.50	324.495
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist	72.11	4.50	324.495
	b - Attending IEP meetings	Psychologist	72.11	9.00	648.99
	c - Training/monitoring PBIP	Psychologist	72.11	10.00	721.1
	d - Evaluating PBIP effectiveness	Psychologist	72.11	4.00	288.44
	e - Modifications in IEP meetings	Psychologist	72.11	0.00	0
	f - Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist	72.11	0.00	0
	5b Information gathering	Psychologist	72.11	0.00	0
	5c Writing FAA	Psychologist	72.11	0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist	72.11	0.00	0
	b - Attending IEP meetings	Psychologist	72.11	0.00	0
	c - Training/monitoring PBIP	Psychologist	72.11	0.00	0
	d - Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
	e - Modifications in IEP meetings	Psychologist	72.11	0.00	0
	f - Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	1			

BICM Level- FRESNO COUNTY		Leslie Farlow	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	8			
	New	3			
	Existing	5			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist	72.11	1.00	72.11
b	- Information gathering & assessment	Psychologist	72.11	3.00	216.33
c	- Writing FAA	Psychologist	72.11	3.00	216.33
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist	72.11	2.00	144.22
b	- Attending IEP meetings	Psychologist	72.11	1.00	72.11
c	- Training/monitoring PBIP	Psychologist	72.11	1.00	72.11
d	- Evaluating PBIP effectiveness	Psychologist	72.11	4.00	288.44
e	- Modifications in IEP meetings	Psychologist	0	0.00	0
f	- Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	72.11	2.50	180.275
5b	Information gathering	Psychologist	72.11	4.00	288.44
5c	Writing FAA	Psychologist	72.11	2.00	144.22
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist	72.11	5.00	360.55
b	- Attending IEP meetings	Psychologist	72.11	5.00	360.55
c	- Training/monitoring PBIP	Psychologist	72.11	7.00	504.77
d	- Evaluating PBIP effectiveness	Psychologist	72.11	27.50	1983.025
e	- Modifications in IEP meetings	Psychologist	72.11	4.00	288.44
f	- Modifications outside of IEP meetings	Psychologist	72.11	2.50	180.275
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	10			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Kathleen Kuczler Sanger			
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	1			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Teacher	63.69	0.50	31.845
b	Information gathering & assessment	Teacher	63.69	3.00	191.07
c	Writing FAA	Teacher	63.69	1.50	95.535
4	Initial PBIP				
a	Preparing draft for IEP	Teacher	63.69	1.00	63.69
b	Attending IEP meetings	Teacher	63.69	2.50	159.225
c	Training/monitoring PBIP	Teacher	63.69	1.00	63.69
d	Evaluating PBIP effectiveness	Teacher	63.69	2.00	127.38
e	Modifications in IEP meetings	Teacher	63.69	1.00	63.69
f	Modifications outside of IEP meetings	Teacher	63.69	1.00	63.69
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Teacher	63.69	0.00	0
5b	Information gathering	Teacher	63.69	0.00	0
5c	Writing FAA	Teacher	63.69	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Teacher	63.69	0.00	0
b	Attending IEP meetings	Teacher	63.69	0.00	0
c	Training/monitoring PBIP	Teacher	63.69	0.00	0
d	Evaluating PBIP effectiveness	Teacher	63.69	0.00	0
e	Modifications in IEP meetings	Teacher	63.69	0.00	0
f	Modifications outside of IEP meetings	Teacher	63.69	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	1			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Julie Errotabers	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	6			
	New	4			
	Existing	2			
3	FAA Activities				
	a - Parent notice and consent	Psychologist	72.11	3.00	216.33
	b - Information gathering & assessment	Psychologist	72.11	20.00	1442.2
	c - Writing FAA	Psychologist	72.11	10.00	721.1
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist	72.11	6.00	432.66
	b - Attending IEP meetings	Psychologist	72.11	5.00	360.55
	c - Training/monitoring PBIP	Psychologist	72.11	12.00	865.32
	d - Evaluating PBIP effectiveness	Psychologist	72.11	8.00	576.88
	e - Modifications in IEP meetings	Psychologist	72.11	7.00	504.77
	f - Modifications outside of IEP meetings	Psychologist	72.11	14.00	1009.54
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist	72.11	0.50	36.055
	5b Information gathering	Psychologist	72.11	4.00	288.44
	5c Writing FAA	Psychologist	72.11	3.00	216.33
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist	72.11	3.00	216.33
	b - Attending IEP meetings	Psychologist	72.11	5.00	360.55
	c - Training/monitoring PBIP	Psychologist	72.11	5.00	360.55
	d - Evaluating PBIP effectiveness	Psychologist	72.11	3.00	216.33
	e - Modifications in IEP meetings	Psychologist	72.11	6.00	432.66
	f - Modifications outside of IEP meetings	Psychologist	72.11	10.00	721.1
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	6			

BICM Level- FRESNO COUNTY		Ada Wolff	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	3			
	New	2			
	Existing	1			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	72.11	1.00	72.11
b	Information gathering & assessment	Psychologist	72.11	10.00	721.1
c	Writing FAA	Psychologist	72.11	2.00	144.22
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	72.11	0.50	36.055
b	Attending IEP meetings	Psychologist	72.11	3.00	216.33
c	Training/monitoring PBIP	Psychologist	72.11	5.00	360.55
d	Evaluating PBIP effectiveness	Psychologist	72.11	5.00	360.55
e	Modifications in IEP meetings	Psychologist	72.11	1.00	72.11
f	Modifications outside of IEP meetings	Psychologist	72.11	3.00	216.33
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	72.11	0.00	0
5b	Information gathering	Psychologist	72.11	0.00	0
5c	Writing FAA	Psychologist	72.11	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	72.11	0.00	0
b	Attending IEP meetings	Psychologist	72.11	0.00	0
c	Training/monitoring PBIP	Psychologist	72.11	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	1			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	1			

BICM Level- FRESNO COUNTY		Linda Booth	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	6			
	New	4			
	Existing	2			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	72.11	0.00	0
b	Information gathering & assessment	Psychologist	72.11	0.00	0
c	Writing FAA	Psychologist	72.11	0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	72.11	4.00	288.44
b	Attending IEP meetings	Psychologist	72.11	4.00	288.44
c	Training/monitoring PBIP	Psychologist	72.11	2.00	144.22
d	Evaluating PBIP effectiveness	Psychologist	72.11	8.00	576.88
e	Modifications in IEP meetings	Psychologist	72.11	4.00	288.44
f	Modifications outside of IEP meetings	Psychologist	72.11	4.00	288.44
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	72.11	0.00	0
5b	Information gathering	Psychologist	72.11	0.00	0
5c	Writing FAA	Psychologist	72.11	0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	72.11	2.00	144.22
b	Attending IEP meetings	Psychologist	72.11	2.00	144.22
c	Training/monitoring PBIP	Psychologist	72.11	1.00	72.11
d	Evaluating PBIP effectiveness	Psychologist	72.11	4.00	288.44
e	Modifications in IEP meetings	Psychologist	72.11	2.00	144.22
f	Modifications outside of IEP meetings	Psychologist	72.11	2.00	144.22
7 - IEP's where PBIP was a component					
	Students with 1 IEP	2			
	Students with 2 IEP's	4			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Mary McCall	West Park		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Sheala Dunn F Washington Union			
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Renee Frigon	American Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Kim Herron	Selma		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	1			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist	25.99	1.50	38.985
	b - Attending IEP meetings	Psychologist	25.99	5.00	129.95
	c - Training/monitoring PBIP	Psychologist	25.99	16.00	415.84
	d - Evaluating PBIP effectiveness	Psychologist	25.99	15.00	389.85
	e - Modifications in IEP meetings	Psychologist	25.99	2.00	51.98
	f - Modifications outside of IEP meetings	Psychologist	25.99	0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist		0.00	0
	5b Information gathering	Psychologist		0.00	0
	5c Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	1			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Mike Saxton	Selma		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist		0.00	0
	5b Information gathering	Psychologist		0.00	0
	5c Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Debbi Norman	Selma		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist		0.00	0
b - Information gathering & assessment		Psychologist		0.00	0
c - Writing FAA		Psychologist		0.00	0
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					0
5a Parent notice		Psychologist		0.00	0
5b Information gathering		Psychologist		0.00	0
5c Writing FAA		Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				

BICM Level- FRESNO COUNTY		Rod Willis	Pacific Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist		0.00	0
	5b Information gathering	Psychologist		0.00	0
	5c Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Susannah Amezc	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	0			
	Existing	1			
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist	55.18	75.00	4138.5
	d - Evaluating PBIP effectiveness	Psychologist	55.18	25.00	1379.5
	e - Modifications in IEP meetings	Psychologist	55.18	10.00	551.8
	f - Modifications outside of IEP meetings	Psychologist	55.18	30.00	1655.4
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist		0.00	0
	5b Information gathering	Psychologist		0.00	0
	5c Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist	55.18	10.00	551.8
	f - Modifications outside of IEP meetings	Psychologist	55.18	30.00	1655.4
7	IEP's where PBIP was a component				
	Students with 1 IEP	1			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Theron Bell	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist		0.00	0
	5b Information gathering	Psychologist		0.00	0
	5c Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Karla Spain	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Terri Barber	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist		0.00	0
b - Information gathering & assessment		Psychologist		0.00	0
c - Writing FAA		Psychologist		0.00	0
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					0
5a Parent notice		Psychologist		0.00	0
5b Information gathering		Psychologist		0.00	0
5c Writing FAA		Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				

BICM Level- FRESNO COUNTY		Trude Thom	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	3			
	New	1			
	Existing	2			
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist		0.00	0
	5b Information gathering	Psychologist		0.00	0
	5c Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Aryn Jorgensen	Central Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist		0.00	0
b	- Information gathering & assessment	Psychologist		0.00	0
c	- Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Jeanella Pankratz	Central Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist		0.00	0
b - Information gathering & assessment		Psychologist		0.00	0
c - Writing FAA		Psychologist		0.00	0
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					0
5a Parent notice		Psychologist		0.00	0
5b Information gathering		Psychologist		0.00	0
5c Writing FAA		Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				

BICM Level- FRESNO COUNTY		Victoria Statts	Central Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	16			
	New	0			
	Existing	16			
3 - FAA Activities					
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	2			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Shari Mcelyea	FCOE Spec Ed		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	8				
New	5				
Existing	3				
3 - FAA Activities					
a - Parent notice and consent		N/A		0.00	0
b - Information gathering & assessment		Psychologist	55.18	42.00	2317.56
c - Writing FAA		Psychologist	55.18	18.50	1020.83
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	55.18	115.00	6345.7
b - Attending IEP meetings		Psychologist	55.18	17.50	965.65
c - Training/monitoring PBIP		Psychologist	55.18	21.00	1158.78
d - Evaluating PBIP effectiveness		Psychologist	55.18	15.00	827.7
e - Modifications in IEP meetings		Psychologist	55.18	8.00	441.44
f - Modifications outside of IEP meetings		Psychologist	55.18	17.00	938.06
5 - FAA activities for pre-existing PBIP					0
5a Parent notice		N/A		0.00	0
5b Information gathering		Psychologist	55.18	27.00	1489.86
5c Writing FAA		Psychologist	55.18	23.00	1269.14
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP		Psychologist	55.18	38.00	2096.84
b - Attending IEP meetings		Psychologist	55.18	21.00	1158.78
c - Training/monitoring PBIP		Psychologist	55.18	14.00	772.52
d - Evaluating PBIP effectiveness		Psychologist	55.18	14.00	772.52
e - Modifications in IEP meetings		Psychologist	55.18	14.00	772.52
f - Modifications outside of IEP meetings		Psychologist	55.18	8.00	441.44
7 - IEP's where PBIP was a component					
Students with 1 IEP	5				
Students with 2 IEP's	3				
Students with 3 or more IEP's	0				

BICM Level- FRESNO COUNTY		Marilyn Wilson	Clay		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist		0.00	0
b	- Information gathering & assessment	Psychologist		0.00	0
c	- Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Vickie Seymore	FCOE		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	6			
	New	4			
	Existing	2			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	55.18	0.50	27.59
b	Information gathering & assessment	Psychologist	55.18	57.75	3186.645
c	Writing FAA	Psychologist	55.18	19.35	1067.733
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	55.18	7.50	413.85
b	Attending IEP meetings	Psychologist	55.18	8.00	441.44
c	Training/monitoring PBIP	Psychologist	55.18	10.00	551.8
d	Evaluating PBIP effectiveness	Psychologist	55.18	6.50	358.67
e	Modifications in IEP meetings	Psychologist	55.18	2.25	124.155
f	Modifications outside of IEP meetings	Psychologist	55.18	5.25	289.695
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	55.18	4.50	248.31
b	Attending IEP meetings	Psychologist	55.18	10.50	579.39
c	Training/monitoring PBIP	Psychologist	55.18	12.25	675.955
d	Evaluating PBIP effectiveness	Psychologist	55.18	7.50	413.85
e	Modifications in IEP meetings	Psychologist	55.18	2.50	137.95
f	Modifications outside of IEP meetings	Psychologist	55.18	5.50	303.49
7 - IEP's where PBIP was a component					
	Students with 1 IEP	2			
	Students with 2 IEP's	2			
	Students with 3 or more IEP's	1			

BICM Level- FRESNO COUNTY		Maria Puopolo	Kings Canyon		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist		0.00	0
b	- Information gathering & assessment	Psychologist		0.00	0
c	- Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Steve Gonzalez	All		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	3			
	New	2			
	Existing	1			
3	FAA Activities				
	a - Parent notice and consent	SELPA Coordinator	65.05	0.50	32.525
	b - Information gathering & assessment	SELPA Coordinator	65.05	15.00	975.75
	c - Writing FAA	SELPA Coordinator	65.05	7.00	455.35
4	Initial PBIP				
	a - Preparing draft for IEP	SELPA Coordinator	65.05	2.00	130.1
	b - Attending IEP meetings	SELPA Coordinator	65.05	4.00	260.2
	c - Training/monitoring PBIP	SELPA Coordinator	65.05	1.00	65.05
	d - Evaluating PBIP effectiveness	SELPA Coordinator	65.05	1.00	65.05
	e - Modifications in IEP meetings	SELPA Coordinator	65.05	1.00	65.05
	f - Modifications outside of IEP meetings	SELPA Coordinator	65.05	1.00	65.05
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	SELPA Coordinator	65.05	0.00	0
	5b Information gathering	SELPA Coordinator	65.05	1.00	65.05
	5c Writing FAA	SELPA Coordinator	65.05	0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	SELPA Coordinator	65.05	0.00	0
	b - Attending IEP meetings	SELPA Coordinator	65.05	0.00	0
	c - Training/monitoring PBIP	SELPA Coordinator	65.05	1.00	65.05
	d - Evaluating PBIP effectiveness	SELPA Coordinator	65.05	1.00	65.05
	e - Modifications in IEP meetings	SELPA Coordinator	65.05	0.00	0
	f - Modifications outside of IEP meetings	SELPA Coordinator	65.05	0.50	32.525
7	IEP's where PBIP was a component				
	Students with 1 IEP	2			
	Students with 2 IEP's	1			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Alfredo Pares	American Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist		0.00	0
b - Information gathering & assessment		Psychologist		0.00	0
c - Writing FAA		Psychologist		0.00	0
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					0
5a Parent notice		Psychologist		0.00	0
5b Information gathering		Psychologist		0.00	0
5c Writing FAA		Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP		Psychologist		0.00	0
b - Attending IEP meetings		Psychologist		0.00	0
c - Training/monitoring PBIP		Psychologist		0.00	0
d - Evaluating PBIP effectiveness		Psychologist		0.00	0
e - Modifications in IEP meetings		Psychologist		0.00	0
f - Modifications outside of IEP meetings		Psychologist		0.00	0
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				
18176.38				
Total Hours				0
351.25				0
				0
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5328.17				0
Total Hours				0
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
475788.62				0
Total Hours				0
10253.50				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	55.18	0.08	4.4144

BICM Level- FRESNO COUNTY		Christine Licata	American Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP			0	
	Students with 2 IEP's			0	
	Students with 3 or more IEP's			0	

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0
					0
					0
Total Costs					
18176.38					
Total Hours					0
351.25					0
					0
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0
					0
					0
Total costs					0
5328.17					0
Total Hours					
108.00					
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0
					0
Total Costs					0
475788.62					0
Total Hours					0
10253.50					
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist		0.00		0
b - One day notification	Psychologist		0.00		0
c - Completing report for file	Psychologist		0.00		0
d - IEP meetings for no PBIP	Psychologist		0.00		0
e - IEP meetings with PBIP	Psychologist		0.00		0
f - Reporting dat for annual CDE report	Psychologist		0.00		0
TOTALS			0.00		0.00
Completing survey	Psychologist		55.18	0.08	4.4144

BICM Level- FRESNO COUNTY		Katherine Wood	Central unified		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP				0
	Students with 2 IEP's				0
	Students with 3 or more IEP's				0

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0	
				0	
				0	
Total Costs					
18176.38					
Total Hours				0	
351.25				0	
					0
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0	
				0	
				0	
Total costs				0	
5328.17				0	
Total Hours					
108.00					
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0	
				0	
Total Costs				0	
475788.62				0	
Total Hours				0	
10253.50					
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist		0.00	0	
b - One day notification	Psychologist		0.00	0	
c - Completing report for file	Psychologist		0.00	0	
d - IEP meetings for no PBIP	Psychologist		0.00	0	
e - IEP meetings with PBIP	Psychologist		0.00	0	
f - Reporting dat for annual CDE report	Psychologist		0.00	0	
TOTALS			0.00	0.00	
Completing survey	Psychologist	51.94	0.17	8.8298	

BICM Level- FRESNO COUNTY		Mary Oates	Central unified		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	0			
	Existing	0			
3 - FAA Activities					
a	- Parent notice and consent	Psychologist		0.00	0
b	- Information gathering & assessment	Psychologist		0.00	0
c	- Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	- Preparing draft for IEP	Psychologist		0.00	0
b	- Attending IEP meetings	Psychologist		0.00	0
c	- Training/monitoring PBIP	Psychologist		0.00	0
d	- Evaluating PBIP effectiveness	Psychologist		0.00	0
e	- Modifications in IEP meetings	Psychologist		0.00	0
f	- Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				
18176.38				
Total Hours				0
351.25				0
				0
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5328.17				0
Total Hours				
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
475788.62				0
Total Hours				0
10253.50				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	51.94	0.05	2.597

BICM Level- FRESNO COUNTY		Gayle Norris	Central unified		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP				0
	Students with 2 IEP's				0
	Students with 3 or more IEP's				0

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				
18176.38				
Total Hours				0
351.25				0
				0
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5328.17				0
Total Hours				
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
475788.62				0
Total Hours				0
10253.50				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	51.94	0.25	12.985

BICM Level- FRESNO COUNTY		Lori Walker	Central unified		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist		0.00	0
	5b Information gathering	Psychologist		0.00	0
	5c Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

BICM Level- FRESNO COUNTY		Jessica Djarbrayan	Central unified		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist	0.00		0
b	Information gathering & assessment	Psychologist	0.00		0
c	Writing FAA	Psychologist	0.00		0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist	0.00		0
b	Attending IEP meetings	Psychologist	0.00		0
c	Training/monitoring PBIP	Psychologist	0.00		0
d	Evaluating PBIP effectiveness	Psychologist	0.00		0
e	Modifications in IEP meetings	Psychologist	0.00		0
f	Modifications outside of IEP meetings	Psychologist	0.00		0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	0.00		0
5b	Information gathering	Psychologist	0.00		0
5c	Writing FAA	Psychologist	0.00		0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist	0.00		0
b	Attending IEP meetings	Psychologist	0.00		0
c	Training/monitoring PBIP	Psychologist	0.00		0
d	Evaluating PBIP effectiveness	Psychologist	0.00		0
e	Modifications in IEP meetings	Psychologist	0.00		0
f	Modifications outside of IEP meetings	Psychologist	0.00		0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0
					0
					0
Total Costs					
18176.38					
Total Hours					0
351.25					0
					0
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0
					0
					0
Total costs					0
5328.17					0
Total Hours					
108.00					
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0
					0
Total Costs					0
475788.62					0
Total Hours					0
10253.50					
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist		0.00		0
b - One day notification	Psychologist		0.00		0
c - Completing report for file	Psychologist		0.00		0
d - IEP meetings for no PBIP	Psychologist		0.00		0
e - IEP meetings with PBIP	Psychologist		0.00		0
f - Reporting dat for annual CDE report	Psychologist		0.00		0
TOTALS			0.00	0.00	0.00
Completing survey	Psychologist		51.94	0.08	4.1552

BICM Level- FRESNO COUNTY		Christine Borges	Central unified		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3 - FAA Activities					
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4- Initial PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP					
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component					
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			

8 - PBIP issues in IEP by non-BICM's	N/A			0
when discussed for the first time				0
				0
Total Costs				
18176.38				
Total Hours				0
351.25				0
				0
9 - PBIP issues in IEP by non-BICM's	N/A			0
when pre-existing				0
				0
Total costs				0
5328.17				0
Total Hours				
108.00				
10 - Implementation/monitoring of PBIP's	N/A			0
by non-Bicm's				0
Total Costs				0
475788.62				0
Total Hours				0
10253.50				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	51.94	0.25	12.985

BICM Level- FRESNO COUNTY		Susie Verduzco	Coalinga-Huron		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
	a - Parent notice and consent	Psychologist		0.00	0
	b - Information gathering & assessment	Psychologist		0.00	0
	c - Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist		0.00	0
	b - Attending IEP meetings	Psychologist		0.00	0
	c - Training/monitoring PBIP	Psychologist		0.00	0
	d - Evaluating PBIP effectiveness	Psychologist		0.00	0
	e - Modifications in IEP meetings	Psychologist		0.00	0
	f - Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
	5a Parent notice	Psychologist	52.73	1.00	52.73
	5b Information gathering	Psychologist	52.73	2.00	105.46
	5c Writing FAA	Psychologist	52.73	2.00	105.46
6	Review/revision of pre-existing PBIP				0
	a - Preparing draft for IEP	Psychologist	52.73	6.00	316.38
	b - Attending IEP meetings	Psychologist	52.73	8.00	421.84
	c - Training/monitoring PBIP	Psychologist	52.72	1.00	52.72
	d - Evaluating PBIP effectiveness	Psychologist	52.73	5.00	263.65
	e - Modifications in IEP meetings	Psychologist	52.73	2.00	105.46
	f - Modifications outside of IEP meetings	Psychologist	52.73	3.00	158.19
7	IEP's where PBIP was a component				
	Students with 1 IEP			0	
	Students with 2 IEP's			0	
	Students with 3 or more IEP's			1	

8 - PBIP issues in IEP by non-BICM's when discussed for the first time		N/A			0
					0
					0
Total Costs					
18176.38					
Total Hours					0
351.25					0
					0
9 - PBIP issues in IEP by non-BICM's when pre-existing	6	Sp.Ed. Teacher	62.69	10.00	626.9
					0
					0
Total costs					0
5328.17					0
Total Hours					
108.00					
10 - Implementation/monitoring of PBIP's by non-Bicm's		Sp.Ed. Teacher	62.69	10.00	626.9
					0
Total Costs					0
475788.62					0
Total Hours					0
10253.50					
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist		0.00	0
b - One day notification		Psychologist		0.00	0
c - Completing report for file		Psychologist		0.00	0
d - IEP meetings for no PBIP		Psychologist		0.00	0
e - IEP meetings with PBIP		Psychologist		0.00	0
f - Reporting dat for annual CDE report		Psychologist		0.00	0
TOTALS				50.00	2,835.69
Completing survey		Psychologist	52.73	4.00	210.92

DISTRICT

District Level- Fresno County				
	DISTRICT LEVEL TOTALS			Darla Beeson
1 # of Behavioral Emergency Reports	43			0
		# of Hours	Total Costs	Position
2 Activities				
a - performing emergency interventions		30.58	1,512.55	Psychologist
b - 1 day notification of use of emergency intervention		14.50	747.10	Psychologist
c - Completing report		30.50	1,753.08	Psychologist
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Psychologist
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Psychologist
f - Reporting data for annual report to CDE		30.75	1,738.12	Psychologist
g - Reviewing reports & forwarding to SELPA		18.50	1,024.77	Psychologist
3 - Informing school personnel		255.42	12,686.48	Psychologist
4 - Number of due process requests filed		0.00	0.00	n/a
a - Number of written responses		0.00	0.00	0
answers to 5 -8				
5 - Filing Response		0.00	0.00	n/a
6 - Resolution Session		0.00	0.00	n/a
7 - Mediation		0.00	0.00	n/a
8 - Due Process Hearing		0.00	0.00	n/a
9 - Outside Assistance		0.00	0.00	n/a

TOTALS		466.75	24,543.08	
Time to complete survey		14.14	717.51	Psychologist
Check Totals		466.75	24,543.08	

FRESNO COUNTY						
Golden Plains			Janet Safreno	Kerman Unified		
			0			
Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
0.00	0.00	0.00	n/a	0.00	0.00	0.00
0.00	0.00	0.00	n/a	0.00	0.00	0.00
0.00	0.00	0.00	n/a	0.00	0.00	0.00
0.00	0.00	0.00	n/a	0.00	0.00	0.00
0.00	0.00	0.00	n/a	0.00	0.00	0.00
0.00	0.00	0.00	n/a	0.00	0.00	0.00
0.00	0.00	0.00	n/a	0.00	0.00	0.00
0.00	0.00	0.00	Psychologist	21.09	24.00	506.16
			n/a			
			0			
		0.00	n/a			0.00
		0.00	n/a			0.00
		0.00	n/a			0.00
		0.00	n/a			0.00
		0.00	n/a			0.00

	0.00	0.00			24.00	506.16
52.13	0.08	4.17	Psychologist	21.09	0.25	5.27

Patti Olsen	Kings Canyon			Brad Bergstrom	Kingsburg Elementary	
0				0		
Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours
Psychologist	70.95	0.33	23.41	Psychologist	67.55	0.00
Psychologist	70.95	0.00	0.00	Psychologist	67.55	0.00
Psychologist	70.95	0.50	35.48	Psychologist	67.55	0.00
Psychologist	70.95	0.00	0.00	Psychologist	67.55	0.00
Psychologist	70.95	0.00	0.00	Psychologist	67.55	0.00
Psychologist	70.95	0.25	17.74	Psychologist	67.55	0.00
Psychologist	70.95	0.25	17.74	Psychologist	67.55	0.00
Psychologist	70.95	0.17	12.06	Principal	65.25	13.50
				Psychologist	67.55	14.50
				RSP	63.54	11.50
				RSP Aide	20.44	11.50
				Title I Aide(2)	62.86	23.00
				Custodian	29.44	11.50
n/a				n/a		
0				0		
n/a			0.00	n/a		
n/a			0.00	n/a		
n/a			0.00	n/a		
n/a			0.00	n/a		
n/a			0.00	n/a		

		1.50	106.43	0.00		85.50
Lead Program Specialist	62.53	0.33	20.63	Psychologist	67.55	1.00

	Cindy Schreiner	Kingsburg Joint Union			Sharon Plain	Laton
	0				0	
Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
880.88				0.00	HS Learning Director	55.76
979.48				0.00	LES Learning director	16.11
730.71				0.00	LES Principal	59.65
235.06				0.00	LES Resource Teacher	49.89
1,445.78				0.00	HS Continuation Teacher	49.89
338.56				0.00		
	n/a				n/a	
	0				0	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	

4,610.46			0.00	0.00		
67.55	Vice Principal	45.30	0.25	11.33	Learning Director	55.76

		Rodney Smith	Mendota High			Shelley Manser	Monroe
		0				0	
# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00
12.00	669.12	Psychologist	62.34	24.00	1,496.16	N/a	
12.00	193.32	Principal	55.05	8.00	440.40		
12.00	715.80	Resource Teacher	48.21	8.00	385.68		
12.00	598.68	Special Ed Teacher	49.60	8.00	396.80		
12.00	598.68				0.00		
	0.00				0.00		
		n/a				n/a	
		0				0	
	0.00	n/a			0.00	n/a	
	0.00	n/a			0.00	n/a	
	0.00	n/a			0.00	n/a	
	0.00	n/a			0.00	n/a	
	0.00	n/a			0.00	n/a	

60.00	2,775.60			48.00	2,719.04		
0.25	13.94	Psychologist	62.34	2.00	124.68	Superintendent	44.00

		Antonio Aguilar	Parlier Unified				Eric Bitter	Pine Ridge		
		0					0			
# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours		
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00		
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00		
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00		
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00		
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00		
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00		
0.00	0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00		
	0.00	Psychologist	46.32	1.00	46.32	Principal	14.88	0.50		
	0.00				0.00					
	0.00				0.00					
	0.00				0.00					
	0.00				0.00					
	0.00				0.00					
		n/a				n/a				
		0				0				
	0.00	n/a			0.00	n/a				
	0.00	n/a			0.00	n/a				
	0.00	n/a			0.00	n/a				
	0.00	n/a			0.00	n/a				
	0.00	n/a			0.00	n/a				

0.00	0.00			1.00	46.32			0.50
0.08	3.52	SSS Director	59.50	0.25	14.88	Principal	14.88	0.08

	Mary McCall	West Park			Sheala Dunn Figueroa	Washington Union	
	0				0		
Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
7.44	N/A	0.00	0.00	0.00	N/A	0.00	0.00
0.00				0.00			
0.00				0.00			
0.00				0.00			
0.00				0.00			
0.00				0.00			
	n/a				n/a		
	0				0		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		

7.44			0.00	0.00			0.00
1.19	Psychologist	52.13	0.08	4.17	Psychologist	52.93	0.25

	Norma Barajas-Ruiz	Selma			Evert E. Craft	West Fresno	
	0				0		
Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	Psychologist	0.00	0.00	0.00	Psychologist	0.00	0.00
0.00	N/A	0.00	0.00	0.00	N/A	0.00	0.00
0.00				0.00			
0.00				0.00			
0.00				0.00			
0.00				0.00			
0.00				0.00			
	n/a				n/a		
	0				0		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		

0.00			0.00	0.00			0.00
13.23	Director of Pupil Services	59.69	0.08	4.78	Psychologist	55.18	0.25

	Jeanelle Pankratz	Fresno County			D. Kourafas	American Union	
	3				0		
Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours
0.00	Teacher	61.40	0.75	46.05	Teacher	61.40	0.00
0.00	Teacher	61.40	0.25	15.35	Teacher	61.40	0.00
0.00	Teacher	61.40	0.50	30.70	Teacher	61.40	0.00
0.00	Teacher	61.40	0.25	15.35	Teacher	61.40	0.00
0.00	Teacher	61.40	2.00	122.80	Teacher	61.40	0.00
0.00	Teacher	61.40	0.25	15.35	Teacher	61.40	0.00
0.00	Program Manager	55.18	0.25	13.80	Teacher	61.40	0.00
0.00	Teacher	61.40	0.50	30.70	Teacher	61.40	0.00
0.00				0.00			
0.00				0.00			
0.00				0.00			
0.00				0.00			
0.00				0.00			
	n/a				n/a		
	0				0		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		

0.00			4.75	290.10			0.00
13.80	Psychologist	55.18	0.33	18.21	Teacher	61.40	0.17

0.00			0.00	0.00			14.50
10.44	Psychologist	40:84	0.08	3.27	Director	47:77	2.00

	Gary Easley 0	Caruthers			Tony Rodriguez 0	Coalinga-Huron	
Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours
0.00	N/a		0.00	0.00	N/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
0.00	n/a		0.00	0.00	n/a		0.00
47.77	Director	64.63	1.50	96.95	n/a		
338.82				0.00			
247.50				0.00			
63.66				0.00			
0.00				0.00			
0.00				0.00			
	n/a				n/a		
	0				0		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		

697.75			1.50	96.95			0.00
95.54	Director	64.63	0.25	16.16	Director	62.42	1.00

	W.R. Mannlein	Principal					
	0				40	FCOE Spec ED	Several persons combin
Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours
0.00	N/a		0.00	0.00	Teacher	61.40	9.50
					Paraeducator	28.71	9.00
					Psychologist	55.18	6.50
					Nurse	35.84	1.50
					Program Admin	62.99	3.00
0.00	n/a		0.00	0.00	Teacher	61.40	8.25
					Paraeducator	28.71	4.00
					Psychologist	55.18	2.00
0.00	n/a		0.00	0.00	Teacher	61.40	9.50
					Paraeducator	28.71	0.00
					Psychologist	55.18	20.00
0.00	n/a		0.00	0.00	Teacher	61.40	8.25
					Program Admin	62.99	8.00
					Psychologist	55.18	10.00
0.00	n/a		0.00	0.00	Teacher	61.40	17.00
					Paraeducator	28.71	0.00
					Psychologist	55.18	28.00
					Nurse	35.84	1.00
					Program Admin	62.99	12.00
0.00	n/a		0.00	0.00	Teacher	61.40	3.25
					Program Admin	62.99	2.00
					Psychologist	55.18	25.00
0.00	n/a		0.00	0.00	Psychologist	55.18	18.00
0.00	n/a			0.00	Teacher	61.40	10.75
0.00				0.00	Program Admin	62.99	3.50
0.00				0.00	Psychologist	55.18	5.50
0.00				0.00			
0.00				0.00			
0.00				0.00			
	n/a				n/a		
	0				0		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		
0.00	n/a			0.00	n/a		

0.00			0.00	0.00			225.50
62.42	Principal		0.08	0.00	Psychologist	55.18	5.00

12,686.85
275.90

SELPA

SELPA Level	FRESNO COUNTY	73258 ADA				
Number of BICM's in SELPA	56					
Number of BICM surveys returned	51					
Number of LEA's in SELPA	32					
Number of LEA surveys returned	19	Some rural districts do not have a director-county may provide services				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	Psychologist	59.54	1.00		59.54	
	Psychologist	59.54	1.00		59.54	
	Directors' x 15	74.95	15.00		1,124.25	
* 8 - Governing Board approval	Psychologist	59.54	0.25		14.89	
	Psychologist	59.54	0.25		14.89	
	Director x 15	74.95	4.75		356.01	
Training						
* 11 - Design training for initial BICM certification	Coordinator	65.05	88.00		5,724.40	
	Secretary	29.90	74.00		2,212.60	
**12 - Update of training for initial BICM certification	Coordinator	65.05	80.00		5,204.00	
	SELPA Sec.	29.90	24.00		717.60	
	Psychologist x3	59.54	140.00		8,335.60	
**13 - Lead training for initial BICM certification	Coordinator	65.05	24.00	1,561.20		
	Psychologist x3	59.54	72.00	4,286.88		
	Secretary	29.90	2.00	59.80		
**14 - Lead training update for certified BICM's	N/A					
* 15 - Design training for PBIP implementers	N/A				0.00	
**16 - Update training for PBIP implementers	N/A			0.00		
**17 - Lead training for PBIP implementers	N/A					
*18 - Design training on Emergency Behavioral Interventions	Coordinator	65.05	32.00		2,081.60	
	Teacher	69.64	32.00		2,228.48	
	Psychologist	59.54	32.00		1,905.28	
**19 - Update trainin on Emergency Behavioral Interventions	Coordinator	65.05	4.00	260.20		
	Teacher	69.64	8.00	557.12		
	Psychologist	59.54	4.00	238.16		
**20 - Lead training on Emergency Behavioral Interventions	Coordinator	65.05	40.00	2,602.00		
	Teacher	69.64	40.00	2,785.60		
	Psychologist x 2	59.54	80.00	4,763.20		
21 - Other costs of BCIM certification training	Outside Registration			350.00		
	In SELPA			300.00		
	Sub's			400.00		
22 - Number of participants in BICM training by position/hours	Central/Psychologist(14)	52.73	336.00	17,717.28		24hrs per training
	Coalinga-Huron/2 Psychologist and 1 Teacher(3)	177.88	24.00	4,269.12		24hrs per training
	Firebaugh/Psychologist(3)	51.57	72.00	3,713.04		24hrs per training
	Fowler/Psychologist(2)	61.57	48.00	2,955.36		24hrs per training
	FCOE/Teachers(5)	61.28	120.00	7,353.60		24hrs per training
	Kerman/Psychologist(2)	61.57	48.00	2,955.36		24hrs per training
	Kings Canyon/Psychologist(6)	61.57	144.00	8,866.08		24hrs per training
	Kingsburg H.S./Psychologist(1)	61.57	24.00	1,477.68		24hrs per training
	Mendota/Psychologist(1)	59.54	24.00	1,428.96		24hrs per training
	Sanger/Psychologist(3)	59.54	72.00	4,286.88		24hrs per training
	Sierra/Psychologist(3)	72.11	72.00	5,191.92		24hrs per training
23 - Number of participants in PBIP training by position/hours	N/A					

24 - Number of participants in Emergency Beh Interv training by position/hours	Central/Para(1)	67.91	8.00	543.28		
	Firebaugh teacher(1)/Psych(2)/Admin(5)	480.88	8.00	3,847.04		
	FCOE/Teachers(7)/Para(17) /Psch(9)/Admin(2)	2,271.37	8.00	18,170.96		
	Kerman/para(1)	62.99	8.00	503.92		
	Kings Canyon/teacher(1)	46.81	8.00	374.48		
	Kingsburg elem/Teacher(1)/Para(1)	130.14	8.00	1,041.12		
	Kingsburg HS/para(1)	62.99	8.00	503.92		
	Parlier/Teacher(1)	69.64	8.00	557.12		
	Riverdale/Admin(1)	59.65	8.00	477.20		
	Sanger/Teacher(2)/Para(1)/ Psych(5)	529.92	8.00	4,239.36		
	Washington Colony Elem/Teacher(1)/Para(1)/A dmin(1)	186.33	8.00	1,490.64		
	Washington Union High/Psych(1)	67.91	8.00	543.28		
25 - Other training costs	N/A			1,753.61	0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Coordinator II	65.05	10.00	650.50		
27 - Due process hearings	NONE					
TOTAL			1,888.25	113,075.87	30,038.67	
Time to complete survey	Coordinator II	65.05	14.00	910.70		
NOTES:						
one asterisk indicates a one time cost						
two astericks indicates annual or more frequent costs						

BICM

BICM Level		Position	Fresno Unified			
			Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	1	Raul Teseda			
	New	0				
	Existing	1				
2	PBIP's with AB 3632 services	0				
3	FAA Activities					
	a - Parent notice and consent					0
	b - Information gathering & assessment					0
	c - Writing FAA					0
4-	Initial PBIP					
	a - Preparing draft for IEP					0
	b - Attending IEP meetings					0
	c - Training/monitoring PBIP					0
	d - Evaluating PBIP effectiveness					0
	e - Modifications in IEP meetings					0
	f - Modifications outside of IEP meetings					0
5	FAA activities for pre-existing PBIP					0
	5a Parent notice					0
	5b Information gathering					0
	5c Writing FAA					0
6	Review/revision of pre-existing PBIP					0
	a - Preparing draft for IEP		Psychologist	65.05	0.00	0
	b - Attending IEP meetings		Psychologist	65.05	8.00	520.4
	c - Training/monitoring PBIP		Psychologist	65.05	2.00	130.1
	d - Evaluating PBIP effectiveness		Psychologist	65.05	3.00	195.15
	e - Modifications in IEP meetings		Psychologist	65.05	2.00	130.1
	f - Modifications outside of IEP meetings		Psychologist	65.05	2.00	130.1
7	IEP's where PBIP was a component					
	Students with 1 IEP	0				
	Students with 2 IEP's	0				
	Students with 3 or more IEP's	1				
8	PBIP issues in IEP by non-BICM's when discussed for the first time					0
9	PBIP issues in IEP by non-BICM's when pre-existing	3	Spec Ed Teacher	58.05	6.00	348.3
		3	Reg Ed Teacher	62.28	6.00	373.68
		3	Site Admin	64.75	6.00	388.5
		2	RIS	63.24	4.00	252.96
10	Implementation/monitoring of PBIP's by non-Bicm's		Spec Ed Teacher	49.32	42.50	2096.1
			Instr Assistant	12.61	42.50	535.925
			Spec Ed Teacher	49.32	42.50	2096.1
			Instr Assistant	12.61	42.50	535.925
11	Emergency Behavior Interventions					
	a - Performing interventions		Psychologist	65.05	2.00	130.1
	b - One day notification		Psychologist	65.05	0.50	32.525
	c - Completing report for file		Psychologist	65.05	0.50	32.525
	d - IEP meetings for no PBIP		Psychologist	65.05	3.00	195.15
	e - IEP meetings with PBIP		Psychologist		0.00	0
	f - Reporting data for annual CDE report		Psychologist		0.00	0
BICM LEVEL TOTALS					215.00	8,123.64

DISTRICT

District Level		Fresno Unified		
1 # of Behavioral Emergency Reports	88			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Spec Ed Teachers	49.32	66.00	3,255.12
	Psychologist	65.05	66.00	4,293.30
b - 1 day notification of use of emergency intervention	Spec Ed Teachers	49.32	14.50	715.14
	Psychologist	65.05	14.50	943.23
c - Completing report	Spec Ed Teachers	49.32	132.00	6,510.24
	Psychologist	65.05	132.00	8,586.60
d - Scheduling and holding IEP meetings for students without PBIP	School Psychologist	65.05	33.00	2,146.65
e - Scheduling and holding IEP meetings for students with PBIP	n/a			0.00
f - Reporting data for annual report to CDE	Office Manager	28.57	10.00	285.70
g - Reviewing reports & forwarding to SELPA	Psychologist	65.05	44.00	2,862.20
3 - Informing school personnel	12 Psychologists	65.05	36.00	2,341.80
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			548.00	31,939.98
Time to complete survey	Lead School Psycholog	67.40	3.00	202.20

SELPA

SELPA Level	FRESNO UNIFIED	71,980 ADA				
Number of BICM's in SELPA	53					
Number of BICM surveys returned	1	22 BICMs did not complete PBIP or FAA during 2006-07				
Number of LEA's in SELPA	1					
Number of LEA surveys returned	n/a					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	70.23	2.00		140.46	
* 8 - Governing Board approval	SELPA Director	70.23	100.00		7,023.00	
** 9 - Review/update of procedures	n/a					
	Update every 2 years					
**10 - Governing Board approval	Not Yet Done					
Training						
* 11 - Design training for initial BICM certification	School Psychologist	65.05	35.00		2,276.75	
**12 - Update of training for initial BICM certification	n/a					
**13 - Lead training for initial BICM certification	School Psychologist	65.05	16.00	1,040.80		
**14 - Lead training update for certified BICM's	n/a					
* 15 - Design training for PBIP implementers						
**16 - Update training for PBIP implementers						
**17 - Lead training for PBIP implementers						
*18 - Design training on Emergency Behavioral Interventions	2 Psychologists	65.05	30.00		1,951.50	
**19 - Update trainin on Emergency Behavioral Interventions	Psychologists	65.05	224.00	14,571.20		
**20 - Lead training on Emergency Behavioral Interventions	CPI Team PSY	65.05	16.00	1,040.80		
21 - Other costs of BICM certification training						
22 - Number of participants in BICM training by position/hours	No Training in 2006/07					
23 - Number of participants in PBIP training by position/hours	No Training in 2006/07					
24 - Number of participants in Emergency Beh Interv training by position/hours	Psychologists Spec Ed Teachers	65.05 49.32	720.00 720.00	46,836.00 35,510.40		
25 - Other training costs					0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Director	70.23	4.00	280.92		
27 - Due process hearings	n/a					
Sub Total				280.92		
SELPA LEVEL TOTAL			1,867.00	99,561.04	11,391.71	
Time to complete survery	Lead Psychologist	67.40	10.00	674.00		
NOTES:						
one asterisk indicates a one time cost						
two asterisks indicates annual or more frequent costs						

BICM

BICM Level - Glenn	BICM Summary	
1a Number of Students with PBIP		
New	1	
Existing		
3 - FAA Activities		
a - Parent notice and consent	1.50	78.69
b - Information gathering & assessment	12.50	655.75
c - Writing FAA	10.00	524.60
4- Initial PBIP		
a - Preparing draft for IEP	3.00	157.38
b - Attending IEP meetings	2.50	131.15
c - Training/monitoring PBIP	1.00	52.46
d - Evaluating PBIP effectiveness	1.00	52.46
e - Modifications in IEP meetings	2.00	104.92
f - Modifications outside of IEP meetings	1.00	52.46
5 - FAA activities for pre-existing PBIP		
6 - Review/revision of pre-existing PBIP		
7 - IEP's where PBIP was a component		
Students with 1 IEP		
Students with 2 IEP's	1	
Students with 3 or more IEP's		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	10.00	448.78
9 - PBIP issues in IEP by non-BICM's when pre-existing		
10 - Implementation/monitoring of PBIP's by non-Bicm's	2.50	47.28
Emergency Behavior Interventions		
a - Performing interventions		
b - One day notification		
c - Completing report for file	1.00	52.46
d - IEP meetings for no PBIP	1.50	78.69
e - IEP meetings with PBIP		
f - Reporting dat for annual CDE report	0.50	26.23
BICM LEVEL TOTALS	50.00	2,463.31
Completing survey	1.50	78.69

BICM Level - Glenn	Position	8 Districts		Total Costs
		Hourly Rate	# of Hours	
1a Number of Students with PBIP	0			
New				
Existing				
3 - FAA Activities	N/A			
a - Parent notice and consent				
b - Information gathering & assessment				
c - Writing FAA				
4- Initial PBIP	N/A			
a - Preparing draft for IEP				
b - Attending IEP meetings				
c - Training/monitoring PBIP				
d - Evaluating PBIP effectiveness				
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP	n/a			0
6 - Review/revision of pre-existing PBIP	n/a			0
7 - IEP's where PBIP was a component	n/a			
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a			0
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a			0
Emergency Behavior Interventions	n/a			
a - Performing interventions				
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			0.00	0
Completing survey	Psychologist	52.46	0.16	8.3936

BICM Level - Glenn		Orland Unified		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New				
Existing				
3 - FAA Activities				
a - Parent notice and consent	Psychologist	52.46	1.00	52.46
b - Information gathering & assessment	Psychologist	52.46	2.00	104.92
c - Writing FAA	Psychologist	52.46	3.00	157.38
4- Initial PBIP				
a - Preparing draft for IEP	n/a			
b - Attending IEP meetings	n/a			
c - Training/monitoring PBIP	n/a			
d - Evaluating PBIP effectiveness	n/a			
e - Modifications in IEP meetings	n/a			
f - Modifications outside of IEP meetings	n/a			
5 - FAA activities for pre-existing PBIP	n/a			
6 - Review/revision of pre-existing PBIP	n/a			
7 - IEP's where PBIP was a component	n/a			
Students with 1 IEP				
Students with 2 IEP's	0			
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's	n/a			
when discussed for the first time	n/a			
	n/a			
	n/a			
	n/a			
9 - PBIP issues in IEP by non-BICM's	n/a			
when pre-existing				
10 - Implementation/monitoring of PBIP's	n/a			
by non-Bicm's				
Emergency Behavior Interventions				
a - Performing interventions	n/a			
b - One day notification	n/a			
c - Completing report for file	n/a			
d - IEP meetings for no PBIP	n/a			
e - IEP meetings with PBIP	n/a			
f - Reporting dat for annual CDE report	n/a			
BICM LEVEL TOTALS			6.00	314.76
Completing survey	Psychologist	52.46	1.00	52.46

BICM Level - Glenn		Capay & Lake Elementary Schools			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP					
New	1				
Existing					
3 - FAA Activities					
a - Parent notice and consent	Psychologist	52.46	0.50	26.23	
b - Information gathering & assessment	Psychologist	52.46	10.50	550.83	
c - Writing FAA	Psychologist	52.46	7.00	367.22	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	52.46	3.00	157.38	
b - Attending IEP meetings	Psychologist	52.46	2.50	131.15	
c - Training/monitoring PBIP	Psychologist	52.46	1.00	52.46	
d - Evaluating PBIP effectiveness	Psychologist	52.46	1.00	52.46	
e - Modifications in IEP meetings	Psychologist	52.46	2.00	104.92	
f - Modifications outside of IEP meetings	Psychologist	52.46	1.00	52.46	
5 - FAA activities for pre-existing PBIP	n/a				
6 - Review/revision of pre-existing PBIP	n/a				
7 - IEP's where PBIP was a component	n/a				
Students with 1 IEP					
Students with 2 IEP's	1				
Students with 3 or more IEP's					
8 - PBIP issues in IEP by non-BICM's	1 Principal	0.00	2.00	0.00	
when discussed for the first time	1 SDC teacher	49.70	2.00	99.40	
	1 Program Spec	60.12	2.00	120.24	
	1 Teacher	49.70	2.00	99.40	
	1 Sp Ed Coordinator	64.87	2.00	129.74	
9 - PBIP issues in IEP by non-BICM's	n/a				
when pre-existing	n/a				
10 - Implementation/monitoring of PBIP's	Instructional Aide	18.91	2.50	47.28	
by non-Bicm's					
Emergency Behavior Interventions					
a - Performing interventions	n/a				
b - One day notification	n/a				
c - Completing report for file	Psychologist	52.46	1.00	52.46	
d - IEP meetings for no PBIP	Psychologist	52.46	1.50	78.69	
e - IEP meetings with PBIP	n/a				
f - Reporting dat for annual CDE report	Psychologist	52.46	0.50	26.23	
BICM LEVEL TOTALS			44.00	2,148.55	
Completing survey	Psychologist	52.46	0.50	26.23	

DISTRICT

District Level	Glenn County SELPA			
1 - # of Reports	0			
		All Districts		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teacher	49.70	2	99.40
b - 1 day notification of use of emergency intervention	Teacher	49.70	0.5	24.85
c - Completing report	Program Spec	60.12	0.5	30.06
d - Scheduling and holding IEP meetings for students without PBIP	N/A			
e - Scheduling and holding IEP meetings for studetns with PBIP	Teacher	49.70	6	298.20
	Psychologist	52.46	6	314.76
	Program Spec	60.12	6	360.72
f - Reporting data for annual report to CDE	Admin Asst	33.78	0.5	16.89
g - Reviewing reports & forwarding to SELPA	Dir Student Svs	35.26	0.5	17.63
	Admin Asst	33.78	0.5	16.89
3 - Informing school personnel	CPI Trainers		21	3,800.00
4 - Number of due process requests filed	n/a			
a - Number of written reponses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTICT LEVEL TOTALS			43.5	4,979.40
Time to complete survey	Coordinator	64.87	2	129.74

SELPA

SELPA Level		Glenn County				
Number of BICM's in SELPA		8				
Number of BICM surveys returned		4	Others did not have 06-07 activity			
Number of LEA's in SELPA		10				
Number of LEA surveys returned		2	These are the only 2 districts that provide Special Ed			
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Dir	35.26	12		423.12	
	Prog Spec	60.12	12		721.44	
* 8 - Governing Board approval	n/a				0.00	
Training						
* 11 - Design training for initial BICM certification	SELPA Dir	35.26	6		211.56	
	Behavior Sp	48.80	6		292.80	
** 12 - Update of training for initial BICM certification	Coordinator	64.87	16	1,037.92		As needed
	Psychologist	52.46	16	839.36		
	Program Sp	60.12	16	961.92		
** 13 - Lead training for initial BICM certification	N/A					N/A
** 14 - Lead training update for certified BICM's	N/A					N/A
* 15 - Design training for PBIP implementers	Program Sp	60.12	20		1,202.40	
** 16 - Update training for PBIP implementers	Program Sp	60.12	10	601.20		Annually
** 17 - Lead training for PBIP implementers	CPI Trainer	60.31	10	603.10		Annually
* 18 - Design training on Emergency Behavioral Interventions	MAB	no cost	18			
	CPI Trainers	60.31	21		1,266.51	
** 19 - Update training on Emergency Behavioral Interventions	CPI Trainers	60.31	6	361.86		twice a year
** 20 - Lead training on Emergency Behavioral Interventions	CPI Trainers	60.31	18	1,085.58		Annually
21 - Other costs of BICM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A					
23 - Number of participants in PBIP training by position/hours						
GCOE and WUSD	Teachers (20)	56.00	120	6,720.00		
	Aides (5)	13.22	30	396.60		
24 - Number of participants in Emergency Beh Interv training by position/hours						
GCOE and WUSD	Teachers (20)	56.00	120	6,720.00		
	Aides (5)	13.22	30	396.60		
25 - Other training costs						
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	35.26	2	70.52		
	Adm Asst.	33.78	2	67.56		
27 - Due process hearings	N/A					
SELPA LEVEL TOTALS			491.00	19,862.22	4,117.83	
Time to complete survey	SELPA Dir	35.26	30	1,057.80		
NOTES:						
one asterick indicates one time cost						
two astericks indicates annual or more frequent costs						

BICM

BICM Level - Inyo			# of Hours	Total Costs		
1a	Number of Students with PBIP	0				0
	New					
	Existing					
3	FAA Activities					n/a
	a - Parent notice and consent					
	b - Information gathering & assessment					
	c - Writing FAA					
4	Initial PBIP					
	a - Preparing draft for IEP					n/a
	b - Attending IEP meetings					n/a
	c - Training/monitoring PBIP		8.00	624.32		
	d - Evaluating PBIP effectiveness					n/a
	e - Modifications in IEP meetings					n/a
	f - Modifications outside of IEP meetings					n/a
5	FAA activities for pre-existing PBIP					n/a
6	Review/revision of pre-existing PBIP		8.00	624.32		
7	IEP's where PBIP was a component					
	Students with 1 IEP					1
	Students with 2 IEP's					
	Students with 3 or more IEP's					
8	PBIP issues in IEP by non-BICM's when discussed for the first time					n/a
						n/a
						n/a
						n/a
						n/a
9	PBIP issues in IEP by non-BICM's when pre-existing					n/a
10	Implementation/monitoring of PBIP's by non-Bicm's					n/a

Emergency Behavior Interventions							
a - Performing interventions							n/a
b - One day notification							n/a
c - Completing report for file							n/a
d - IEP meetings for no PBIP							n/a
e - IEP meetings with PBIP							n/a
f - Reporting dat for annual CDE report							n/a
BICM LEVEL TOTALS				16.00	1,248.64		
Completing survey				0.66	51.51		

e, Death V.		Bishop Union Elementary		
Total Costs	Position	Hourly Rate	# of Hours	Total Costs
	0			
	n/a			
	n/a			
0	n/a			
0	n/a			
	n/a			
0	n/a			
0				
0				
0				
0				
	n/a	0		
		0		

		n/a			
		n/a			
		n/a			
	0	n/a			
	0	n/a			
	0	n/a			
	0.00				
	12.49				

SELPA

SELPA Level			Inyo County			
Number of BICM's in SELPA		4				
Number of BICM surveys returned		4				
Number of LEA's in SELPA		7				
Number of LEA surveys returned		7				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7 - Procedures development	Administrator	68.67	1.00		68.67	
* 8 - Governing Board approval	Board	0	1.00		0.00	
Training						
* 11 - Design training for initial BICM certification	BICM	78.04	5.00		390.20	
** 12 - Update of training for initial BICM certification	BICM	78.04	5.00	390.20		No answer
** 13 - Lead training for initial BICM certification	BICM	78.04	5.00	390.20		No answer
** 14 - Lead training update for certified BICM's	BICM	78.04	5.00	390.20		No answer
* 15 - Design training for PBIP implementers	SELPA Dir	68.67	7.00		480.69	
	Psychologist	78.04	7.00		546.28	
** 16 - Update training for PBIP implementers	SELPA Dir	68.67	6.00	412.02		No answer
	Psychologist	78.04	12.00	936.48		
** 17 - Lead training for PBIP implementers	N/A					N/A
* 18 - Design training on Emergency Behavioral Interventions	Psychologist	78.04	1.00		78.04	
** 19 - Update training on Emergency Behavioral Interventions	N/A					N/A
** 20 - Lead training on Emergency Behavioral Interventions	N/A					N/A
21 - Other costs of BICM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A					
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	N/A					
25 - Other training costs	N/A					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	N/A					
27 - Due process hearings	N/A					
SELPA LEVEL TOTALS			55.00	2,519.10	1,563.88	
Time to complete survey	SELPA Dir	68.67	1.00	68.67		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

BICM

BICM Level - LODI SELPA		SUMMARY	
1a Number of Students with PBIP	14		
New	8		
Existing	6		
2 PBIP's with AB 3632 services	4		
3 - FAA Activities			
a - Parent notice and consent		0.00	0.00
b - Information gathering & assessment		35.00	1573.95
c - Writing FAA		10.00	449.68
4- Initial PBIP			
a - Preparing draft for IEP		29.00	1303.75
b - Attending IEP meetings		23.00	1033.83
c - Training/monitoring PBIP		24.00	1079.12
d - Evaluating PBIP effectiveness		11.00	494.69
e - Modifications in IEP meetings		9.50	427.11
f - Modifications outside of IEP meetings		11.00	494.69
5 - FAA activities for pre-existing PBIP			
5a Parent notice		0.00	0.00
5b Information gathering		14.00	628.74
5c Writing FAA		5.00	224.63
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP		7.00	314.37
b - Attending IEP meetings		5.00	224.63
c - Training/monitoring PBIP		10.00	449.82
d - Evaluating PBIP effectiveness		5.00	224.91
e - Modifications in IEP meetings		13.50	607.43
f - Modifications outside of IEP meetings		7.00	314.93
7 - IEP's where PBIP was a component			
Students with 1 IEP	5		
Students with 2 IEP's	3		
Students with 3 or more IEP's	5		

BICM Level - LODI SELPA		SUMMARY	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		44.00	2222.68
9 - PBIP issues in IEP by non-BICM's when pre-existing		22.00	933.51
10 - Implementation/monitoring of PBIP's by non-Bicm's		7195.00	180724.19
11 - Emergency Behavior Interventions			
a - Performing interventions		14.00	628.60
b - One day notification		0.00	0.00
c - Completing report for file		3.00	134.61
d - IEP meetings for no PBIP		3.00	134.61
e - IEP meetings with PBIP		3.00	134.61
f - Reporting dat for annual CDE report		0.00	0.00
BICM LEVEL TOTALS		7,503.00	194,759.08
Completing survey		1.17	52.50

BICM Level - LODI SELPA		Megan	Lodi, New Hope, Oak Vie		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	7				
New	4				
Existing	3				
2 PBIP's with AB 3632 services	1				
3 - FAA Activities					
a - Parent notice and consent		Behavior Specialist	45.01	0.00	0.00
b - Information gathering & assessment		Behavior Specialist	45.01	25.00	1,125.25
c - Writing FAA		Behavior Specialist	45.01	7.00	315.07
4- Initial PBIP					
a - Preparing draft for IEP		Behavior Specialist	45.01	18.00	810.18
b - Attending IEP meetings		Behavior Specialist	45.01	13.00	585.13
c - Training/monitoring PBIP		Behavior Specialist	45.01	16.00	720.16
d - Evaluating PBIP effectiveness		Behavior Specialist	45.01	8.00	360.08
e - Modifications in IEP meetings		Behavior Specialist	45.01	6.00	270.06
f - Modifications outside of IEP meetings		Behavior Specialist	45.01	8.00	360.08
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Behavior Specialist	45.01	0.00	0.00
5b Information gathering		Behavior Specialist	45.01	4.00	180.04
5c Writing FAA		Behavior Specialist	45.01	2.00	90.02
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Behavior Specialist	45.01	2.00	90.02
b - Attending IEP meetings		Behavior Specialist	45.01	2.00	90.02
c - Training/monitoring PBIP		Behavior Specialist	45.01	8.00	360.08
d - Evaluating PBIP effectiveness		Behavior Specialist	45.01	4.00	180.04
e - Modifications in IEP meetings		Behavior Specialist	45.01	12.00	540.12
f - Modifications outside of IEP meetings		Behavior Specialist	45.01	6.00	270.06
7 - IEP's where PBIP was a component					
Students with 1 IEP	4				
Students with 2 IEP's	2				
Students with 3 or more IEP's	1				

BICM Level - LODI SELPA		Megan	Lodi, New Hope, Oak Vie		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	4	Spec ed teacher	43.17	6.00	259.02
	2	Counselor	47.10	2.00	94.20
	4	Gen Ed Teacher	43.17	6.00	259.02
	4	Psych	44.87	6.00	269.22
	4	Admin	63.95	6.00	383.70
	2	Speech therapist	47.10	2.00	94.20
	4	Program specialist	44.87	6.00	269.22
9 - PBIP issues in IEP by non-BICM's when pre-existing	7	Spec ed teacher	43.17	3.50	151.10
	2	Counselor	47.10	1.50	70.65
	7	Aide	16.00	3.50	56.00
	7	Gen Ed Teacher	43.17	3.50	151.10
	7	Psych	44.87	3.50	157.05
	1	Admin	63.95	1.00	63.95
	7	Speech therapist	47.10	3.50	164.85
10 - Implementation/monitoring of PBIP's by non-Bicm's		Spec Ed teacher	43.17	1,536.00	66,309.12
		Counselor	47.10	60.00	2,826.00
		Aide	16.00	4,548.00	72,768.00
		Gen Ed Teacher	43.17	606.00	26,161.02
		Psych	44.87	40.00	1,794.80
		Admin	63.95	45.00	2,877.75
		Speech Therapist	47.10	0.00	0.00
		Program Specialist	44.87	30.00	1,346.10
		Campus Supervisor	17.00	303.00	5,151.00
		Vice Prin	55.20	27.00	1,490.40
11 - Emergency Behavior Interventions					
a - Performing interventions		Behavior Specialist	45.01	3.00	135.03
b - One day notification					0.00
c - Completing report for file					0.00
d - IEP meetings for no PBIP					0.00
e - IEP meetings with PBIP					0.00
f - Reporting dat for annual CDE report					0.00
BICM LEVEL TOTALS				7,393.00	189,648.90
Completing survey		Behavior Specialist	45.01	0.00	0.00

BICM Level - LODI SELPA		Sherise	Lodi, New Hope, Oak Vi		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	3			
	Existing	0			
2	PBIP's with AB 3632 services	1			
3	FAA Activities				
	a - Parent notice and consent	Psychologist	44.87	0.00	0
	b - Information gathering & assessment	Psychologist	44.87	10.00	448.7
	c - Writing FAA	Psychologist	44.87	3.00	134.61
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist	44.87	3.00	134.61
	b - Attending IEP meetings	Psychologist	44.87	5.00	224.35
	c - Training/monitoring PBIP	Psychologist	44.87	5.00	224.35
	d - Evaluating PBIP effectiveness	Psychologist	44.87	1.00	44.87
	e - Modifications in IEP meetings	Psychologist	44.87	1.00	44.87
	f - Modifications outside of IEP meetings	Psychologist	44.87	1.00	44.87
5	FAA activities for pre-existing PBIP				
	5a Parent notice	Psychologist	44.87	0.00	0
	5b Information gathering	Psychologist	44.87	10.00	448.7
	5c Writing FAA	Psychologist	44.87	3.00	134.61
6	Review/revision of pre-existing PBIP				
	a - Preparing draft for IEP				0
	b - Attending IEP meetings				0
	c - Training/monitoring PBIP				0
	d - Evaluating PBIP effectiveness				0
	e - Modifications in IEP meetings				0
	f - Modifications outside of IEP meetings				0
7	IEP's where PBIP was a component				
	Students with 1 IEP	1			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	1			

BICM Level - LODI SELPA		Sherise	Lodi, New Hope, Oak Vi		
8 - PBIP issues in IEP by non-BICM's	4	Principal	71.72	5.00	358.6
when discussed for the first time	4	Counselor	47.10	5.00	235.50
					0.00
					0.00
					0.00
					0.00
					0.00
9 - PBIP issues in IEP by non-BICM's	1	Principal	71.72	1.00	71.72
when pre-existing	1	Counselor	47.10	1.00	47.10
					0
					0
					0
					0
					0
10 - Implementation/monitoring of PBIP's	n/a				0
by non-Bicm's					0
					0
					0
					0
					0
					0
					0
					0
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	44.87	5.00	224.35
b - One day notification					0
c - Completing report for file					0
d - IEP meetings for no PBIP					0
e - IEP meetings with PBIP					0
f - Reporting dat for annual CDE report					0
BICM LEVEL TOTALS				59.00	2,821.81
Completing survey		Psychologist	44.87	0.67	30.0629

BICM Level - LODI SELPA		Carrie	Lodi, New Hope, Oak Vi		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	4				
New	1				
Existing	3				
2 PBIP's with AB 3632 services	2				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	44.87	0.00	0
b - Information gathering & assessment		Psychologist	44.87		0
c - Writing FAA		Psychologist	44.87		0
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	44.87	8.00	358.96
b - Attending IEP meetings		Psychologist	44.87	5.00	224.35
c - Training/monitoring PBIP		Psychologist	44.87	3.00	134.61
d - Evaluating PBIP effectiveness		Psychologist	44.87	2.00	89.74
e - Modifications in IEP meetings		Psychologist	44.87	2.50	112.175
f - Modifications outside of IEP meetings		Psychologist	44.87	2.00	89.74
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	44.87	0.00	0
5b Information gathering		Psychologist	44.87	0.00	0
5c Writing FAA		Psychologist	44.87	0.00	0
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Psychologist	44.87	5.00	224.35
b - Attending IEP meetings		Psychologist	44.87	3.00	134.61
c - Training/monitoring PBIP		Psychologist	44.87	2.00	89.74
d - Evaluating PBIP effectiveness		Psychologist	44.87	1.00	44.87
e - Modifications in IEP meetings		Psychologist	44.87	1.50	67.305
f - Modifications outside of IEP meetings		Psychologist	44.87	1.00	44.87
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	1				
Students with 3 or more IEP's	3				

BICM Level - LODI SELPA		Carrie	Lodi, New Hope, Oak Vi		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a				0
					0
					0
					0
					0
					0
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a				0
					0
					0
					0
					0
					0
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a				0
					0
					0
					0
					0
					0
					0
					0
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	44.87	6.00	269.22
b - One day notification		Psychologist	44.87	0.00	0
c - Completing report for file		Psychologist	44.87	3.00	134.61
d - IEP meetings for no PBIP		Psychologist	44.87	3.00	134.61
e - IEP meetings with PBIP		Psychologist	44.87	3.00	134.61
f - Reporting dat for annual CDE report		Psychologist	44.87	0.00	0
BICM LEVEL TOTALS				51.00	2,288.37
Completing survey		Psychologist	44.87	0.50	22.435

DISTRICT

District Level		Lodi Unified		
1 # of Behavioral Emergency Reports	Was Blank			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions				0.00
b - 1 day notification of use of emergency intervention				0.00
c - Completing report				0.00
d - Scheduling and holding IEP meetings for students without PBIP				0.00
e - Scheduling and holding IEP meetings for students with PBIP				0.00
f - Reporting data for annual report to CDE	Secretary	20.00	6.00	120.00
g - Reviewing reports & forwarding to SELPA	Coordinator	67.44	6.00	404.64
	Psychologist	44.87	4.00	179.48
	Program Specialist	44.87	4.00	179.48
3 - Informing school personnel				0.00
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			20.00	883.60
Time to complete survey	Behavior Specialist	45.01	2.00	90.02

SELPA

SELPA Level	LODI UNIFIED		30,714 ADA				
	Program specialist	44.87	4.00	179.48			Costs on Attach 1 do not include bene
	Speech Therapist	47.10	56.00	2,637.60			
	Teacher	43.17	270.00	11,655.90			
	Community Liaison	17.00	4.00	68.00			
	Head Custodian	17.00	18.00	306.00			
	Paraeducator		varies	7,520.00			
	Clerk	18.00	4.00	72.00			
	Secretary	20.00	15.00	300.00			
	Campus Security	17.00	20.00	340.00			
21 - Other costs of BICM certification training	Behavior Specialist			0.00	165.00		
22 - Number of participants in BICM training by position/hours							
23 - Number of participants in PBIP training by position/hours	New Spec Ed Tchr	43.17	2.50	107.93			
	Psychologist	44.87	2.50	112.18			
24 - Number of participants in Emergency Beh Interv training by position/hours	n/a ?						
25 - Other training costs	n/a				0.00		
Staff Activities							
26 - Data collection from BER's for annual report to CDE	Administrator	63.95	1.00	63.95			
	Clerical	20.00	1.00	20.00			
27 - Due process hearings	NONE						
SELPA LEVEL TOTALS			2,008.50	80,625.75	5,181.83		
Costs to complete survey	Admin Dir of Studen	83.19	45.00		3,743.55		
NOTES:							
one asterisk indicates a one time cost							

BICM

BICM Level	BICM Summary		
	Total	Total # of Hours	Total Costs
1a Number of Students with PBIP	2		
New	1		
Existing	1		
2 PBIP's with AB 3632 services	0		
3 - FAA Activities			
a - Parent notice and consent			
b - Information gathering & assessment		10.00	669.10
c - Writing FAA		16.00	1,070.56
4- Initial PBIP			
a - Preparing draft for IEP		6.00	401.46
b - Attending IEP meetings		2.00	133.82
c - Training/monitoring PBIP		1.00	66.91
d - Evaluating PBIP effectiveness		0.00	0.00
e - Modifications in IEP meetings		0.00	0.00
f - Modifications outside of IEP meetings		0.00	0.00
5 - FAA activities for pre-existing PBIP			
5a Parent notice			
5b Information gathering			
5c Writing FAA			
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP			0.00
b - Attending IEP meetings		2.00	139.00
c - Training/monitoring PBIP		2.00	139.00
d - Evaluating PBIP effectiveness		2.00	139.00
e - Modifications in IEP meetings			0.00
f - Modifications outside of IEP meetings			0.00
7 - IEP's where PBIP was a component			
Students with 1 IEP	2		
Students with 2 IEP's	0		
Students with 3 or more IEP's	0		

8 - PBIP issues in IEP by non-BICM's when discussed for the first time			
9 - PBIP issues in IEP by non-BICM's when pre-existing			
10 - Implementation/monitoring of PBIP's by non-Bicm's		1,237.00	40,641.30
11 - Emergency Behavior Interventions			
a - Performing interventions			
b - One day notification			
c - Completing report for file			
d - IEP meetings for no PBIP		2.00	0.00
e - IEP meetings with PBIP		3.00	197.22
f - Reporting data for annual CDE report			
TOTALS		1,283.00	43,597.37
Completing survey		5.23	283.03

BICM Level		Position	MARIN COUNTY			
			Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	1	Julie L			1
	New	1				0
	Existing	0				1
2	PBIP's with AB 3632 services	0				0
3	FAA Activities					
	a - Parent notice and consent					-
	b - Information gathering & assessment		Psychologist	66.91	10.00	669.10
	c - Writing FAA		Psychologist	66.91	16.00	1,070.56
4	Initial PBIP					
	a - Preparing draft for IEP		Psychologist	66.91	6.00	401.46
	b - Attending IEP meetings		Psychologist	66.91	2.00	133.82
	c - Training/monitoring PBIP		Psychologist	66.91	1.00	66.91
	d - Evaluating PBIP effectiveness					-
	e - Modifications in IEP meetings					-
	f - Modifications outside of IEP meetings					-
5	FAA activities for pre-existing PBIP					-
	5a Parent notice					-
	5b Information gathering					-
	5c Writing FAA					-
6	Review/revision of pre-existing PBIP					-
	a - Preparing draft for IEP					-
	b - Attending IEP meetings					-
	c - Training/monitoring PBIP					-
	d - Evaluating PBIP effectiveness					-
	e - Modifications in IEP meetings					-
	f - Modifications outside of IEP meetings					-
7	IEP's where PBIP was a component.					
	Students with 1 IEP	1				1
	Students with 2 IEP's	0				0
	Students with 3 or more IEP's	0				0

8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a				-	
					-	
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a				-	
					-	
					-	
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a				-	
					-	
					-	
11 - Emergency Behavior Interventions	n/a				-	
a - Performing interventions					-	
b - One day notification					-	
c - Completing report for file					-	
d - IEP meetings for no PBIP					-	
e - IEP meetings with PBIP		Psychologist	65.74	3.00	197.22	
f - Reporting data for annual CDE report					-	
TOTALS				38.00	2,539.07	
Completing survey		Psychologist	66.91	0.50	33.46	
		Belinda?	66.91	3.73	249.57	

BICM Level	Position	MARIN COUNTY		
		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	Larkspur			
New	Christine S			
Existing	Psychologist			
2 PBIP's with AB 3632 services				
3 - FAA Activities				
a - Parent notice and consent	N/A			0.00
b - Information gathering & assessment	N/A			
c - Writing FAA	N/A			
4- Initial PBIP				
a - Preparing draft for IEP	N/A			
b - Attending IEP meetings	N/A			
c - Training/monitoring PBIP	N/A			
d - Evaluating PBIP effectiveness	N/A			
e - Modifications in IEP meetings	N/A			
f - Modifications outside of IEP meetings	N/A			
5 - FAA activities for pre-existing PBIP	N/A			
5a Parent notice				
5b Information gathering				
5c Writing FAA				
6 - Review/revision of pre-existing PBIP				
a - Preparing draft for IEP				0.00
b - Attending IEP meetings	Psychologist	69.5	2	139.00
c - Training/monitoring PBIP	Psychologist	69.5	2	139.00
d - Evaluating PBIP effectiveness	Psychologist	69.5	2	139.00
e - Modifications in IEP meetings				0.00
f - Modifications outside of IEP meetings				0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				

8 - PBIP issues in IEP by non-BICM's when discussed for the first time				
9 - PBIP issues in IEP by non-BICM's when pre-existing				
	LARKSPUR			
10 - Implementation/monitoring of PBIP's by non-Bicm's	Paraprofessional	29.55	1080	31,914.00
	SDC Teacher	58.73	72	4,228.56
	Private Consultant		12	0.00
	Gen Ed Teacher	64.26	1	64.26
	OT	67.47	36	2,428.92
	S/L	55.71	36	2,005.56
11 - Emergency Behavior Interventions				
a - Performing interventions	N/A			
b - One day notification	N/A			
c - Completing report for file	N/A			
d - IEP meetings for no PBIP	Psychologist		2	
e - IEP meetings with PBIP				
f - Reporting data for annual CDE report				
	TOTALS		1,245.00	41,058.30
Completing survey	Psychologist		1	

DISTRICT

SELPA

SELPA Level	MARIN COUNTY		27,879			
Number of BICM's in SELPA	24					
Number of BICM surveys returned	24					
Number of LEA's in SELPA	20					
Number of LEA surveys returned	19					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	82.60	4.00		330.40	
* 8 - Governing Board approval	SELPA Director	82.60	2.00		165.20	
	Clerical	28.65	2.00		57.30	
Training						
* 11 - Design training for initial BICM certification	Program Manager	64.95	6.00		389.70	
** 12 - Update of training for initial BICM certification	Program Manager	64.95	6.00	<input type="checkbox"/>	389.70	Annually
** 13 - Lead training for initial BICM certification	Program Manager	64.95	16.00		1,039.20	Annually
** 14 - Lead training update for certified BICM's	n/a					N/A
* 15 - Design training for PBIP implementers	n/a				0.00	
** 16 - Update training for PBIP implementers	n/a			0.00		N/A
** 17 - Lead training for PBIP implementers	n/a					N/A
* 18 - Design training on Emergency Behavioral Interventions	Program Manager	64.95	5.00		324.75	
** 19 - Update training on Emergency Behavioral Interventions	Program Manager	64.95	5.00		324.75	Annually
** 20 - Lead training on Emergency Behavioral Interventions	SELPA Director	82.60	1.00	82.60		Annually
	Program Manager	64.95	1.00	64.95		
21 - Other costs of BICM certification training						
22 - Number of participants in BICM training by position/hours	3 NPS Staff		24.00	0.00		
	19 Teacher	54.14	304.00	16,458.56		

	5 Psychologist	66.91	80.00	5,352.80		
Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in Emergency Beh Interv training by position/hours	12 NPS Admin 6 NPS Teacher		72.00 36.00	0.00 0.00		
25 - Other training costs					0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Director Clerical	82.60 28.65	2.00 2.00	165.20 57.30		
27 - Due process hearings	n/a					
Sub Total				222.50		
TOTAL			568.00	24,157.56	1,267.35	
Time to complete survey	SELPA Director	82.60	34.00	2,808.40		

BICM

BICM Level - Modoc	Modoc JUSD, Tulelake, Surprise Valley and COE			
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	1			
Existing	2			
3 - FAA Activities				
a - Parent notice and consent	Prg Sp/Psych	49.66	0.50	24.83
b - Information gathering & assessment	Prg Sp/Psych	49.66	24.00	1,191.84
c - Writing FAA	Prg Sp/Psych	49.66	8.00	397.28
4- Initial PBIP				
a - Preparing draft for IEP	Prg Sp/Psych	49.66	4.00	198.64
b - Attending IEP meetings	Prg Sp/Psych	49.66	8.00	397.28
c - Training/monitoring PBIP	Prg Sp/Psych	49.66	13.00	645.58
d - Evaluating PBIP effectiveness	Prg Sp/Psych	49.66	4.00	198.64
e - Modifications in IEP meetings	Prg Sp/Psych	49.66	2.00	99.32
f - Modifications outside of IEP meetings	Prg Sp/Psych	49.66	1.00	49.66
5 - FAA activities for pre-existing PBIP	Prg Sp/Psych	49.66	32.50	1,613.95
6 - Review/revision of pre-existing PBIP	Prg Sp/Psych	49.66	31.50	1,564.29
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's	3			
8 - PBIP issues in IEP by non-BICM's				
when discussed for the first time	3 Teacher	53.77	3.50	188.20
	3 Asst.Supt.	64.43	3.50	225.51
	3 Instruct Asst.	16.97	3.50	59.40
	1 School Nurse	59.66	1.00	59.66
	3 SDC Teacher	53.77	3.50	188.20
	3 Psychologist	41.76	3.50	146.16
	3 Principal	53.68	3.40	182.51
9 - PBIP issues in IEP by non-BICM's				
when pre-existing	3 Teacher	53.77	4.00	215.08
	1 Asst. Supt.	64.43	2.00	128.86
	1 Instruct Asst	16.97	0.50	8.49
	3 Principal	53.68	3.00	161.04
	2 Asst Principal	48.62	2.00	97.24
	3 RST	53.77	4.00	215.08
	2 Counselor	45.27	3.00	135.81
	3 RST/SDC	53.77	2.00	107.54
	3 Asst. Supt	64.43	2.00	128.86
	3 Instuct Asst	16.97	2.00	33.94
	3 Princpal	53.68	2.00	107.36
	3 Teacher	53.77	2.00	107.54

10 - Implementation/monitoring of PBIP's	RST/SDC	53.77	2,699.00	145,125.23
by non-Bicm's	Instruct Asst	16.97	32.00	543.04
Emergency Behavior Interventions				
a - Performing interventions	Prg Sp/Psych	49.66	3.00	148.98
b - One day notification	Prg Sp/Psych	49.66	0.50	24.83
c - Completing report for file	Prg Sp/Psych	49.66	1.00	49.66
d - IEP meetings for no PBIP	Prg Sp/Psych	49.66	1.00	49.66
e - IEP meetings with PBIP	Prg Sp/Psych	49.66	11.00	546.26
f - Reporting dat for annual CDE report	Prg Sp/Psych	49.66	0.50	24.83
BICM LEVEL TOTALS			2,926.90	155,390.26
Completing survey	Prg Sp/Psych	49.66	16.00	794.56

DISTRICT

District Level	Modoc County SELPA			
1 - # of Reports	30			
	Modoc JUSD, Tulelake, Surprise Valley and COE			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Psychologist	49.66	10	496.60
	SDC/RST	53.77	25	1,344.25
b - 1 day notification of use of emergency intervention	Psychologist	49.66	3	148.98
	SDC/RST	53.77	15	
c - Completing report	Psychologist	49.66	2.5	124.15
	SDC/RST	53.77	18	
d - Scheduling and holding IEP meetings for students without PBIP	Psychologist	49.66	3	148.98
	SDC/RST	53.77	4	215.08
e - Scheduling and holding IEP meetings for students with PBIP	SDC/RST	53.77	9	483.93
f - Reporting data for annual report to CDE	Psychologist	49.66	0.5	24.83
	SDC/RST	53.77	7	
g - Reviewing reports & forwarding to SELPA	Psychologist	49.66	0.5	24.83
	SDC/RST	53.77	7	
3 - Informing school personnel	Psychologist	49.66	10	496.60
	Asst. Supt.	0.00	5	0.00
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			119.5	3,508.23
Time to complete survey	Psychologist	49.66	3	148.98

SELPA

SELPA Level		Modoc County				
Number of BICM's in SELPA		1				
Number of BICM surveys returned		1				
Number of LEA's in SELPA						
Number of LEA surveys returned		4				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	Psychologist	49.66	16		794.56	
* 8 - Governing Board approval	Psychologist	49.66	1		49.66	
	Asst. Supt	64.43	1		64.43	
Training	N/A					
* 11 - Design training for initial BICM certification	N/A					
** 12 - Update of training for initial BICM certification	N/A					N/A
** 13 - Lead training for initial BICM certification	N/A					N/A
** 14 - Lead training update for certified BICM's	N/A					N/A
* 15 - Design training for PBIP implementers	N/A					
** 16 - Update training for PBIP implementers	N/A					N/A
** 17 - Lead training for PBIP implementers	N/A					N/A
* 18 - Design training on Emergency Behavioral Interventions	Psychologist	49.66	3		148.98	
** 19 - Update training on Emergency Behavioral Interventions	Psychologist	49.66	1	49.66		Annually
** 20 - Lead training on Emergency Behavioral Interventions	Psychologist	49.66	36	1,787.76		Annually
21 - Other costs of BICM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A					
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	Psychologist	49.66	12	595.92		
	Teacher	53.77	24	1,290.48		
	Instruct Asst	16.97	12	203.64		
	RST	49.66	12	595.92		
25 - Other training costs					0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Asst. Supt.		2.5	0.00		
27 - Due process hearings						N/A
SELPA LEVEL TOTAL			120.50	4,523.38	1,057.63	
Time to complete survey	Psychologist	49.66	3	148.98		
NOTES:						
one asterisk indicates a one time cost						
two asterisks indicates a annual or more frequent costs						

SELPA

SELPA Level	NORTH REGION		24,763 ADA		
Number of BICM's in SELPA	28	Staff Trained			
Number of BICM surveys returned	0	Only 2 BICMs were active in 2006/07 and neither is available			
Number of LEA's in SELPA	5				
Number of LEA surveys returned	0				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs
Local Plan					
* 7 - Procedures development	SELPA Program Specia	80.28	5.00		401.40
* 8 - Governing Board approval	Unable to Answer				
Training					
* 11 - Design training for initial BICM certification	SELPA Program Specia Psychologist	80.28 69.59	40.00 20.00		3,211.20 1,391.80
**12 - Update of training for initial BICM certification	Not yet updated for 07-08				
**13 - Lead training for initial BICM certification	SELPA Program Specia Psychologist	80.28 69.59	14.00 14.00	1,123.92 974.26	
**14 - Lead training update for certified BICM's	n/a				
* 15 - Design training for PBIP implementers	n/a				
**16 - Update training for PBIP implementers	n/a				
**17 - Lead training for PBIP implementers	n/a				
	Attachment for 18,19,20				
*18 - Design training on Emergency Behavioral Interventions	SELPA Program Specia Psychologist Teacher	80.28 69.59 60.15	32 32 30		2,568.96 2,226.88 1,804.50
**19 - Update trainin on Emergency Behavioral Interventions	SELPA Program Specia Psychologist Teacher	80.28 69.59 60.15	24 24 22.5	1,926.72 1,670.16 1,353.38	
**20 - Lead training on Emergency Behavioral Interventions	Psychologist	69.59	96.00	6,680.64	
21 - Other costs of BICM certification training	3 Certified Instructors Annual recert fee				1,797.00 225.00
22 - Number of participants in BICM training by position/hours	17 Teachers 12 Psychologists 2 Program Specialists	60.15 69.59 80.28	187.00 132.00 22.00	11,248.05 9,185.88 1,766.16	
23 - Number of participants in PBIP training by position/hours	n/a 0.00 0.00				
24 - Number of participants in Emergency Beh Interv training by position/hours	26 Teachers 1 Speech therapist 2 Principals 45 Paraeducators 1 Principal 2 Paraeducators	60.15 70.84 81.45 18.95 81.45 18.95	234.00 9.00 18.00 405.00 12.00 24.00	14,075.10 637.56 1,466.10 7,674.75 977.40 454.80	
25 - Other training costs	n/a				
Staff Activities					
26 - Data collection from BER's for annual report to CDE	Program Specialist	80.26	3.00	240.78	
27 - Due process hearings	n/a				
SELPA LEVEL TOTAL			1399.50	61,680.66	13,401.74
Time to complete survey	Program Specialist	80.26	15.00	1,203.90	
NOTES: one asterisk indicates a one time two asterisks indicates annual or more frequent costs					

BICM

BICM Level		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP					
New	26				
Existing	60				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	64.69	26.00	1,681.94
b - Information gathering & assessment		Psychologist	64.69	365.00	23,611.85
c - Writing FAA		Psychologist	64.69	99.00	6,404.31
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	64.69	137.00	8,862.53
b - Attending IEP meetings		Psychologist	64.69	80.00	5,175.20
c - Training/monitoring PBIP		Psychologist	64.69	73.00	4,722.37
d - Evaluating PBIP effectiveness		Psychologist	64.69	58.00	3,752.02
e - Modifications in IEP meetings		Psychologist	64.69	29.50	1,908.36
f - Modifications outside of IEP meetings		Psychologist	64.69	33.00	2,134.77
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	64.69	53.00	3,428.57
5b Information gathering		Psychologist	64.69	115.00	7,439.35
5c Writing FAA		Psychologist	64.69	178.00	11,514.82
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Psychologist	64.69	59.00	3,816.71
b - Attending IEP meetings		Psychologist	64.69	102.00	6,598.38
c - Training/monitoring PBIP		Psychologist	64.69	80.00	5,175.20
d - Evaluating PBIP effectiveness		Psychologist	64.69	82.00	5,304.58
e - Modifications in IEP meetings		Psychologist	64.69	48.00	3,105.12
f - Modifications outside of IEP meetings		Psychologist	64.69	49.00	3,169.81
7 - IEP's where PBIP was a component					
Students with 1 IEP	60				
Students with 2 IEP's	18				
Students with 3 or more IEP's	11				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	3	Psychologist	64.69	6.00	388.14
	25	Teacher	57.39	59.00	3,386.01
	12	Program Spec	64.69	25.50	1,649.60
	9	SLP	57.39	17.00	975.63
	8	OT	40.83	15.00	612.45
	3	Autism Spec	69.09	9.00	621.81
	3	Aide	28.06	8.00	224.48
	3	Principal	64.94	8.00	519.52
	1	Asst. Principal	60.35	3.00	181.05
	3	Case Manager	63.54	4.00	254.16
9 - PBIP issues in IEP by non-BICM's when pre-existing	20	Psychologist	64.69	21.00	1,358.49
	11	Teacher	57.39	12.00	688.68

	15	Program Spec	64.69	20.00	1,293.80
		Aide	28.06	1.00	28.06
	2	Case Manager	63.54	4.00	254.16
	2	Admin Rep	60.35	2.00	120.70
	4	Principal	64.94	4.00	259.76
	4	SLP	57.39	4.00	229.56
	4	OT	40.83	4.00	163.32
10 - Implementation/monitoring of PBIP's by non-Bicm's		Teacher	57.39	201.00	11,535.39
		Program Spec	64.69	8.00	517.52
		Admin Rep	60.35	15.00	905.25
		Case Manager	63.54	89.00	5,655.06
		Aide	28.06	217.00	6,089.02
		Autism Spec	69.09	20.00	1,381.80
		Psychologist	64.69	55.00	3,557.95
		Principal	64.94	12.00	779.28
		SLP	57.39	2.00	114.78
		OT	40.83	2.00	81.66
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	64.69	61.00	3,946.09
b - One day notification		Psychologist	64.69	54.00	3,493.26
c - Completing report for file		Psychologist	64.69	67.00	4,334.23
d - IEP meetings for no PBIP		Psychologist	64.69	14.00	905.66
e - IEP meetings with PBIP		Psychologist	64.69	20.00	1,293.80
f - Reporting dat for annual CDE report		Psychologist	64.69	17.00	1,099.73
BICM LEVEL TOTALS				2,747.00	166,705.74
Completing survey		Psychologist	64.69	24.45	1,581.67

DISTRICT

District Level		Poway Unified SELPA		
1 - # of Reports	157			
		Poway Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Psychologist	64.69	5	323.45
b - 1 day notification of use of emergency intervention	Psychologist	64.69	36	2,328.84
c - Completing report	Psychologist	64.69	48	3,105.12
d - Scheduling and holding IEP meetings for students without PBIP	Psychologist	64.69	14	905.66
e - Scheduling and holding IEP meetings for students with PBIP	Psychologist	64.69	15	970.35
f - Reporting data for annual report to CDE	Psychologist	64.69	12	776.28
g - Reviewing reports & forwarding to SELPA	Admin Asst.	17.80	3	53.40
3 - Informing school personnel	Exec. Director	70.33	2	140.66
	Director	64.94	2	129.88
	Psychologist	64.69	1	64.69
	Program Spec	64.69	4	258.76
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			142	9,057.09
Time to complete survey	Consultant	62.00	1	62.00

SELPA

SELPA Level		POWAY UNIFIED				
Number of BICM's in SELPA	24					
Number of BICM surveys returned	23	1 BICM and student moved				
Number of LEA's in SELPA	1					
Number of LEA surveys returned	1					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Dir	70.33	10.00		703.30	
	Sp Ed Dir	64.94	15.00		974.10	
	Psychologist	64.69	10.00		646.90	
	Program Sp	64.69	5.00		323.45	
	Admin Asst	17.80	20.00		356.00	
* 8 - Governing Board approval	SELPA Dir	70.33	4.00		281.32	
	Admin Asst	17.80	2.00		35.60	
Training						
* 11 - Design training for initial BICM certification	Psychologist	64.69	30.00		1,940.70	
** 12 - Update of training for initial BICM certification	Psychologist	64.69	16.00	1,035.04		Annually
** 13 - Lead training for initial BICM certification	Psychologist	64.69	4.00	258.76		Annually
** 14 - Lead training update for certified BICM's	Psychologist	64.69	2.00	129.38		Annually
* 15 - Design training for PBIP implementers	Psychologist	64.69	4.00		258.76	
** 16 - Update training for PBIP implementers	Psychologist	64.69	2.00	129.38		Annually
** 17 - Lead training for PBIP implementers	Psychologist	64.69	2.00	129.38		Annually
* 18 - Design training on Emergency Behavioral Interventions	Prog Spec	64.69	2.00		129.38	
** 19 - Update training on Emergency Behavioral Interventions	Prog Spec	64.69	16.00	1,035.04		Annually
** 20 - Lead training on Emergency Behavioral Interventions	n/a					Annually
21 - Other costs of BICM certification training	substitutes				3,000.00	
22 - Number of participants in BICM training by position/hours	Psychologist	64.69	92.00	5,951.48		
23 - Number of participants in PBIP training by position/hours	Sp Ed Tchr	57.39	50.00	2,869.50		
24 - Number of participants in Emergency Beh Interv training by position/hours	Psychologist	64.69	92.00	5,951.48		
	Sp Ed Tchr	57.39	100.00	5,739.00		
25 - Other training costs					1,500.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	70.33	2.00	140.66		
	Admin Asst.	17.80	2.00			
27 - Due process hearings	n/a					
TOTAL			482.00	23,369.10	10,149.51	
Time to complete survey	Consultant	62.00	3.00	186.00		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

BICM

11 - Emergency Behavior Interventions			
a - Performing interventions		8.75	759.24
b - One day notification		9.75	743.61
c - Completing report for file		19.50	1,487.22
d - IEP meetings for no PBIP		40.00	4,620.09
e - IEP meetings with PBIP		26.00	2,614.30
f - Reporting dat for annual CDE report		7.00	392.35
BICM LEVEL TOTALS		28,674.50	1,237,381.77
Completing survey		57.92	4,128.42
Check Totals		28,674.50	1,237,381.77

BICM - San Joaquin		Manteca Unified				BICMs with zeros
		Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	9					New Jerusalem
New	7					Escalon Unified
Existing	2					Jefferson
2. # of students also received AB3632	4					Lammersville
3 - FAA Activities						Lincoln Unified
a - Parent notice and consent		Psychologist	47.79	7.00	334.53	
b - Information gathering & assessment		Psychologist	47.79	280.00	13381.2	
c - Writing FAA		Psychologist	47.79	70.00	3345.3	
4- Initial PBIP						
a - Preparing draft for IEP		Psychologist	47.79	10.50	501.795	
b - Attending IEP meetings		Psychologist	47.79	28.00	1338.12	
c - Training/monitoring PBIP		Psychologist	47.79	28.00	1338.12	
d - Evaluating PBIP effectiveness		Psychologist	47.79	28.00	1338.12	
e - Modifications in IEP meetings		Psychologist	47.79	21.00	1003.59	
f - Modifications outside of IEP meetings		Psychologist	47.79	21.00	1003.59	
5 - FAA activities for pre-existing PBIP					0	
5a Parent notice		Psychologist	47.79	1.00	47.79	
5b Information gathering		Psychologist	47.79	20.00	955.8	
5c Writing FAA		Psychologist	47.79	0.00	0	
6 - Review/revision of pre-existing PBIP					0	
a - Preparing draft for IEP		Psychologist	47.79	2.00	95.58	
b - Attending IEP meetings		Psychologist	47.79	12.00	573.48	
c - Training/monitoring PBIP		Psychologist	47.79	6.00	286.74	
d - Evaluating PBIP effectiveness		Psychologist	47.79	6.00	286.74	
e - Modifications in IEP meetings		Psychologist	47.79	4.00	191.16	
f - Modifications outside of IEP meetings		Psychologist	47.79	6.00	286.74	
7 - IEP's where PBIP was a component						
Students with 1 IEP	3					
Students with 2 IEP's	1					
Students with 3 or more IEP's	3					
8 - PBIP issues in IEP by non-BICM's	7	Psychologist	47.79	7.00	334.53	
when discussed for the first time	7	Program Specialis	45.95	7.00	321.65	
	7	SLP	47.11	4.00	188.44	
	7	Site Admin	68.26	7.00	477.82	
	7	OT	45.24	2.00	90.48	
	7	APE	46.29	1.00	46.29	
	7	Gen Ed Teacher	45.24	7.00	316.68	
	7	Sped Ed Teacher	45.24	7.00	316.68	
9 - PBIP issues in IEP by non-BICM's	2	Psychologist	47.79	2.00	95.58	
when pre-existing	2	Program Specialis	45.95	2.00	91.9	
	2	SLP	47.11	2.00	94.22	
	2	Site Admin	68.26	2.00	136.52	
	2	OT	45.24	1.00	45.24	
	2	APE	46.29	1.00	46.29	
	2	Gen Ed Teacher	45.24	2.00	90.48	
	2	Sped Ed Teacher	45.24	2.00	90.48	
10 - Implementation/monitoring of PBIP's	7	Psychologist	47.79	7.00	334.53	
by non-Bicm's	7	Program Specialis	45.95	7.00	321.65	
	7	SLP	47.11	4.00	188.44	

	7	Site Admin	68.26	7.00	477.82
	7	OT	45.24	2.00	90.48
	7	APE	46.29	1.00	46.29
	7	Gen Ed Teacher	45.24	7.00	316.68
	7	Sped Ed Teacher	45.24	7.00	316.68
11 - Emergency Behavior Interventions					
a - Performing interventions					0
b - One day notification					0
c - Completing report for file					0
d - IEP meetings for no PBIP					0
e - IEP meetings with PBIP					0
f - Reporting dat for annual CDE report					0
BICM LEVEL TOTALS				648.50	31184.25
Completing survey		Psychologist	47.79	20.00	955.8
Check Totals					
Assumptions					
OT & Spec ED Teacher paid same as Reg Teacher					

BICM - San Joaquin			Ripon Unified			
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP					
	New					
	Existing					
2.	# of students also received AB3632					
3	FAA Activities					
	a - Parent notice and consent	Psychologist	56.05	12.00	672.6	
	b - Information gathering & assessment	Psychologist	56.05	27.00	1513.35	
	c - Writing FAA	Psychologist	56.05	16.00	896.8	
4-	Initial PBIP					
	a - Preparing draft for IEP	Psychologist	56.05	16.00	896.8	
	b - Attending IEP meetings	Psychologist	56.05	9.00	504.45	
	c - Training/monitoring PBIP	Psychologist	56.05	72.00	4035.6	
	d - Evaluating PBIP effectiveness	Psychologist	56.05	36.00	2017.8	
	e - Modifications in IEP meetings	Psychologist	56.05	7.00	392.35	
	f - Modifications outside of IEP meetings	Psychologist	56.05	4.00	224.2	
5	FAA activities for pre-existing PBIP					
	5a Parent notice	Psychologist	56.05	8.00	448.4	
	5b Information gathering	Psychologist	56.05	42.00	2354.1	
	5c Writing FAA	Psychologist	56.05	24.00	1345.2	
6	Review/revision of pre-existing PBIP					
	a - Preparing draft for IEP	Psychologist	56.05	24.00	1345.2	
	b - Attending IEP meetings	Psychologist	56.05	34.00	1905.7	
	c - Training/monitoring PBIP	Psychologist	56.05	144.00	8071.2	
	d - Evaluating PBIP effectiveness	Psychologist	56.05	72.00	4035.6	
	e - Modifications in IEP meetings	Psychologist	56.05	15.00	840.75	
	f - Modifications outside of IEP meetings	Psychologist	56.05	7.00	392.35	
7	IEP's where PBIP was a component					
	Students with 1 IEP	0				
	Students with 2 IEP's	0				
	Students with 3 or more IEP's	6				
8	PBIP issues in IEP by non-BICM's					
	when discussed for the first time	16	RUSD Teachers	61.04	7.00	427.28
		16	RUSD SLPs	77.71	7.00	543.97
		0	RUSD OTs	90	0.00	0
		16	RUSD RSPs	54.95	7.00	384.65
					0	
9	PBIP issues in IEP by non-BICM's					
	when pre-existing	18	RUSD Teachers	61.04	270.00	16480.8
		18	RUSD SLPs	77.71	270.00	20981.7
		18	RUSD OTs	90	12.00	1080
		18	RUSD RSPs	54.95	270.00	14836.5
					0	
10	Implementation/monitoring of PBIP's					
	by non-Bicm's		RUSD 1:1 Aides	12	6480.00	77760
			RUSD Teachers	61.04	2160.00	131846.4
			RUSD SLPs	77.71	108.00	8392.68

	RUSD OTs	90	90.00	8100
	RUSD RSPs	54.95	216.00	11869.2
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	56.05	5.00	280.25
b - One day notification	Psychologist	56.05	7.00	392.35
c - Completing report for file	Psychologist	56.05	14.00	784.7
d - IEP meetings for no PBIP	Psychologist	56.05	2.00	112.1
e - IEP meetings with PBIP	Psychologist	56.05	6.00	336.3
f - Reporting dat for annual CDE report	Psychologist	56.05	7.00	392.35
BICM LEVEL TOTALS			10507.00	326893.68
Completing survey	Psychologist	56.05	2.00	112.1
Check Totals				

BICM - San Joaquin				San Joaquin County		
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	8	Clint & Christine BICMs			
	New	7				
	Existing	1				
2.	# of students also received AB3632	1				
3 -	FAA Activities					
a -	Parent notice and consent	Behavior Intervention Sp	127.73	0.50	63.865	
		Behavior Intervention Sp	127.73	3.00	383.19	
b -	Information gathering & assessment	Behavior Intervention Sp	127.73	10.00	1277.3	
		Behavior Intervention Sp	127.73	107.25	13699.0425	
c -	Writing FAA	Behavior Intervention Sp	127.73	18.00	2299.14	
		Behavior Intervention Sp	127.73	90.50	11559.565	
4-	Initial PBIP					
a -	Preparing draft for IEP	Behavior Intervention Sp	127.73	3.00	383.19	
		Behavior Intervention Sp	127.73	18.00	2299.14	
b -	Attending IEP meetings	Behavior Intervention Sp	127.73	3.00	383.19	
		Behavior Intervention Sp	127.73	23.00	2937.79	
c -	Training/monitoring PBIP	Behavior Intervention Sp	127.73	2.00	255.46	
		Behavior Intervention Sp	127.73	13.00	1660.49	
d -	Evaluating PBIP effectiveness	Behavior Intervention Sp	127.73	1.00	127.73	
		Behavior Intervention Sp	127.73	9.00	1149.57	
e -	Modifications in IEP meetings	Behavior Intervention Sp	127.73	18.00	2299.14	
f -	Modifications outside of IEP meetings	Behavior Intervention Sp	127.73	8.00	1021.84	
5 -	FAA activities for pre-existing PBIP	n/a for Clint			0	
5a	Parent notice	Behavior Intervention Sp	127.73	0.25	31.9325	
5b	Information gathering	Behavior Intervention Sp	127.73	2.00	255.46	
5c	Writing FAA	Behavior Intervention Sp	127.73	1.00	127.73	
6 -	Review/revision of pre-existing PBIP	n/a for Clint			0	
a -	Preparing draft for IEP	Behavior Intervention Sp	127.73	0.50	63.865	
b -	Attending IEP meetings	Behavior Intervention Sp	127.73	3.00	383.19	
c -	Training/monitoring PBIP	Behavior Intervention Specialist		0.00	0	
d -	Evaluating PBIP effectiveness	Behavior Intervention Specialist		0.00	0	
e -	Modifications in IEP meetings	Behavior Intervention Specialist		0.00	0	
f -	Modifications outside of IEP meetings	Behavior Intervention Specialist		0.00	0	
7 -	IEP's where PBIP was a component					
	Students with 1 IEP	3				
	Students with 2 IEP's	1				
	Students with 3 or more IEP's	4				
8 -	PBIP issues in IEP by non-BICM's	21	SJCOE Teacher	88.59	29	2569.11
	when discussed for the first time	21	SJCOE Admin	67.68	29	1962.72
		3	Lincoln Director		3	0
		4	SJCOE Psych	59.62	4	238.48
		7	SJCOE LSH	80.7	10	807
		5	SJCOE OT	67.6	4	270.4
		3	MUSD PS	45.95	4.50	206.775
		3	SJCOE Nurse	66.68	4.50	300.06
		1	SJCOE APE	65.42	1.00	65.42
		3	SUSD PS		3.50	0
		4	Ripon Director	82.56	8.00	660.48
		2	TUSD PS	73.35	1.00	73.35
		4	Escalon Director	65.36	3.00	196.08
		7	Escalon PS	81.28	4.00	325.12
		2	Escalon Principal	55.95	1.00	55.95
9 -	PBIP issues in IEP by non-BICM's	n/a for Clint			0	
	when pre-existing	1	SJCOE Teacher	88.59	2.00	177.18
		1	SJCOE Admin	67.68	2.00	135.36
		1	Lincoln Director		2.00	0
		1	SJCOE Speech	80.7	2.00	161.4
10 -	Implementation/monitoring of PBIP's	SJCOE Teacher	88.59	1080.00	95677.2	
	by non-Bicm's	SJCOE Admin	67.68	40.00	2707.2	
		SJCOE IA	26.55	1080.00	28674	

		SJCOE IA	26.55	1080.00	28674
		SJCOE Teacher	88.59	1080.00	95677.2
		SJCOE Admin	67.68	40.00	2707.2
		SJCOE IA	26.55	1080.00	28674
		SJCOE IA	26.55	1080.00	28674
11 - Emergency Behavior Interventions					
a - Performing interventions		Behavior Intervention Sp	127.73	1.25	159.6625
		Behavior Intervention Sp	127.73	2.50	319.325
b - One day notification		Behavior Intervention Sp	127.73	0.75	95.7975
		Behavior Intervention Sp	127.73	2.00	255.46
c - Completing report for file		Behavior Intervention Sp	127.73	1.50	191.595
		Behavior Intervention Sp	127.73	4.00	510.92
d - IEP meetings for no PBIP		Behavior Intervention Sp	127.73	2.00	255.46
		Behavior Intervention Sp	127.73	31.00	3959.63
e - IEP meetings with PBIP		Behavior Intervention Sp	127.73	2.00	255.46
		Behavior Intervention Sp	127.73	14.00	1788.22
f - Reporting dat for annual CDE report					
BICM LEVEL TOTALS				7072.50	370123.04
Completing survey		Behavior Intervention Sp	127.73	4.00	510.92
		Behavior Intervention Sp	127.73	8	1021.84
Check Totals					

	SJCOE IA	26.55	1080.00	28674
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			3346.00	159807.07
Completing survey	Autism Specialist	58.58	4.00	234.32
Check Totals				

BICM - San Joaquin		San Joaquin County			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	1	Tissa			
New	1				
Existing	0				
2. # of students also received AB3632	0				
3 - FAA Activities					
a - Parent notice and consent		Autism Specialist	58.58	5.00	292.9
b - Information gathering & assessment		Autism Specialist	58.58	11.50	673.67
c - Writing FAA		Autism Specialist	58.58	3.50	205.03
4- Initial PBIP					
a - Preparing draft for IEP		Autism Specialist	58.58	2.00	117.16
b - Attending IEP meetings		Autism Specialist	58.58	6.00	351.48
c - Training/monitoring PBIP		Autism Specialist	58.58	2.00	117.16
d - Evaluating PBIP effectiveness		Autism Specialist	58.58	1.00	58.58
e - Modifications in IEP meetings		Autism Specialist	58.58	4.00	234.32
f - Modifications outside of IEP meetings		Autism Specialist	58.58	2.00	117.16
5 - FAA activities for pre-existing PBIP					0
5a Parent notice	n/a				0
5b Information gathering					0
5c Writing FAA					0
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP	n/a				0
b - Attending IEP meetings					0
c - Training/monitoring PBIP					0
d - Evaluating PBIP effectiveness					0
e - Modifications in IEP meetings					0
f - Modifications outside of IEP meetings					0
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	1				
8 - PBIP issues in IEP by non-BICM's	3	SJCOE Teacher	88.59	4.00	354.36
when discussed for the first time	3	SJCOE Admin	67.68	4.00	270.72
	1	TUSD Psych	64.88	1.00	64.88
	1	TUSD Director	80.1	1.00	80.1
	2	SJCOE OT	67.6	2.00	135.2
	2	SJCOE Speech	80.7	3.00	242.1
	1	SJCOE Nurse	66.68	1.00	66.68
9 - PBIP issues in IEP by non-BICM's	n/a				
when pre-existing					
10 - Implementation/monitoring of PBIP's		SJCOE Teacher	88.59	1080.00	95677.2
by non-Bicm's		SJCOE Admin	67.68	40.00	2707.2
		SJCOE IA	26.55	1080.00	28674

	SJCOE IA	26.55	1080.00	28674
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP	Autism Specialist	58.58	2.00	117.16
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			3335.00	159231.06
Completing survey	Autism Specialist	58.58	4.00	234.32
Check Totals				

BICM - San Joaquin		San Joaquin County				
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP					
	New	Laurie				
	Existing					
2.	# of students also received AB3632					
3	FAA Activities					
a	Parent notice and consent	Autism Specialist	58.58	0.50	29.29	
b	Information gathering & assessment	Autism Specialist	58.58	30.00	1757.4	
c	Writing FAA	Autism Specialist	58.58	20.00	1171.6	
4	Initial PBIP					
a	Preparing draft for IEP	Autism Specialist	58.58	3.00	175.74	
b	Attending IEP meetings	Autism Specialist	58.58	4.00	234.32	
c	Training/monitoring PBIP	Autism Specialist	58.58	2.00	117.16	
d	Evaluating PBIP effectiveness	Autism Specialist	58.58	2.00	117.16	
e	Modifications in IEP meetings	Autism Specialist	58.58	30.00	1757.4	
f	Modifications outside of IEP meetings	Autism Specialist	58.58	5.00	292.9	
5	FAA activities for pre-existing PBIP				0	
5a	Parent notice	Autism Specialist	58.58	0.50	29.29	
5b	Information gathering	Autism Specialist	58.58	3.00	175.74	
5c	Writing FAA	Autism Specialist	58.58	2.00	117.16	
6	Review/revision of pre-existing PBIP				0	
a	Preparing draft for IEP	Autism Specialist	58.58	2.00	117.16	
b	Attending IEP meetings	Autism Specialist	58.58	2.50	146.45	
c	Training/monitoring PBIP	Autism Specialist	58.58	2.00	117.16	
d	Evaluating PBIP effectiveness	Autism Specialist	58.58	1.00	58.58	
e	Modifications in IEP meetings	Autism Specialist	58.58	4.00	234.32	
f	Modifications outside of IEP meetings	Autism Specialist	58.58	2.00	117.16	
7	IEP's where PBIP was a component					
	Students with 1 IEP	1				
	Students with 2 IEP's	0				
	Students with 3 or more IEP's	1				
8	PBIP issues in IEP by non-BICM's					
	when discussed for the first time	11	SJCOE Teacher	88.59	22.00	1948.98
		11	SJCOE Admin	67.68	22.00	1488.96
		2	TUSD Teacher	58.46	4.00	233.84
		11	TUSD PS	73.31	22.00	1612.82
		1	TUSD LSH	67.6	2.00	135.2
		1	SJCOE LSH	80.7	2.00	161.4
9	PBIP issues in IEP by non-BICM's					
	when pre-existing	1	SJCOE Teacher	88.59	1.50	132.885
		1	SJCOE Admin	67.68	1.50	101.52
		1	TUSD PS	73.31	1.50	109.965
		1	SJCOE Psych	59.62	1.50	89.43
		1	SJCOE APE	65.42	1.50	98.13
		1	SJCOE LSH	80.7	1.50	121.05
		1	SJCOE OT	67.6	1.50	101.4
10	Implementation/monitoring of PBIP's					
	by non-Bicm's		SJCOE Teacher	88.59	1080.00	95677.2
			SJCOE Admin	67.68	40.00	2707.2
			SJCOE IA	26.55	1080.00	28674

		SJCOE IA	26.55	1080.00	28674
11 - Emergency Behavior Interventions					
a - Performing interventions					0
b - One day notification					0
c - Completing report for file					0
d - IEP meetings for no PBIP		Autism Specialist	58.58	3.00	175.74
e - IEP meetings with PBIP		Autism Specialist	58.58	4.00	234.32
f - Reporting dat for annual CDE report					0
BICM LEVEL TOTALS				3487.00	169244.03
Completing survey		Autism Specialist	58.58	5.50	322.19
Check Totals					

11 - Emergency Behavior Interventions					
a - Performing interventions					0
b - One day notification					0
c - Completing report for file					0
d - IEP meetings for no PBIP					0
e - IEP meetings with PBIP					0
f - Reporting dat for annual CDE report					0
BICM LEVEL TOTALS				31.50	2080.23
Completing survey		Psychologist	64.88	0.42	27.2496
Check Totals					

DISTRICT

DISTRICT Level - San Joaquin		SUMMARY	
Behavioral Emergency Reports			
1 - # of Reports	175		
		Hourly Rate	# of Hours
2 Activities			
a - performing emergency interventions		638.50	35,890.12
b - 1 day notification of use of emergency intervention		84.00	6,993.21
c - Completing report		113.75	7,172.93
d - Scheduling and holding IEP meetings for students without PBIP		206.50	15,394.53
e - Scheduling and holding IEP meetings for students with PBIP		117.00	8,766.85
f - Reporting data for annual report to CDE		37.50	2,871.00
g - Reviewing reports & forwarding to SELPA		42.50	2,785.36
3 - Informing school personnel		363.00	6,630.76
4 - Number of due process requests filed			
a - Number of written responses		0.00	0.00
For each response in 4a, there must be answers to 5 - 8			
5 - Filing Response		4.00	880.00
6 - Resolution Session		2.00	165.12
7 - Mediation		0.00	0.00
8 - Due Process Hearing		0.00	0.00
9 - Outside Assistance		0.00	14,910.00
DISTRICT LEVEL TOTALS		1,608.75	102,459.87
Time to complete survey		46.25	3,263.58
Check Totals		1,608.75	102,459.87

DISTRICT Level - San Joaquin				
Behavioral Emergency Reports				
1 - # of Reports	0			
		Manteca Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions				0.00
b - 1 day notification of use of emergency intervention				0.00
c - Completing report				0.00
d - Scheduling and holding IEP meetings for students without PBIP				0.00
e - Scheduling and holding IEP meetings for students with PBIP				0.00
f - Reporting data for annual report to CDE				0.00
g - Reviewing reports & forwarding to SELPA				0.00
3 - Informing school personnel	MAB		280	0.00
	Mgmt of Assaultive Behavior Trainers			0.00
4 - Number of due process requests filed				
a - Number of written responses		0		
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			280	0
Time to complete survey	Director of Sped Ed		2	0.00
Check Totals				

DISTRICT Level - San Joaquin				
Behavioral Emergency Reports				
1 - # of Reports	1			
		Jefferson		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teacher	43.25	1.50	64.875
b - 1 day notification of use of emergency intervention	Teacher	43.25	0.25	10.8125
c - Completing report	Teacher	43.25	0.25	10.8125
d - Scheduling and holding IEP meetings for students without PBIP			0.00	0
e - Scheduling and holding IEP meetings for students with PBIP				
f - Reporting data for annual report to CDE	Teacher	43.25	0.25	10.8125
g - Reviewing reports & forwarding to SELPA	Spec Ed Director	56.00	0.25	14
	Spec Ed Secretary	18.72	0.25	4.68
3 - Informing school personnel			0	0.00
4 - Number of due process requests filed				
a - Number of written responses		0		
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			2.75	115.9925
Time to complete survey	Director of Sped E	56.00	0.25	14.00
Check Totals				

DISTRICT Level - San Joaquin	Districts with
Behavioral Emergency Reports	0 in BER
1 - # of Reports	
2 Activities	
a - performing emergency interventions	New Jerusalem Escalon
b - 1 day notification of use of emergency intervention	Lammersville Lincoln Unified Linden Unified
c - Completing report	
d - Scheduling and holding IEP meetings for students without PBIP	
e - Scheduling and holding IEP meetings for students with PBIP	
f - Reporting data for annual report to CDE	
g - Reviewing reports & forwarding to SELPA	
3 - Informing school personnel	
4 - Number of due process requests filed	
a - Number of written responses For each response in 4a, there must be answers to 5 -8	
5 - Filing Response	
6 - Resolution Session	
7 - Mediation	
8 - Due Process Hearing	
9 - Outside Assistance	
DISTRICT LEVEL TOTALS	
Time to complete survey	
Check Totals	

DISTRICT Level - San Joaquin				
Behavioral Emergency Reports				
1 - # of Reports	10			
		Ripon Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Autism Specialist	70.00	1.00	70.00
	Aide	12.00	2.00	24.00
	Teacher	61.04	2.00	122.08
b - 1 day notification of use of emergency intervention	Principal	78.62	2.00	157.24
c - Completing report	Principal	78.62	6.00	471.72
	Teacher	61.04	1.00	61.04
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	61.04	3.00	183.12
	Psychologist	56.05	6.00	336.30
e - Scheduling and holding IEP meetings for studetns with PBIP	Dir Sped Ed	82.56	6.00	495.36
	Principal	78.62	6.00	471.72
	Case Manager	55.00	6.00	330.00
	Psychologist	56.05	6.00	336.30
f - Reporting data for annual report to CDE	Director Spec Ed	82.56	1.00	82.56
g - Reviewing reports & forwarding to SELPA	Director Spec Ed	82.56	3.00	247.68
3 - Informing school personnel	Director Spec Ed	82.56	3.00	247.68
	Principal	78.62	1.00	78.62
4 - Number of due process requests filed		1		
a - Number of written reponses		1		
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	Attorney	220.00	4.00	880.00
6 - Resolution Session	Director of Sped Ed	82.56	2.00	165.12
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			61	4760.54
Time to complete survey	Director of Sped Ed	82.56	1.00	82.56
Check Totals				

DISTRICT Level - San Joaquin				
Behavioral Emergency Reports				
1 - # of Reports	162			
		San Joaquin COE		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	BCM	92.35	4	369.40
	Teacher	88.59	297	26,311.23
	Instructional Asst	26.55	327	8,681.85
b - 1 day notification of use of emergency intervention	BCM	92.35	2.75	253.96
	Teacher	88.59	59	5,226.81
	Program Admin	67.68	19	1,285.92
c - Completing report	BCM	92.35	5.5	507.93
	Teacher	88.59	54	4,783.86
	Instructional Asst	26.55	39	1,035.45
	Secretary	27.72	2	55.44
d - Scheduling and holding IEP meetings for students without PBIP	BCM	92.35	40	3,694.00
	Teacher	88.59	71	6,289.89
	Administrator	67.68	59	3,993.12
	Secretary	27.72	23.5	651.42
e - Scheduling and holding IEP meetings for studetns with PBIP	BCM	92.35	20	1,847.00
	Director	79.60	3	238.80
	Teacher	88.59	37	3,277.83
	Admin	67.68	18	1,218.24
	Secretary	27.72	11	304.92
f - Reporting data for annual report to CDE	BCM	92.35	3	277.05
	Teacher	88.59	12	1,063.08
	Admin	67.68	21	1,421.28
g - Reviewing reports & forwarding to SELPA	Director	79.60	27	2,149.20
	Secretary	27.72	11	304.92
3 - Informing school personnel	Program Admin	67.68	9	609.12
	BCM	92.35	42	3,878.70
4 - Number of due process requests filed				
a - Number of written reponses		0		
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			1216.75	79730.42
Time to complete survey	Director of Sped E	79.60	20.5	1,631.80
	Program Admin	67.68	21.5	1,455.12
Check Totals				

DISTRICT Level - San Joaquin				
Behavioral Emergency Reports				
1 - # of Reports	2	Tracy Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	BICM	64.88	2	129.76
	SDC Teacher	58.46	2	116.92
b - 1 day notification of use of emergency intervention	SDC Teacher	58.46	1	58.46
c - Completing report	BICM	64.88	2	129.76
	SDC Teacher	58.46	2	116.92
	Para-educator		2	0.00
d - Scheduling and holding IEP meetings for students without PBIP	BICM	64.88	2	129.76
	SDC Teacher	58.46	2	116.92
e - Scheduling and holding IEP meetings for studetns with PBIP	BICM	64.88	2	129.76
	SDC Teacher	58.46	2	116.92
f - Reporting data for annual report to CDE	BICM	64.88	0.25	16.22
g - Reviewing reports & forwarding to SELPA	BICM	64.88	1	64.88
3 - Informing school personnel	BICM	64.88	28	1,816.64
	(4 Days- assume 7hr days)			
4 - Number of due process requests filed				
a - Number of written reponses		0		
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	Cheryl Markowitz			14,910.00
DISTRICT LEVEL TOTALS			48.25	17852.92
Time to complete survey	Director of Sped E	80.10	1	80.10
Check Totals				

SELPA

SELPA	SAN JOAQUIN COUNTY	62,035 ADA				
Number of BICM's in SELPA	22					
Number of BICM surveys returned	13	Some BICMs left their districts				
Number of LEA's in SELPA	11					
Number of LEA surveys returned	11					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7 - Procedures development	Administrator	67.68	90.00		6,091.20	
	Program Specialist	68.16	65.00		4,430.40	
	School Psych	59.62	12.00		715.44	
	Teacher	88.59	26.00		2,303.34	
* 8 - Governing Board approval	SELPA Director	89.06	3.00		267.18	
	Executive Asst	33.13	29.00		960.77	
Training						
**11 - Design training for initial BICM certification	Program Specialist	68.16	50.00		3,408.00	
**12 - Update of training for initial BICM certification	Program Specialist	68.16	12.00	817.92		
	Admin Asst	26.76	16.00	428.16		
**13 - Lead training for initial BICM certification	Program Specialist	68.16	36.00	2,453.76		
**14 - Lead training update for certified BICM's	Same as #13					
*15 - Design training for PBIP implementers	Program Specialist	68.16	24.00		1,635.84	
**16 - Update training for PBIP implementers	Psychologist	59.62	84.00	5,008.08		
	Program Specialist	68.16	120.00	8,179.20		
**17 - Lead training for PBIP implementers	n/a					
*18 - Design training on Emergent Behavioral Interventions	Program Specialist	68.16	70.00		4,771.20	
					0.00	
					0.00	
**19 - Update trainin on Emergent Behavioral Interventions	Program Specialist	68.16	32.00	2,181.12		
	Psychologist	59.62	32.00	1,907.84		
**20 - Lead training on Emergent Behavioral Interventions	Program Specialist	68.16	16.00	1,090.56		
21 - Other costs of BICM certification training	Registration			150.00		
22 - Number of participants in BICM training by position/hours	Program Specialist	68.16	26.00	1,772.16		
	22 Psychologists	59.62	572.00	34,102.64		26 Hrs Each
23 - Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in Emergency Beh Interv training by position/hours	1 Banta	50	16.00	800.00		
	47 SJCoe Spec Ed	50	752.00	37,600.00		Used an estimated average rate
	Escalon SD	50	144.00	7,200.00		(Used \$50 per hr but actuals will most likely be higher)
	3 Genesis Beh Ctr	50	48.00	2,400.00		Type of positions:
	4 Head Start	50	64.00	3,200.00		16 Psychs
	6Jefferson	50	96.00	4,800.00		4 Prog Admin
	17 Lincoln	50	272.00	13,600.00		4 Prog spec
	1 Linden	50	16.00	800.00		9 Behavior Intervention Specialist
	22 Manteca USD	50	352.00	17,600.00		3 Teachers
	26 Ripon USD	50	416.00	20,800.00		23 Not Indicated
	5 SJCoe- SELPA	50	80.00	4,000.00		3 other
	1 Tracy USD	50	16.00	800.00		
	44 Stockton USD	50	704.00	35,200.00		
25 - Other training costs						Training at SELPA
Staff Activities						
26 - Data collection from BER's annual report to CDE	Executive Asst	33.13	12.00	397.56		
27 - Due process hearings	n/a					
SELPA LEVEL TOTALS			4,303.00	207,289.00	24,583.37	
Time to complete survey	Program Administrator	67.68	40.00		2,707.20	
NOTES:						
one asterisk indicates a one time cost						
two asterisks indicates annual or more frequent costs						

BICM

BICM Level - Solano County	BICM Summary		
	Total	Total # of Hours	Total Costs
1a Number of Students with PBIP			
New	7		
Existing	17		
2 PBIP's with AB 3632 services	6		
3 - FAA Activities			
a - Parent notice and consent		6.00	395.91
b - Information gathering & assessment		83.75	5173.56
c - Writing FAA		73.00	4398.63
4- Initial PBIP			
a - Preparing draft for IEP		26.00	1513.09
b - Attending IEP meetings		34.00	2111.28
c - Training/monitoring PBIP		105.00	6028.88
d - Evaluating PBIP effectiveness		51.00	2958.34
e - Modifications in IEP meetings		7.50	426.95
f - Modifications outside of IEP meetings		26.00	1552.05
5 - FAA activities for pre-existing PBIP		215.75	13680.87
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP		33.00	2108.31
b - Attending IEP meetings		41.00	2563.03
c - Training/monitoring PBIP		427.00	28669.35
d - Evaluating PBIP effectiveness		145.00	9148.71
e - Modifications in IEP meetings		27.00	1721.51
f - Modifications outside of IEP meetings		65.00	4637.09
7 - IEP's where PBIP was a component			
Students with 1 IEP	7		
Students with 2 IEP's	9		
Students with 3 or more IEP's	1		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		46.00	2853.57
9 - PBIP issues in IEP by non-BICM's	373	124.50	7642.95

BICM Level - Solano County	BICM Summary		
	Total	Total # of Hours	Total Costs
when pre-existing			
10 - Implementation/monitoring of PBIP's by non-Bicm's		18223.50	728598.99
11- Emergency Behavior Interventions			
a - Performing interventions		29.00	1791.89
b - One day notification		3.75	230.35
c - Completing report for file		7.75	523.95
d - IEP meetings for no PBIP		14.00	789.66
e - IEP meetings with PBIP		21.00	1200.01
f - Reporting data for annual CDE report		1.25	68.84
BICM LEVEL TOTALS		19836.75	830,787.76
Completing survey		37.00	2,313.57

BICM Level - Solano County		Travis Unified			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP					
New	3				
Existing	4				
2 PBIP's with AB 3632 services					
3 - FAA Activities					
a - Parent notice and consent	Psych	63.88	0.25	15.97	
	Behavior Sp	51.97	1.00	51.97	
b - Information gathering & assessment	Psych	63.88	20.00	1,277.60	
	Behavior Sp	51.97	33.00	1,715.01	
c - Writing FAA	Psych	63.88	10.00	638.80	
	Behavior Sp	51.97	16.00	831.52	
4- Initial PBIP					
a - Preparing draft for IEP	Psych	63.88	3.00	191.64	
	Behavior Sp	51.97	14.00	727.58	
b - Attending IEP meetings	Psych	63.88	10.00	638.80	
	Behavior Sp	51.97	6.00	311.82	
c - Training/monitoring PBIP	Psych	63.88	5.00	319.40	
	Behavior Sp	51.97	60.00	3,118.20	
d - Evaluating PBIP effectiveness	Psych	63.88	5.00	319.40	
	Behavior Sp	51.97	30.00	1,559.10	
e - Modifications in IEP meetings	Behavior Sp	51.97	4.00	207.88	
	Psych	63.88	1.00	63.88	
f - Modifications outside of IEP meetings	Behavior Sp	51.97	8.00	415.76	
	Psych	63.88	3.00	191.64	
5 - FAA activities for pre-existing PBIP	n/a			0.00	
6 - Review/revision of pre-existing PBIP	n/a			0.00	
a - Preparing draft for IEP	Behavior Sp	51.97	10.00	519.70	
b - Attending IEP meetings	Behavior Sp	51.97	12.00	623.64	
c - Training/monitoring PBIP	Behavior Sp	51.97	14.00	727.58	
d - Evaluating PBIP effectiveness	Behavior Sp	51.97	12.00	623.64	
e - Modifications in IEP meetings	Behavior Sp	51.97	3.00	155.91	
f - Modifications outside of IEP meetings	Behavior Sp	51.97	4.00	727.58	
7 - IEP's where PBIP was a component					
Students with 1 IEP	3				
Students with 2 IEP's	2				
Students with 3 or more IEP's	1				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					
	2	Program Sp	58.84	4.00	235.36
	2	Spec Ed Tchr	37.78	4.00	151.12
	1	OT	52.16	1.00	52.16
	1	Speech Therapist	45.22	1.00	45.22
	1	Dir of Spec Ed	76.26	1.00	76.26
	2	Psych	63.88	4.00	255.52
	1	Admin	65.40	0.50	32.70
	1	Program Sp	58.84	0.50	29.42
	1	Spec Ed Tchr	44.46	0.50	22.23
	1	Teacher	44.46	2.00	88.92
9 - PBIP issues in IEP by non-BICM's					
	4	Program Sp	58.84	6.00	353.04

BICM Level - Solano County		Position	Travis Unified		Total Costs
			Hourly Rate	# of Hours	
when pre-existing	4	Spec Ed Tchr	44.46	4.00	177.84
	4	OT	52.16	4.00	208.64
	2	Speach Therapist	45.22	2.00	90.44
	0	Dir of Spec Ed		0.00	0.00
	4	Psych	63.88	6.00	383.28
10 - Implementation/monitoring of PBIP's by non-Bicm's		Teacher	58.84	3,160.00	185,934.40
		Para-Educator	37.78	3,160.00	119,384.80
		Admin	65.40	1.50	98.10
		Program Spec	91.68	1.00	91.68
		Spec Ed Tchr	44.46	1.50	66.69
		Teacher	44.46	4.50	200.07
11- Emergency Behavior Interventions					
a - Performing interventions		Psych	63.88	20.00	1,277.60
		Behavior Sp	51.97	6.00	311.82
b - One day notification		Psych	63.88	2.00	127.76
		Behavior Sp	51.97	1.00	51.97
c - Completing report for file		Psych	63.88	3.00	191.64
		Behavior Sp	51.97	1.00	51.97
d - IEP meetings for no PBIP		Psych	63.88		0.00
		Behavior Sp	51.97	10.00	519.70
e - IEP meetings with PBIP		Psych	63.88		0.00
		Behavior Sp	51.97	14.00	727.58
f - Reporting data for annual CDE report		Psych	63.88		0.00
		Behavior Sp	51.97	1.00	51.97
BICM LEVEL TOTALS				6,711.25	327,263.92
Completing survey		Behavior Sp	51.97	8.00	415.76
		Psych	63.88	8.00	511.04

BICM Level - Solano County	Position	Fairfield-Suisun Unified			
		Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP					
New	3				
Existing	8				
2 PBIP's with AB 3632 services	4				
3 - FAA Activities					
a - Parent notice and consent		Behavior Intervention Specialist	67.49	2.00	134.98
		Behavior Intervention Specialist	67.49	2.25	151.85
b - Information gathering & assessment		Behavior Intervention Specialist	67.49	0.25	16.87
		Behavior Intervention Specialist	67.49	27.00	1,822.23
c - Writing FAA		Behavior Intervention Specialist	67.49	4.00	269.96
		Behavior Intervention Specialist	67.49	7.00	472.43
4- Initial PBIP					
a - Preparing draft for IEP		Behavior Intervention Specialist	67.49	2.00	134.98
		Behavior Intervention Specialist	67.49	5.00	337.45
b - Attending IEP meetings		Behavior Intervention Specialist	67.49	2.00	134.98
		Behavior Intervention Specialist	67.49	8.00	539.92
c - Training/monitoring PBIP					
		Behavior Intervention Specialist	67.49	24.00	1,619.76
d - Evaluating PBIP effectiveness					
		Behavior Intervention Specialist	67.49	16.00	1,079.84
e - Modifications in IEP meetings					
		Behavior Intervention Specialist	67.49	0.50	33.75
f - Modifications outside of IEP meetings					
		Behavior Intervention Specialis	67.49	5.00	337.45
5 - FAA activities for pre-existing PBIP		Behavior Intervention Specialist	67.49	0.75	50.62
	5b	Behavior Intervention Specialist	67.49	85.00	5,736.65
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Behavior Intervention Specialist	67.49	5.00	337.45
		Behavior Intervention Specialist	67.49	17.00	1,147.33
b - Attending IEP meetings		Behavior Intervention Specialist	67.49	6.00	404.94
		Behavior Intervention Specialist	67.49	14.00	944.86
c - Training/monitoring PBIP		Behavior Intervention Specialist	67.49	42.00	2,834.58
		Behavior Intervention Specialist	67.49	362.00	24,431.38
d - Evaluating PBIP effectiveness		Behavior Intervention Specialist	67.49	10.00	674.90
		Behavior Intervention Specialist	67.49	50.00	3,374.50
e - Modifications in IEP meetings		Behavior Intervention Specialist	67.49	6.00	404.94
		Behavior Intervention Specialist	67.49	10.00	674.90
f - Modifications outside of IEP meetings		Behavior Intervention Specialist	67.49	5.00	337.45
		Behavior Intervention Specialist	67.49	19.00	1,282.31
7 - IEP's where PBIP was a component					
Students with 1 IEP	3				
Students with 2 IEP's	4				
Students with 3 or more IEP's					
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	1	Teacher	50.27	1.50	75.41
	1	OT	67.49	1.50	101.24
	1	Principal	79.66	1.50	119.49
	1	Asst Prin	73.39	1.50	110.09
	1	Psych	56.11	1.50	84.17
9 - PBIP issues in IEP by non-BICM's	2	Administrator	79.66	3.00	238.98

BICM Level - Solano County			Fairfield-Suisun Unified		
		Position	Hourly Rate	# of Hours	Total Costs
when pre-existing	12	Psychologist	56.11	19.50	1,094.15
	5	SDC	50.27	9.00	452.43
	2	SLP (Speech)	50.27	3.00	150.81
	12	Teacher	50.27	19.50	980.27
	10	Principal/AP	79.66	27.00	2,150.82
	2	Speech	50.27	1.00	50.27
	7	OT	67.49	10.50	708.65
10 - Implementation/monitoring of PBIP's by non-Bicm's		Para-Profes	23.16	1,600.00	37,056.00
		Teacher	50.27	500.00	25,135.00
		Instructional Asst	23.16	1,557.00	36,060.12
		Spec Ed Teacher	50.27	595.00	29,910.65
		Principal	79.66	33.00	2,628.78
		Teacher	50.27	1,330.00	66,859.10
		Psych	56.11	40.00	2,244.40
11- Emergency Behavior Interventions					
a - Performing interventions			0.00	0.00	0.00
		Behavior Intervention Specialist	67.49	3.00	202.47
b - One day notification			0.00	0.00	0.00
		Behavior Intervention Specialist	67.49	0.75	50.62
c - Completing report for file			0.00	0.00	0.00
		Behavior Intervention Specialist	67.49	3.00	202.47
d - IEP meetings for no PBIP			0.00	0.00	0.00
		Behavior Intervention Specialist	67.49	4.00	269.96
e - IEP meetings with PBIP			0.00	0.00	0.00
		Behavior Intervention Specialist	67.49	7.00	472.43
f - Reporting data for annual CDE report			0.00	0.00	0.00
		Behavior Intervention Specialist	67.49	0.25	16.87
BICM LEVEL TOTALS				6,509.75	257,148.87
Completing survey		Behavior Intervention Specialist	67.49	0.50	33.75
		Behavior Intervention Specialist	67.49	15.00	1,012.35

BICM Level - Solano County		Benicia, F-S USD, Travis, Dixon, Solano COE			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP		Zoe			
New	1				
Existing	3				
2 PBIP's with AB 3632 services	1				
3 - FAA Activities					
a - Parent notice and consent		Behavior Intervention Specialist	60.72	0.25	15.18
b - Information gathering & assessment		Behavior Intervention Specialist	60.72	0.50	30.36
c - Writing FAA		Behavior Intervention Specialist	60.72	36.00	2,185.92
4- Initial PBIP					
a - Preparing draft for IEP		Behavior Intervention Specialist	60.72	2.00	121.44
b - Attending IEP meetings		Behavior Intervention Specialist	60.72	8.00	485.76
c - Training/monitoring PBIP		Behavior Intervention Specialist	60.72	16.00	971.52
d - Evaluating PBIP effectiveness		Behavior Intervention Specialist	60.72	0.00	0.00
e - Modifications in IEP meetings		Behavior Intervention Specialist	60.72	2.00	121.44
f - Modifications outside of IEP meetings		Behavior Intervention Specialist	60.72	10.00	607.20
5 - FAA activities for pre-existing PBIP	a	Behavior Intervention Specialist	60.72	0.75	45.54
	b	Behavior Intervention Specialist	60.72	129.25	7,848.06
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Behavior Intervention Specialist		0.00	0.00
b - Attending IEP meetings	1	Behavior Intervention Specialist	60.72	8.00	485.76
c - Training/monitoring PBIP		Behavior Intervention Specialist	60.72	6.00	364.32
d - Evaluating PBIP effectiveness		Behavior Intervention Specialist	60.72	72.00	4,371.84
e - Modifications in IEP meetings		Behavior Intervention Specialist	60.72	8.00	485.76
f - Modifications outside of IEP meetings		Behavior Intervention Specialist	60.72	36.00	2,185.92
7 - IEP's where PBIP was a component					
Students with 1 IEP	1				
Students with 2 IEP's	3				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	2	Travis Principal	67.29	4.00	269.16
	2	Travis Sp Ed Coord	91.68	4.00	366.72
	2	Travis Sp Ed Teacher	44.46	4.00	177.84
	2	Travis Sp Ed Director	76.26	4.00	305.04
	2	Travis Psychologist	63.88	4.00	255.52
9 - PBIP issues in IEP by non-BICM's	1	FSUSD Sp Ed Teacher	50.27	2.00	100.54

BICM Level - Solano County	Position	Vacaville Unified		Total Costs
		Hourly Rate	# of Hours	
1a Number of Students with PBIP				
New	0			
Existing	1			
2 PBIP's with AB 3632 services	0			
3 - FAA Activities				
a - Parent notice and consent			0.00	0.00
b - Information gathering & assessment			0.00	0.00
c - Writing FAA			0.00	0.00
4- Initial PBIP				
a - Preparing draft for IEP				0.00
b - Attending IEP meetings				0.00
c - Training/monitoring PBIP				0.00
d - Evaluating PBIP effectiveness				0.00
e - Modifications in IEP meetings				0.00
f - Modifications outside of IEP meetings				0.00
5 - FAA activities for pre-existing PBIP				0.00
6 - Review/revision of pre-existing PBIP				0.00
a - Preparing draft for IEP				0.00
b - Attending IEP meetings				
c - Training/monitoring PBIP				
d - Evaluating PBIP effectiveness				
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's				0.00
when discussed for the first time				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
9 - PBIP issues in IEP by non-BICM's				0.00

BICM Level - Solano County	Position	Dixon Unified		
		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	0			
Existing	1			
2 PBIP's with AB 3632 services	0			
3 - FAA Activities				
a - Parent notice and consent	Behavior Intervention Specialist	103.83	0.25	25.96
b - Information gathering & assessment	Behavior Intervention Specialist	103.83	3.00	311.49
c - Writing FAA	Behavior Intervention Specialist	103.83	0.00	0.00
4- Initial PBIP				
a - Preparing draft for IEP				0.00
b - Attending IEP meetings				0.00
c - Training/monitoring PBIP				0.00
d - Evaluating PBIP effectiveness				0.00
e - Modifications in IEP meetings				0.00
f - Modifications outside of IEP meetings				0.00
5 - FAA activities for pre-existing PBIP				0.00
6 - Review/revision of pre-existing PBIP				0.00
a - Preparing draft for IEP	Behavior Intervention Specialist	103.83	1.00	103.83
b - Attending IEP meetings	Behavior Intervention Specialist	103.83	1.00	103.83
c - Training/monitoring PBIP	Behavior Intervention Specialist	103.83	3.00	311.49
d - Evaluating PBIP effectiveness	Behavior Intervention Specialist	103.83	1.00	103.83
e - Modifications in IEP meetings	Behavior Intervention Specialist		0.00	0.00
f - Modifications outside of IEP meetings	Behavior Intervention Specialist	103.83	1.00	103.83
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
9 - PBIP issues in IEP by non-BICM's	383			0.00

BICM Level - Solano County	Position	Dixon Unified		Total Costs
		Hourly Rate	# of Hours	
when pre-existing				0.00
				0.00
				0.00
				0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's				0.00
				0.00
				0.00
				0.00
11- Emergency Behavior Interventions				
a - Performing interventions				0.00
b - One day notification				0.00
c - Completing report for file	Behavior Intervention Specialist	103.83	0.75	77.87
d - IEP meetings for no PBIP				0.00
e - IEP meetings with PBIP				0.00
f - Reporting data for annual CDE report				0.00
BICM LEVEL TOTALS			11.00	1,142.13
Completing survey	Behavior Intervention Specialist	103.83	0.25	25.96

DISTRICT

District Level	SOLANO COUNTY SELPA	
	DISTRICT LEVEL SUMMARY TOTALS	
1 # of Behavioral Emergency Reports	8	
	# of Hours	Total Costs
2 Activities		
a - performing emergency interventions	14.00	678.16
b - 1 day notification of use of emergency intervention	2.75	165.83
c - Completing report	3.50	209.68
d - Scheduling and holding IEP meetings for students without PBIP	42.50	2,350.78
e - Scheduling and holding IEP meetings for students with PBIP	121.50	7,186.03
f - Reporting data for annual report to CDE	1.75	107.41
g - Reviewing reports & forwarding to SELPA	106.25	6,744.11
3 - Informing school personnel	54.00	4,758.74
4 - Number of due process requests filed	0.00	0.00
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0.00	0.00
5 - Filing Response	3.00	177.02
6 - Resolution Session	6.00	354.04
7 - Mediation	1.50	88.51
8 - Due Process Hearing	0.00	0.00
9 - Outside Assistance	0.00	4,668.14
DISTRICT LEVEL TOTALS	356.75	27,488.45

District Level	SOLANO COUNTY SELPA			
1 # of Behavioral Emergency Reports	3			
		Travis Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teacher	44.46	3.00	133.38
	Behavior Specialist	51.97	2.00	103.94
	OT	52.16	1.00	
b - 1 day notification of use of emergency intervention	Teacher	44.46	0.75	33.35
c - Completing report	Teacher	44.46	1.00	44.46
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	44.46	9.00	400.14
	Behavior Specialist	51.97	8.00	415.76
	Administrator	65.40	8.00	523.20
	Program Specialist	51.97	2.00	
e - Scheduling and holding IEP meetings for students with PBIP	Teacher	44.46	6.00	266.76
	Psychologist	63.88	6.00	383.28
	Adminstrator	65.40	4.00	
f - Reporting data for annual report to CDE	Teacher	44.46	1.00	44.46
g - Reviewing reports & forwarding to SELPA	Administrator	65.40	2.50	163.50
3 - Informing school personnel				0.00
	Behavior Specialist	51.97	3.00	155.91
				0.00
4 - Number of due process requests filed	n/a			
a - Number of written reponses		0		
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			57.25	2,668.14

District Level	SOLANO COUNTY SELPA			
1 # of Behavioral Emergency Reports	0			
	Benicia Unified			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	Director	81.77	1.00	81.77
f - Reporting data for annual report to CDE				
g - Reviewing reports & forwarding to SELPA	Director	81.77	16.00	1,308.32
3 - Informing school personnel	Director	81.77	1.00	81.77
	Behavior Specialist	67.36	12.00	808.32
				0.00
4 - Number of due process requests filed	n/a			
a - Number of written reponses		0		
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			30.00	2,280.18

District Level	SOLANO COUNTY SELPA			
1 # of Behavioral Emergency Reports	0			
		Fairfield-Suisun Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	Clerical	24.60	3.00	73.80
	Coordinator	76.21	9.00	685.89
e - Scheduling and holding IEP meetings for students with PBIP	Clerical	24.60	18.00	442.80
	Coordinator	76.21	54.00	4,115.34
f - Reporting data for annual report to CDE				
g - Reviewing reports & forwarding to SELPA	Clerical	24.60	27.00	664.20
	Coordinator	76.21	54.00	4,115.34
3 - Informing school personnel				0.00
				0.00
4 - Number of due process requests filed	1			
a - Number of written reponses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response	Clerical	24.60	1.00	24.60
	Coordinator	76.21	2.00	152.42
6 - Resolution Session	Clerical	24.60	2.00	49.20
	Coordinator	76.21	4.00	304.84
7 - Mediation	Clerical	24.60	0.50	12.30
	Coordinator	76.21	1.00	76.21
8 - Due Process Hearing	0			0.00
9 - Outside Assistance				4,668.14
DISTRICT LEVEL TOTALS			175.50	15,385.08

District Level	SOLANO COUNTY SELPA			
1 # of Behavioral Emergency Reports	1			
		Dixon Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Principal	60.82	2.00	121.64
b - 1 day notification of use of emergency intervention	Principal	60.82	1.00	60.82
c - Completing report	Principal	60.82	1.50	91.23
d - Scheduling and holding IEP meetings for students without PBIP				0.00
				0.00
e - Scheduling and holding IEP meetings for students with PBIP				0.00
				0.00
f - Reporting data for annual report to CDE	BICM	103.83	0.25	25.96
g - Reviewing reports & forwarding to SELPA	BICM	103.83	0.25	25.96
				0.00
3 - Informing school personnel	BICM	103.83	32.00	3,322.56
				0.00
4 - Number of due process requests filed	0			
a - Number of written reponses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response				0.00
				0.00
6 - Resolution Session				0.00
				0.00
7 - Mediation				0.00
				0.00
8 - Due Process Hearing	0			0.00
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			37.00	3,648.17

District Level	SOLANO COUNTY SELPA			
1 # of Behavioral Emergency Reports	1			
		Vacaville Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions				
b - 1 day notification of use of emergency intervention				
c - Completing report				
d - Scheduling and holding IEP meetings for students without PBIP				0.00
				0.00
e - Scheduling and holding IEP meetings for students with PBIP	Program Specialist	57.07	29.00	1,655.03
				0.00
f - Reporting data for annual report to CDE				
g - Reviewing reports & forwarding to SELPA	Director	72.02	6.00	432.12
3 - Informing school personnel				
				0.00
4 - Number of due process requests filed	0			
a - Number of written reponses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response				0.00
				0.00
6 - Resolution Session				0.00
				0.00
7 - Mediation				0.00
				0.00
8 - Due Process Hearing	0			0.00
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			35.00	2,087.15

District Level	SOLANO COUNTY SEL			
1 # of Behavioral Emergency Reports	3			
		Solano County		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teacher	73.99	3.00	221.97
	Paraeducator	32.41	3.00	97.23
b - 1 day notification of use of emergency intervention	Principal	69.34	0.50	34.67
	Teacher	73.99	0.50	37.00
c - Completing report	Teacher	73.99	1.00	73.99
d - Scheduling and holding IEP meetings for students without PBIP	Principal	69.34	1.50	104.01
	Teacher	73.99	2.00	147.98
e - Scheduling and holding IEP meetings for students with PBIP	Principal	69.34	1.00	69.34
	Teacher	73.99	1.50	110.99
	Behavior Assistant	60.72	1.00	60.72
f - Reporting data for annual report to CDE	Teacher	73.99	0.50	37.00
g - Reviewing reports & forwarding to SELPA	Principal	69.34	0.50	34.67
				0.00
3 - Informing school personnel	Behaviorist	60.72	3.00	182.16
	Principal	69.34	3.00	208.02
				0.00
4 - Number of due process requests filed	0			
a - Number of written reponses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response				0.00
				0.00
6 - Resolution Session				0.00
				0.00
7 - Mediation				0.00
				0.00
8 - Due Process Hearing	0			0.00
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			22.00	1,419.74

SELPA

SELPA Level	SOLANO COUNTY	48,462 P2 ADA				
Number of BICM's in SELPA	9					
Number of BICM surveys returned	9					
Number of LEA's in SELPA	6					
Number of LEA surveys returned	6					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	Prog Spec	65.11	14.00		911.54	
	Prog Spec	65.11	14.00		911.54	
* 8 - Governing Board approval	Supt - Vacaville	117.97	1.50		176.96	
	Supt - Dixon	93.45	1.50		140.18	
	Supt - Fairfield	146.96	1.50		220.44	
	Supt - SCOE	120.14	1.50		180.21	
	Supt - Travis	99.83	1.50		149.75	
	Supt - Benicia	99.04	1.50		148.56	
	Director - Dixon	93.14	6.00		558.84	
	Director - Vacaville	72.02	6.00		432.12	
	Director - Fairfield	82.66	6.00		495.96	
	Director - Benicia	81.77	6.00		490.62	
	Director - Travis	76.26	6.00		457.56	
	Director - SCOE	82.02	6.00		492.12	
	Asst Supt	100.78	1.00		100.78	
	6 LEA Boards		18.00		0.00	
Training						
* 11 - Design training for initial BICM certification	Coordinator	71.89	40.00		2,875.60	
**12 - Update of training for initial BICM certification	No Update					
**13 - Lead training for initial BICM certification	Coordinator	71.89	12.00	862.68		
**14 - Lead training update for certified BICM's	Coordinator	71.89	4.00	287.56		
* 15 - Design training for PBIP implementers	Coordinator	71.89	4.00		287.56	
**16 - Update training for PBIP implementers	Coordinator	71.89	4.00	287.56		
**17 - Lead training for PBIP implementers	Coordinator	71.89	1.50	107.84		
*18 - Design training on Emergency Behavioral Interventions	Program Specialist	65.11	10.00		651.10	
**19 - Update training on Emergency Behavioral Interventions	Program Specialist	65.11	2.00	130.22		
**20 - Lead training on Emergency Behavioral Interventions	Program Specialist	65.11	2.00	130.22		
21 - Other costs of BICM certification training	Behavior Intervention Psychologists			7,100.00		
				11,960.00		
22 - Number of participants in BICM training by position/hours	10 Behavior Specialists	60.72	120.00	7,286.40		12 Hrs Each
	16 Psychologists	51.9	192.00	9,964.80		12 Hrs Each
23 - Number of participants in PBIP training by position/hours	80 SCOE Teachers	45.22	320.00	14,470.40		4 Hrs Each
	4 SCOE Principals	73.63	16.00	1,178.08		4 Hrs Each
24 - Number of participants in Emergency Beh Interv training by position/hours	2 Teachers	45.22	24.00	1,085.28		12 Hrs Each
	1 Psychologist	51.9	12.00	622.80		
25 - Other training costs				0.00	0.00	N/A

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Coordinator	71.89	1.60	115.02		
27 - Due process hearings	Program Specialist	65.11	3.00	195.33		
	Asst Supt	100.78	2.00	201.56		
SELPA LEVEL TOTAL			862.10	55,985.75	9,681.43	

BICM

BICM Level - Sonoma County		BICM Summary	
		# of Hours	Total Costs
1a	Number of Students with PBIP		
	New	24	
	Existing	25	
3	FAA Activities		
	a - Parent notice and consent	11.00	747.36
	b - Information gathering & assessment	201.00	10,950.14
	c - Writing FAA	92.00	5,951.83
4	Initial PBIP		
	a - Preparing draft for IEP	101.00	6,600.34
	b - Attending IEP meetings	56.00	3,389.03
	c - Training/monitoring PBIP	313.00	21,264.50
	d - Evaluating PBIP effectiveness	309.00	21,051.18
	e - Modifications in IEP meetings	37.00	2,485.17
	f - Modifications outside of IEP meetings	202.50	13,964.84
5	FAA activities for pre-existing PBIP	400.00	27,761.20
6	Review/revision of pre-existing PBIP	132.00	9,551.72
7	IEP's where PBIP was a component		
	Students with 1 IEP	9	
	Students with 2 IEP's	6	
	Students with 3 or more IEP's	25	
8	PBIP issues in IEP by non-BICM's when discussed for the first time	82.00	2,258.91
9	PBIP issues in IEP by non-BICM's when pre-existing	14.00	0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	39,869.50	13,372.64
Emergency Behavior Interventions			
	a - Performing interventions	66.00	4,968.96
	b - One day notification	32.00	2,390.10
	c - Completing report for file	46.00	3,282.16
	d - IEP meetings for no PBIP	28.00	1,380.24
	e - IEP meetings with PBIP	12.00	874.20
	f - Reporting dat for annual CDE report	4.00	291.40
BICM LEVEL TOTALS		42,008.00	152,535.91
	Completing survey	17.50	1,077.27

BICM Level - Sonoma County	Position	Cotati-Rohnert Park		
		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	0			
Existing	1			
3 - FAA Activities				
a - Parent notice and consent	n/a			
b - Information gathering & assessment	n/a			
c - Writing FAA	n/a			
4- Initial PBIP	n/a			
a - Preparing draft for IEP				
b - Attending IEP meetings				
c - Training/monitoring PBIP				
d - Evaluating PBIP effectiveness				
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP				
6 - Review/revision of pre-existing PBIP	Behavior Spec	68.82	16.00	1,101.12
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	1			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a	0.00	0.00	0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a	0.00	0.00	0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	2 Sp Ed Teacher	74.97	5.00	374.85
	2 Teacher	46.19	30.00	1,385.70
	2 Principal	71.72	10.00	717.20
Emergency Behavior Interventions	n/a			
a - Performing interventions				
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS			61.00	3,578.87
Completing survey	Behavior Spec	68.82	2.00	137.64

BICM Level - Sonoma County		Rincon Valley			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP					
New	7				
Existing	3				
3 - FAA Activities					
a - Parent notice and consent	Exec Director	84.34	3.50	295.19	
b - Information gathering & assessment	Exec Director	84.34	7.00	590.38	
c - Writing FAA	Exec Director	84.34	28.00	2,361.52	
4- Initial PBIP					
a - Preparing draft for IEP	Exec Director	84.34	28.00	2,361.52	
b - Attending IEP meetings	Exec Director	84.34	14.00	1,180.76	
c - Training/monitoring PBIP	Exec Director	84.34	105.00	8,855.70	
d - Evaluating PBIP effectiveness	Exec Director	84.34	105.00	8,855.70	
e - Modifications in IEP meetings	Exec Director	84.34	12.00	1,012.08	
f - Modifications outside of IEP meetings	Exec Director	84.34	70.00	5,903.80	
5 - FAA activities for pre-existing PBIP	Exec Director	84.34	140.00	11,807.60	
6 - Review/revision of pre-existing PBIP	Exec Director	84.34	58.00	4,891.72	
7 - IEP's where PBIP was a component					
Students with 1 IEP	3				
Students with 2 IEP's	2				
Students with 3 or more IEP's	5				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	5 TSA		0	10.00	0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	2 TSA			4.00	0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	TSA		0	9180.00	0.00
Emergency Behavior Interventions					
a - Performing interventions	Exec Director	84.34	40.00	3,373.60	
b - One day notification	Exec Director	84.34	20.00	1,686.80	
c - Completing report for file	Exec Director	84.34	20.00	1,686.80	
d - IEP meetings for no PBIP	Exec Director	84.34	12.00	1,012.08	
e - IEP meetings with PBIP	Exec Director	84.34	6.00	506.04	
f - Reporting dat for annual CDE report	Exec Director	84.34	2.00	168.68	
BICM LEVEL TOTALS				9,864.50	56,549.97
Completing survey	Exec Director	84.34	3.00	253.02	

BICM Level - Sonoma County		Roseland			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP					
New	1				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	44.85	0.50	22.43	
b - Information gathering & assessment	Psychologist	44.85	20.00	897.00	
c - Writing FAA	Psychologist	44.85	2.00	89.70	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	44.85	4.00	179.40	
b - Attending IEP meetings	Psychologist	44.85	4.00	179.40	
c - Training/monitoring PBIP	Psychologist	44.85	3.00	134.55	
d - Evaluating PBIP effectiveness	Psychologist	44.85	1.00	44.85	
e - Modifications in IEP meetings					
f - Modifications outside of IEP meetings	Psychologist	44.85	0.50	22.43	
5 - FAA activities for pre-existing PBIP	n/a				
6 - Review/revision of pre-existing PBIP	n/a				
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's	2 RSP Teacher	43.13	6.00	258.78	
when discussed for the first time	2 Teacher	42.00	6.00	252.00	
	2 Counselor	49.26	6.00	295.56	
	2 Administrator	70.18	6.00	421.08	
9 - PBIP issues in IEP by non-BICM's	n/a				0.00
when pre-existing					
10 - Implementation/monitoring of PBIP's	Teacher	43.13	7.00	301.91	
by non-Bicm's					
Emergency Behavior Interventions					
a - Performing interventions	n/a				
b - One day notification	Psychologist	44.85	2.00	89.70	
c - Completing report for file	n/a				
d - IEP meetings for no PBIP	n/a				
e - IEP meetings with PBIP	n/a				
f - Reporting dat for annual CDE report	n/a				
BICM LEVEL TOTALS			68.00	3,188.78	
Completing survey	Psychologist	44.85	0.00	0.00	

BICM Level - Sonoma County		Santa Rosa City Schools			
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	13			
	Existing	13			
3	FAA Activities				
	a - Parent notice and consent	Exec Director	61.36	6.50	398.84
	b - Information gathering & assessment	Exec Director	61.36	130.00	7,976.80
	c - Writing FAA	Exec Director	61.36	52.00	3,190.72
4	Initial PBIP				
	a - Preparing draft for IEP	Exec Director	61.36	52.00	3,190.72
	b - Attending IEP meetings	Exec Director	61.36	26.00	1,595.36
	c - Training/monitoring PBIP	Exec Director	61.36	195.00	11,965.20
	d - Evaluating PBIP effectiveness	Exec Director	61.36	195.00	11,965.20
	e - Modifications in IEP meetings	Exec Director	61.36	23.00	1,411.28
	f - Modifications outside of IEP meetings	Exec Director	61.36	130.00	7,976.80
5	FAA activities for pre-existing PBIP	Exec Director	61.36	260.00	15,953.60
6	Review/revision of pre-existing PBIP	Exec Director	61.36	58.00	3,558.88
7	IEP's where PBIP was a component				
	Students with 1 IEP	5			
	Students with 2 IEP's	3			
	Students with 3 or more IEP's	18			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	13 TSA	0	26.00	0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	5 TSA	0	10.00	0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	TSA	0	30420.00	0.00
Emergency Behavior Interventions					
	a - Performing interventions	Exec Director	61.36	26.00	1,595.36
	b - One day notification	Exec Director	61.36	10.00	613.60
	c - Completing report for file	Exec Director	61.36	26.00	1,595.36
	d - IEP meetings for no PBIP	Exec Director	61.36	6.00	368.16
	e - IEP meetings with PBIP	Exec Director	61.36	6.00	368.16
	f - Reporting dat for annual CDE report	Exec Director	61.36	2.00	122.72
BICM LEVEL TOTALS				31,659.50	73,846.76
	Completing survey	Exec Director	61.36	5.00	306.80

BICM Level - Sonoma County		Wright Elementary			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP					
New	1				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	n/a				
b - Information gathering & assessment	Psychologist	62.09	9.00	558.81	
c - Writing FAA	Psychologist	62.09	3.00	186.27	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	62.09	12.00	745.08	
b - Attending IEP meetings	Psychologist	62.09	3.00	186.27	
c - Training/monitoring PBIP	n/a				
d - Evaluating PBIP effectiveness	n/a				
e - Modifications in IEP meetings	n/a				
f - Modifications outside of IEP meetings	n/a				
5 - FAA activities for pre-existing PBIP	n/a				
6 - Review/revision of pre-existing PBIP	n/a				
7 - IEP's where PBIP was a component					
Students with 1 IEP	1				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a				
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a				
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a				
Emergency Behavior Interventions					
a - Performing interventions	n/a				
b - One day notification	n/a				
c - Completing report for file	n/a				
d - IEP meetings for no PBIP	n/a				
e - IEP meetings with PBIP	n/a				
f - Reporting dat for annual CDE report	n/a				
BICM LEVEL TOTALS			27.00	1,676.43	
Completing survey	Sp Ed Dir	69.92	1.00	69.92	
	Psychologist	62.09	3.00	186.27	

BICM Level - Sonoma County		Sonoma COE			
	Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP				
	New	1			
	Existing	8			
3	FAA Activities				
	a - Parent notice and consent	n/a			
	b - Information gathering & assessment	Sch Principal	0	20.00	0.00
	c - Writing FAA	Sch Principal	0	5.00	0.00
4	Initial PBIP				
	a - Preparing draft for IEP	Sch Principal		3.00	0.00
	b - Attending IEP meetings	Sch Principal		5.00	0.00
	c - Training/monitoring PBIP	Sch Principal		5.00	0.00
	d - Evaluating PBIP effectiveness	Sch Principal		5.00	0.00
	e - Modifications in IEP meetings	Sch Principal		1.00	0.00
	f - Modifications outside of IEP meetings	Sch Principal		1.00	0.00
5	FAA activities for pre-existing PBIP	n/a			
6	Review/revision of pre-existing PBIP	n/a			
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	1			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	2 Sch Principal see form	0	4.00	0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	n/a			
10	Implementation/monitoring of PBIP's by non-Bicm's	n/a			
Emergency Behavior Interventions					
	a - Performing interventions	n/a			
	b - One day notification	n/a			
	c - Completing report for file	n/a			
	d - IEP meetings for no PBIP	Sch Principal	0	10.00	0.00
	e - IEP meetings with PBIP	n/a			
	f - Reporting dat for annual CDE report	n/a			
BICM LEVEL TOTALS				59.00	0.00
	Completing survey	Sch Principal	0	1.50	0.00

BICM Level - Sonoma County	Cypress, Old Adobe, Sonoma U, West Side			
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New				
Existing				
3 - FAA Activities	n/a			
a - Parent notice and consent				
b - Information gathering & assessment				
c - Writing FAA				
4- Initial PBIP	n/a			
a - Preparing draft for IEP				
b - Attending IEP meetings				
c - Training/monitoring PBIP				
d - Evaluating PBIP effectiveness				
e - Modifications in IEP meetings	n/a			
f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP	n/a			
6 - Review/revision of pre-existing PBIP	n/a			
7 - IEP's where PBIP was a component	n/a			
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a			
Emergency Behavior Interventions				
a - Performing interventions	n/a			
b - One day notification	n/a			
c - Completing report for file	n/a			
d - IEP meetings for no PBIP	n/a			
e - IEP meetings with PBIP	n/a			
f - Reporting dat for annual CDE report	n/a			
BICM LEVEL TOTALS			0.00	0.00
Completing survey				

DISTRICT

District Level	SONOMA COUNTY SELPA DISTRICT LEVEL SUMMARY	
1 - # of Reports	1	
	# of Hours	Total Costs
2 Activities		
a - performing emergency interventions	14	805.21
b - 1 day notification of use of emergency intervention	12	690.18
c - Completing report		
d - Scheduling and holding IEP meetings for students without PBIP	2.00	161.90
e - Scheduling and holding IEP meetings for studetns with PBIP		
f - Reporting data for annual report to CDE		
g - Reviewing reports & forwarding to SELPA	3.00	242.85
3 - Informing school personnel	4.50	331.27
4 - Number of due process requests filed		
a - Number of written reponses For each response in 4a, there must be answers to 5 -8		
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance		
DISTRICT LEVEL TOTALS	35.50	2,231.41
Time to complete survey	1.25	76.12

District Level				
1 - # of Reports	0			
		Windsor Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
3 - Informing school personnel	BICM	61.81	0.5	30.91
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8				
5 - Filing Response				
6 - Resolution Session				
7 - Mediation				
8 - Due Process Hearing				
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			0.50	30.91
Time to complete survey	Sp Ed Director	64.77	0.25	16.19

District Level				
1 - # of Reports	0			
		Roseland		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Administrator	70.18	7	491.26
	Psychologist	44.85	7	313.95
b - 1 day notification of use of emergency intervention	Administrator	70.18	6	421.08
	Psychologist	44.85	6	269.10
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for studetns with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
3 - Informing school personnel	Psychologist	44.85	0.5	22.43
	Administrator	70.18	0.5	35.09
4 - Number of due process requests filed	n/a			
a - Number of written reponses For each response in 4a, there must be answers to 5 -8				
5 - Filing Response				
6 - Resolution Session				
7 - Mediation				
8 - Due Process Hearing				
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			27.00	1,552.91
Time to complete survey	Sp Ed Coord	51.04	0.5	25.52

District Level	
1 - # of Reports	
2 Activities	
a - performing emergency interventions	
b - 1 day notification of use of emergency intervention	
c - Completing report	
d - Scheduling and holding IEP meetings for students without PBIP	
e - Scheduling and holding IEP meetings for students with PBIP	
f - Reporting data for annual report to CDE	
g - Reviewing reports & forwarding to SELPA	
3 - Informing school personnel	
4 - Number of due process requests filed	
a - Number of written responses	
For each response in 4a, there must be answers to 5 -8	
5 - Filing Response	
6 - Resolution Session	
7 - Mediation	
8 - Due Process Hearing	
9 - Outside Assistance	
DISTRICT LEVEL TOTALS	
Time to complete survey	

District Level				
1 - # of Reports	0	Old Adobe		
	Monte Rio, Wright, West Side, Sonoma U, Rincon			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
3 - Informing school personnel	n/a			
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8				
5 - Filing Response				
6 - Resolution Session				
7 - Mediation				
8 - Due Process Hearing				
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			0.00	0.00
Time to complete survey				

District Level				
1 - # of Reports	1			
		Cotati-Rohnert Park		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	Sp Ed Director	80.95	2.00	161.90
e - Scheduling and holding IEP meetings for studetns with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	Sp Ed Director	80.95	3.00	242.85
3 - Informing school personnel	Sp Ed Director	80.95	3.00	242.85
4 - Number of due process requests filed	n/a			
a - Number of written reponses For each response in 4a, there must be answers to 5 -8				
5 - Filing Response				
6 - Resolution Session				
7 - Mediation				
8 - Due Process Hearing				
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			8.00	647.60
Time to complete survey	Behavior Spec	68.82	0.50	34.41

SELPA

SELPA Level		Sonoma County				
Number of BICM's in SELPA	7					
Number of BICM surveys returned	20	Either no BICM's or no FAA's and PBIP's in 06-07				
Number of LEA's in SELPA	40					
Number of LEA surveys returned	20					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Dir	79.37	15.00		1,190.55	
* 8 - Governing Board approval	SELPA Dir	79.37	2.00		158.74	
Training						
* 11 - Design training for initial BICM certification	n/a					
** 12 - Update of training for initial BICM certification	n/a					N/A
** 13 - Lead training for initial BICM certification	n/a					N/A
** 14 - Lead training update for certified BICM's	n/a					N/A
* 15 - Design training for PBIP implementers	n/a					
** 16 - Update training for PBIP implementers	n/a					N/A
** 17 - Lead training for PBIP implementers	n/a					N/A
* 18 - Design training on Emergency Behavioral Interventions	n/a					
** 19 - Update training on Emergency Behavioral Interventions	n/a					N/A
** 20 - Lead training on Emergency Behavioral Interventions	n/a					N/A
21 - Other costs of BICM certification training	n/a					
22 - Number of participants in BICM training by position/hours	n/a					
23 - Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in Emergency Beh Interv training by position/hours	n/a					
25 - Other training costs	n/a					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	79.37	2.00	158.74		
27 - Due process hearings	n/a					
SELPA LEVEL TOTALS			19.00	158.74	1,349.29	
Time to complete survey	SELPA Dir	79.37	0.00	0.00		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

BICM

BICM Level- SOUTH COUNTY SD					
1a	Number of Students with PBIP	77			
	New	41			
	Existing	36			
3	FAA Activities				
	a - Parent notice and consent		15.08	991.58	
	b - Information gathering & assessment		564.00	37,040.96	
	c - Writing FAA		256.50	16,977.94	
4	Initial PBIP				
	a - Preparing draft for IEP		87.00	5,519.01	
	b - Attending IEP meetings		218.50	14,049.89	
	c - Training/monitoring PBIP		268.00	15,642.08	
	d - Evaluating PBIP effectiveness		128.50	7,010.17	
	e - Modifications in IEP meetings		47.00	3,004.37	
	f - Modifications outside of IEP meetings		51.50	3,249.29	
5	FAA activities for pre-existing PBIP				
	5a Parent notice		29.00	2,046.83	
	5b Information gathering		237.00	16,277.50	
	5c Writing FAA		70.50	4,944.41	
6	Review/revision of pre-existing PBIP				
	a - Preparing draft for IEP		49.00	3,443.37	
	b - Attending IEP meetings		127.00	8,553.34	
	c - Training/monitoring PBIP		209.50	13,181.54	
	d - Evaluating PBIP effectiveness		61.00	3,574.26	
	e - Modifications in IEP meetings		36.00	2,504.78	
	f - Modifications outside of IEP meetings		56.00	4,118.33	
7	IEP's where PBIP was a component				
	Students with 1 IEP	38			
	Students with 2 IEP's	25			
	Students with 3 or more IEP's	20			
8	PBIP issues in IEP by non-BICM's when discussed for the first time		157.00	9,819.06	
9	PBIP issues in IEP by non-BICM's when pre-existing		240.00	13,105.52	
10	Implementation/monitoring of PBIP's by non-Bicm's		565.00	34,584.70	
11	Emergency Behavior Interventions				
	a - Performing interventions		47.70	3,307.37	
	b - One day notification		25.75	1,851.50	
	c - Completing report for file		41.00	2,631.31	
	d - IEP meetings for no PBIP		32.58	1,954.59	
	e - IEP meetings with PBIP		63.50	4,436.23	
	f - Reporting dat for annual CDE report		27.50	1,872.34	
TOTALS			3,711.11	235,692.25	

BICM Level- SOUTH COUNTY SD	Patrick Crain	South County			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	5				
New	0				
Existing	5				
3 - FAA Activities					
a - Parent notice and consent					0.00
b - Information gathering & assessment					0.00
c - Writing FAA					0.00
4- Initial PBIP					
a - Preparing draft for IEP					0.00
b - Attending IEP meetings					0.00
c - Training/monitoring PBIP					0.00
d - Evaluating PBIP effectiveness					0.00
e - Modifications in IEP meetings					0.00
f - Modifications outside of IEP meetings					0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice	Psychologist	80.20	10.00		802.00
5b Information gathering	Psychologist	80.20	22.00		1,764.40
5c Writing FAA	Psychologist	80.20	10.00		802.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	80.20	10.00		802.00
b - Attending IEP meetings	Psychologist	80.20	5.00		401.00
c - Training/monitoring PBIP	Psychologist	80.20	5.00		401.00
d - Evaluating PBIP effectiveness	Psychologist	80.20	0.00		0.00
e - Modifications in IEP meetings	Psychologist	80.20	5.00		401.00
f - Modifications outside of IEP meetings	Psychologist	80.20	18.00		1,443.60
7 - IEP's where PBIP was a component					
Students with 1 IEP	5				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	5	JCCS		22.00	0.00
					0.00
					0.00
10- Implementation/monitoring of PBIP's by non-Bicm's	JCCS			20.00	0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist				0.00
b - One day notification	Psychologist			0.00	0.00
c - Completing report for file	Psychologist			0.00	0.00
d - IEP meetings for no PBIP	Psychologist				0.00
e - IEP meetings with PBIP	Psychologist				0.00
f - Reporting dat for annual CDE report	Psychologist			0.00	0.00
TOTALS				127.00	6,817.00

BICM Level- SOUTH COUNTY SD		Robert Kelin	Sweetwater			
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	1				
	New	1				
	Existing	0				
3	FAA Activities					
a	Parent notice and consent	Psychologist	80.20	0.17	13.63	
b	Information gathering & assessment	Psychologist	80.20	1.00	80.20	
c	Writing FAA	Psychologist	80.20	0.50	40.10	
4	Initial PBIP					
a	Preparing draft for IEP	Psychologist	80.20	0.50	40.10	
b	Attending IEP meetings	Psychologist	80.20	1.00	80.20	
c	Training/monitoring PBIP	Psychologist	80.20	0.00	0.00	
d	Evaluating PBIP effectiveness	Psychologist	80.20	0.50	40.10	
e	Modifications in IEP meetings	Psychologist	80.20	0.00	0.00	
f	Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00	
5	FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	80.20	0.00	0.00	
5b	Information gathering	Psychologist	80.20	0.00	0.00	
5c	Writing FAA	Psychologist	80.20	0.00	0.00	
6	Review/revision of pre-existing PBIP				0.00	
a	Preparing draft for IEP	Psychologist	80.20	0.00	0.00	
b	Attending IEP meetings	Psychologist	80.20	0.00	0.00	
c	Training/monitoring PBIP	Psychologist	80.20	0.00	0.00	
d	Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00	
e	Modifications in IEP meetings	Psychologist	80.20	0.00	0.00	
f	Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00	
7	IEP's where PBIP was a component					
	Students with 1 IEP	1				
	Students with 2 IEP's	0				
	Students with 3 or more IEP's	0				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	1 Teacher	66.33	1.00	66.33	
9	PBIP issues in IEP by non-BICM's when pre-existing				0.00	
					0.00	
					0.00	
10	Implementation/monitoring of PBIP's by non-Bicm's				0.00	
					0.00	
					0.00	
11	Emergency Behavior Interventions					
a	Performing interventions	Psychologist			0.00	
b	One day notification	Psychologist			0.00	
c	Completing report for file	Psychologist			0.00	
d	IEP meetings for no PBIP	Psychologist			0.00	
e	IEP meetings with PBIP	Psychologist			0.00	
f	Reporting dat for annual CDE report	Psychologist			0.00	
TOTALS					4.67	360.66

BICM Level- SOUTH COUNTY SD		Eva Jarosz	Sweetwater		
		Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP	2				
New	2				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	80.20	0.50	40.10
b - Information gathering & assessment		Psychologist	80.20	4.00	320.80
c - Writing FAA		Psychologist	80.20	2.00	160.40
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	80.20	2.00	160.40
b - Attending IEP meetings		Psychologist	80.20	3.00	240.60
c - Training/monitoring PBIP		Psychologist	80.20	2.00	160.40
d - Evaluating PBIP effectiveness		Psychologist	80.20	1.00	80.20
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	80.20	0.00	0.00
5b Information gathering		Psychologist	80.20	0.00	0.00
5c Writing FAA		Psychologist	80.20	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	2				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	2	Teacher	66.33	2.00	132.66
9 - PBIP issues in IEP by non-BICM's when pre-existing					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		Teacher	66.33	0.50	33.17
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	80.20	3.00	240.60
b - One day notification		Psychologist	80.20	0.50	40.10
c - Completing report for file		Psychologist	80.20	1.00	80.20
d - IEP meetings for no PBIP		Psychologist	80.20	2.00	160.40
e - IEP meetings with PBIP		Psychologist	80.20	0.50	40.10
f - Reporting dat for annual CDE report		Psychologist	80.20	0.50	40.10
TOTALS				24.50	1,930.23

BICM Level- SOUTH COUNTY SD		Sergio Campos	Sweetwater		Total Costs
		Position	Hourly Rate	# of Hours	
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist	80.20	0.00	0.00
b	Information gathering & assessment	Psychologist	80.20	0.00	0.00
c	Writing FAA	Psychologist	80.20	0.00	0.00
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist	80.20	0.00	0.00
5b	Information gathering	Psychologist	80.20	0.00	0.00
5c	Writing FAA	Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP				0.00
a	Preparing draft for IEP	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time				0.00
9	PBIP issues in IEP by non-BICM's when pre-existing				0.00
10	Implementation/monitoring of PBIP's by non-Bicm's				0.00
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist			0.00
b	One day notification	Psychologist			0.00
c	Completing report for file	Psychologist			0.00
d	IEP meetings for no PBIP	Psychologist			0.00
e	IEP meetings with PBIP	Psychologist			0.00
f	Reporting dat for annual CDE report	Psychologist			0.00
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD		Pamela Jacoby	Sweetwater		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist	80.20	0.00	0.00
b	Information gathering & assessment	Psychologist	80.20	0.00	0.00
c	Writing FAA	Psychologist	80.20	0.00	0.00
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist	80.20	0.00	0.00
5b	Information gathering	Psychologist	80.20	0.00	0.00
5c	Writing FAA	Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP				0.00
a	Preparing draft for IEP	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time				0.00
9	PBIP issues in IEP by non-BICM's when pre-existing				0.00
10	Implementation/monitoring of PBIP's by non-Bicm's				0.00
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0.00
b	One day notification	Psychologist			0.00
c	Completing report for file	Psychologist			0.00
d	IEP meetings for no PBIP	Psychologist			0.00
e	IEP meetings with PBIP	Psychologist			0.00
f	Reporting dat for annual CDE report	Psychologist			0.00
TOTALS					0.00

BICM Level- SOUTH COUNTY SD	Cynthia Hernandez	Sweetwater		Total Costs
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	80.20	0.00	0.00
b - Information gathering & assessment	Psychologist	80.20	0.00	0.00
c - Writing FAA	Psychologist	80.20	0.00	0.00
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	80.20	0.00	0.00
b - Attending IEP meetings	Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP	Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings	Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00
5 - FAA activities for pre-existing PBIP				
5a Parent notice	Psychologist	80.20	0.00	0.00
5b Information gathering	Psychologist	80.20	0.00	0.00
5c Writing FAA	Psychologist	80.20	0.00	0.00
6 - Review/revision of pre-existing PBIP				0.00
a - Preparing draft for IEP	Psychologist	80.20	0.00	0.00
b - Attending IEP meetings	Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP	Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings	Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing				0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's				0.00
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist			0.00
b - One day notification	Psychologist			0.00
c - Completing report for file	Psychologist			0.00
d - IEP meetings for no PBIP	Psychologist			0.00
e - IEP meetings with PBIP	Psychologist			0.00
f - Reporting dat for annual CDE report	Psychologist			0.00
TOTALS			0.00	0.00

BICM Level- SOUTH COUNTY SD		Elizabeth Williams	Sweetwater		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	80.20	0.00	0.00
b - Information gathering & assessment		Psychologist	80.20	0.00	0.00
c - Writing FAA		Psychologist	80.20	0.00	0.00
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	80.20	0.00	0.00
5b Information gathering		Psychologist	80.20	0.00	0.00
5c Writing FAA		Psychologist	80.20	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist			0.00
b - One day notification		Psychologist			0.00
c - Completing report for file		Psychologist			0.00
d - IEP meetings for no PBIP		Psychologist			0.00
e - IEP meetings with PBIP		Psychologist			0.00
f - Reporting dat for annual CDE report		Psychologist			0.00
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD	Deanne B. Monte Sweetwater				
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	80.20	0.00	0.00	
b - Information gathering & assessment	Psychologist	80.20	0.00	0.00	
c - Writing FAA	Psychologist	80.20	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	80.20	0.00	0.00	
b - Attending IEP meetings	Psychologist	80.20	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	80.20	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	80.20	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00	
5 - FAA activities for pre-existing PBIP					
5a Parent notice	Psychologist	80.20	0.00	0.00	
5b Information gathering	Psychologist	80.20	0.00	0.00	
5c Writing FAA	Psychologist	80.20	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	80.20	0.00	0.00	
b - Attending IEP meetings	Psychologist	80.20	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	80.20	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	80.20	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist				0.00
b - One day notification	Psychologist				0.00
c - Completing report for file	Psychologist				0.00
d - IEP meetings for no PBIP	Psychologist				0.00
e - IEP meetings with PBIP	Psychologist				0.00
f - Reporting dat for annual CDE report	Psychologist				0.00
TOTALS				0.00	0.00

BICM Level- SOUTH COUNTY SD		Sergio Appel	Sweetwater		
		Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	80.20	0.00	0.00
b - Information gathering & assessment		Psychologist	80.20	0.00	0.00
c - Writing FAA		Psychologist	80.20	0.00	0.00
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	80.20	0.00	0.00
5b Information gathering		Psychologist	80.20	0.00	0.00
5c Writing FAA		Psychologist	80.20	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist			0.00
b - One day notification		Psychologist			0.00
c - Completing report for file		Psychologist		0.00	0.00
d - IEP meetings for no PBIP		Psychologist			0.00
e - IEP meetings with PBIP		Psychologist		0.00	0.00
f - Reporting dat for annual CDE report		Psychologist			0.00
TOTALS				0.00	0.00

BICM Level- SOUTH COUNTY SD		Carlos U. Saucedo	Sweetwater		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	80.20	0.00	0.00
b - Information gathering & assessment		Psychologist	80.20	0.00	0.00
c - Writing FAA		Psychologist	80.20	0.00	0.00
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	80.20	0.00	0.00
5b Information gathering		Psychologist	80.20	0.00	0.00
5c Writing FAA		Psychologist	80.20	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	80.20	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist			0.00
b - One day notification		Psychologist			0.00
c - Completing report for file		Psychologist			0.00
d - IEP meetings for no PBIP		Psychologist			0.00
e - IEP meetings with PBIP		Psychologist			0.00
f - Reporting dat for annual CDE report		Psychologist			0.00
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD	Kenya Bratton	Sweetwater			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	80.20	0.00	0.00	
b - Information gathering & assessment	Psychologist	80.20	0.00	0.00	
c - Writing FAA	Psychologist	80.20	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	80.20	0.00	0.00	
b - Attending IEP meetings	Psychologist	80.20	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	80.20	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	80.20	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00	
5 - FAA activities for pre-existing PBIP					
5a Parent notice	Psychologist	80.20	0.00	0.00	
5b Information gathering	Psychologist	80.20	0.00	0.00	
5c Writing FAA	Psychologist	80.20	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	80.20	0.00	0.00	
b - Attending IEP meetings	Psychologist	80.20	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	80.20	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	80.20	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	80.20	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	80.20	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing					0.00 0.00 0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's					0.00 0.00 0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist				0.00
b - One day notification	Psychologist				0.00
c - Completing report for file	Psychologist				0.00
d - IEP meetings for no PBIP	Psychologist				0.00
e - IEP meetings with PBIP	Psychologist				0.00
f - Reporting dat for annual CDE report	Psychologist				0.00
TOTALS					0.00 0.00

BICM Level- SOUTH COUNTY SD		Nitza Corrales	San Ysidro		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	3			
	New	1			
	Existing	2			
3	FAA Activities				
a	Parent notice and consent	Psychologist	62.64	3.00	187.92
b	Information gathering & assessment	Psychologist	62.64	80.00	5,011.20
c	Writing FAA	Psychologist	62.64	15.00	939.60
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	62.64	15.00	939.60
b	Attending IEP meetings	Psychologist	62.64	9.00	563.76
c	Training/monitoring PBIP	Psychologist	62.64	10.00	626.40
d	Evaluating PBIP effectiveness	Psychologist	62.64	20.00	1,252.80
e	Modifications in IEP meetings	Psychologist	62.64	10.00	626.40
f	Modifications outside of IEP meetings	Psychologist	62.64	10.00	626.40
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist	62.64	1.00	62.64
5b	Information gathering	Psychologist	62.64	25.00	1,566.00
5c	Writing FAA	Psychologist	62.64	5.00	313.20
6	Review/revision of pre-existing PBIP				0.00
a	Preparing draft for IEP	Psychologist	62.64	5.00	313.20
b	Attending IEP meetings	Psychologist	62.64	3.00	187.92
c	Training/monitoring PBIP	Psychologist	62.64	3.00	187.92
d	Evaluating PBIP effectiveness	Psychologist	62.64	4.00	250.56
e	Modifications in IEP meetings	Psychologist	62.64	3.00	187.92
f	Modifications outside of IEP meetings	Psychologist	62.64	3.00	187.92
7	IEP's where PBIP was a component				
	Students with 1 IEP	1			
	Students with 2 IEP's	2			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time				
	1 RSP		64.09	2.00	128.18
	1 SDC		60.46	2.00	120.92
	1 Psychologist		62.64	2.00	125.28
	1 Vice Principal		66.06	2.00	132.12
	1 Program Spec		77.80	2.00	155.60
9	PBIP issues in IEP by non-BICM's when pre-existing				
	2 RSP		64.09	3.00	192.27
	2 SDC		60.46	3.00	181.38
	2 Psychologist		62.64	3.00	187.92
	2 Vice Principal		66.06	3.00	198.18
	2 Program Spec		77.80	3.00	233.40
10	Implementation/monitoring of PBIP's by non-Bicm's				
	RSP		64.09	10.00	640.90
	SDC		60.46	10.00	604.60
	Psychologist		62.64	15.00	939.60
	Vice Principal		66.06	5.00	330.30
	Program Spec		77.80	15.00	1,167.00
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	62.64	9.00	563.76
b	One day notification	Psychologist	62.64	2.00	125.28
c	Completing report for file	Psychologist	62.64	4.00	250.56
d	IEP meetings for no PBIP	Psychologist	62.64	2.00	125.28
e	IEP meetings with PBIP	Psychologist	62.64	10.00	626.40
f	Reporting dat for annual CDE report	Psychologist	62.64	4.00	250.56
TOTALS				335.00	21,310.85

BICM Level- SOUTH COUNTY SD		Tonya Pearsley	National			
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP					
	New					
	Existing					
3	FAA Activities					
a	Parent notice and consent	Psychologist	79.09	0.00	0.00	
b	Information gathering & assessment	Psychologist	79.09	0.00	0.00	
c	Writing FAA	Psychologist	79.09	0.00	0.00	
4	Initial PBIP					
a	Preparing draft for IEP	Psychologist	79.09	0.00	0.00	
b	Attending IEP meetings	Psychologist	79.09	0.00	0.00	
c	Training/monitoring PBIP	Psychologist	79.09	0.00	0.00	
d	Evaluating PBIP effectiveness	Psychologist	79.09	0.00	0.00	
e	Modifications in IEP meetings	Psychologist	79.09	0.00	0.00	
f	Modifications outside of IEP meetings	Psychologist	79.09	0.00	0.00	
5	FAA activities for pre-existing PBIP					
5a	Parent notice	Psychologist	79.09	0.00	0.00	
5b	Information gathering	Psychologist	79.09	8.00	632.72	
5c	Writing FAA	Psychologist	79.09	1.00	79.09	
6	Review/revision of pre-existing PBIP				0.00	
a	Preparing draft for IEP	Psychologist	79.09	1.00	79.09	
b	Attending IEP meetings	Psychologist	79.09	5.00	395.45	
c	Training/monitoring PBIP	Psychologist	79.09	1.00	79.09	
d	Evaluating PBIP effectiveness	Psychologist	79.09	2.00	158.18	
e	Modifications in IEP meetings	Psychologist	79.09	1.00	79.09	
f	Modifications outside of IEP meetings	Psychologist	79.09	1.00	79.09	
7	IEP's where PBIP was a component					
	Students with 1 IEP					
	Students with 2 IEP's					
	Students with 3 or more IEP's					
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0.00	
9	PBIP issues in IEP by non-BICM's when pre-existing	2 Principal	61.14	3.50	213.99	
		2 Psychologist	79.09	3.50	276.82	
		2 Program Specia	56.75	3.50	198.63	
		2 Teacher	66.33	3.50	232.16	
					0.00	
10	Implementation/monitoring of PBIP's by non-Bicm's	Teacher	66.33	1.00	66.33	
		1:1Aide	12.18	1.00	12.18	
					0.00	
					0.00	
					0.00	
11	Emergency Behavior Interventions					
a	Performing interventions	Psychologist	79.09	0.00	0.00	
b	One day notification	Psychologist	79.09	0.00	0.00	
c	Completing report for file	Psychologist	79.09	0.00	0.00	
d	IEP meetings for no PBIP	Psychologist	79.09	0.00	0.00	
e	IEP meetings with PBIP	Psychologist	79.09	0.00	0.00	
f	Reporting dat for annual CDE report	Psychologist	79.09	0.00	0.00	
TOTALS					36.00	2,581.90

BICM Level- SOUTH COUNTY SD		Greg Chase	National			
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	1				
	New	0				
	Existing	1				
3	FAA Activities					
a	Parent notice and consent	Psychologist	79.09	0.00	0.00	
b	Information gathering & assessment	Psychologist	79.09	0.00	0.00	
c	Writing FAA	Psychologist	79.09	0.00	0.00	
4	Initial PBIP					
a	Preparing draft for IEP	Psychologist	79.09	0.00	0.00	
b	Attending IEP meetings	Psychologist	79.09	0.00	0.00	
c	Training/monitoring PBIP	Psychologist	79.09	0.00	0.00	
d	Evaluating PBIP effectiveness	Psychologist	79.09	0.00	0.00	
e	Modifications in IEP meetings	Psychologist	79.09	0.00	0.00	
f	Modifications outside of IEP meetings	Psychologist	79.09	0.00	0.00	
5	FAA activities for pre-existing PBIP				0.00	
5a	Parent notice	Psychologist	79.09	1.00	79.09	
5b	Information gathering	Psychologist	79.09	10.00	790.90	
5c	Writing FAA	Psychologist	79.09	3.00	237.27	
6	Review/revision of pre-existing PBIP				0.00	
a	Preparing draft for IEP	Psychologist	79.09	4.00	316.36	
b	Attending IEP meetings	Psychologist	79.09	3.00	237.27	
c	Training/monitoring PBIP	Psychologist	79.09	2.00	158.18	
d	Evaluating PBIP effectiveness	Psychologist	79.09	6.00	474.54	
e	Modifications in IEP meetings	Psychologist	79.09	3.00	237.27	
f	Modifications outside of IEP meetings	Psychologist	79.09	10.00	790.90	
7	IEP's where PBIP was a component					
	Students with 1 IEP	0				
	Students with 2 IEP's	0				
	Students with 3 or more IEP's	1				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0.00	
9	PBIP issues in IEP by non-BICM's when pre-existing	3	Principal	61.14	24.00	1,467.36
		3	Teacher	66.33	24.00	1,591.92
		3	1:1 Aide	12.18	24.00	292.32
		3	Sp.Ed. Director	82.38	24.00	1,977.12
		3	Program Specialist	56.75	24.00	1,362.00
10	Implementation/monitoring of PBIP's by non-Bicm's	Teacher	66.33	8.00	530.64	
		1:1 Aide	12.18	8.00	97.44	
					0.00	
					0.00	
					0.00	
11	Emergency Behavior Interventions					
a	Performing interventions	Psychologist	79.09	10.00	790.90	
b	One day notification	Psychologist	79.09	10.00	790.90	
c	Completing report for file	Psychologist	79.09	10.00	790.90	
d	IEP meetings for no PBIP	Psychologist	79.09	0.00	0.00	
e	IEP meetings with PBIP	Psychologist	79.09	25.00	1,977.25	
f	Reporting data for annual CDE report	Psychologist	79.09	10.00	790.90	
TOTALS				243.00	15,781.43	

BICM Level- SOUTH COUNTY SD	Allen Feldstein		Coronado		Total Costs
		Position	Hourly Rate	# of Hours	
1a Number of Students with PBIP	7				
New	5				
Existing	2				
3 - FAA Activities					
a - Parent notice and consent					0.00
b - Information gathering & assessment					0.00
c - Writing FAA					0.00
4- Initial PBIP					
a - Preparing draft for IEP		Behavior Specialist	45.86	10.00	458.60
b - Attending IEP meetings		Behavior Specialist	45.86	20.00	917.20
c - Training/monitoring PBIP		Behavior Specialist	45.86	101.00	4,631.86
d - Evaluating PBIP effectiveness		Behavior Specialist	45.86	69.50	3,187.27
e - Modifications in IEP meetings		Behavior Specialist	45.86	4.00	183.44
f - Modifications outside of IEP meetings		Behavior Specialist	45.86	4.00	183.44
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Behavior Specialist	45.86	0.00	0.00
5b Information gathering		Behavior Specialist	45.86	0.00	0.00
5c Writing FAA		Behavior Specialist	45.86	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Behavior Specialist	45.86	0.00	0.00
b - Attending IEP meetings		Behavior Specialist	45.86	3.00	137.58
c - Training/monitoring PBIP		Behavior Specialist	45.86	39.00	1,788.54
d - Evaluating PBIP effectiveness		Behavior Specialist	45.86	27.50	1,261.15
e - Modifications in IEP meetings		Behavior Specialist	45.86	1.00	45.86
f - Modifications outside of IEP meetings		Behavior Specialist	45.86	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	4				
Students with 2 IEP's	3				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	1	Gen.Ed. Teacher	51.13	1.00	51.13
	6	Sp.Ed. Teacher	48.90	6.50	317.85
	1	PPS Director	79.13	1.00	79.13
	3	Counselor	60.52	2.50	151.30
	3	Psychologist	47.33	2.50	118.33
	5	Vice Principal	75.29	4.50	338.81
9 - PBIP issues in IEP by non-BICM's when pre-existing	1	Gen.Ed. Teacher	51.13	1.50	76.70
	1	Sp.Ed. Teacher	48.90	1.50	73.35
	1	Vice Principal	75.29	1.50	112.94
	1	PPS Director	66.33	1.50	99.50
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		Gen.Ed. Teacher	51.13	8.75	447.39
		Sp.Ed. Teacher	48.90	19.25	941.33
		Vice Principal	75.29	8.50	639.97
		PPS Director	79.13	3.00	237.39
		Counselor	60.52	2.50	151.30
		Aide	29.01	11.00	319.11
11 - Emergency Behavior Interventions					
a - Performing interventions		Behavior Specialist	45.86	0.00	0.00
b - One day notification		Behavior Specialist	45.86	0.00	0.00
c - Completing report for file		Behavior Specialist	45.86	11.00	504.46
d - IEP meetings for no PBIP		Behavior Specialist	45.86	11.25	515.93
e - IEP meetings with PBIP		Behavior Specialist	45.86	2.00	91.72
f - Reporting dat for annual CDE report		Behavior Specialist	45.86	4.00	183.44
TOTALS				384.25	18,245.98

BICM Level- SOUTH COUNTY SD		Celeste Dungca	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	1				
New	1				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	63.18	0.50	31.59
b - Information gathering & assessment		Psychologist	63.18	2.00	126.36
c - Writing FAA		Psychologist	63.18	1.00	63.18
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	63.18	1.00	63.18
b - Attending IEP meetings		Psychologist	63.18	2.00	126.36
c - Training/monitoring PBIP		Psychologist	63.18	3.00	189.54
d - Evaluating PBIP effectiveness		Psychologist	63.18	1.00	63.18
e - Modifications in IEP meetings		Psychologist	63.18	0.50	31.59
f - Modifications outside of IEP meetings		Psychologist	63.18	1.00	63.18
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	63.18	0.00	0.00
5b Information gathering		Psychologist	63.18	0.00	0.00
5c Writing FAA		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	3.00	189.54
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	1				
8 - PBIP issues in IEP by non-BICM's	3	Gen.Ed. Teache	66.33	3.00	198.99
when discussed for the first time	3	Behavior Special	66.21	3.00	198.63
	3	Admin	70.00	3.00	210.00
9 - PBIP issues in IEP by non-BICM's		N/A			0.00
when pre-existing					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's		Gen.Ed. Teache	66.33	10.00	663.30
by non-Bicm's					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	63.18	0.00	0.00
b - One day notification		Psychologist	63.18	0.00	0.00
c - Completing report for file		Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		Psychologist	63.18	0.00	0.00
TOTALS				34.00	2,218.62

BICM Level- SOUTH COUNTY SD		Refugio Escobar	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	9				
New	4				
Existing	5				
3 - FAA Activities					
a - Parent notice and consent		Behavior Specialist	66.21	0.00	0.00
b - Information gathering & assessment		Behavior Specialist	66.21	99.00	6,554.79
c - Writing FAA		Behavior Specialist	66.21	54.00	3,575.34
4- Initial PBIP					
a - Preparing draft for IEP		Behavior Specialist	66.21	8.00	529.68
b - Attending IEP meetings		Behavior Specialist	66.21	32.00	2,118.72
c - Training/monitoring PBIP		Behavior Specialist	66.21	100.00	6,621.00
d - Evaluating PBIP effectiveness		Behavior Specialist	66.21	4.00	264.84
e - Modifications in IEP meetings		Behavior Specialist	66.21	4.00	264.84
f - Modifications outside of IEP meetings		Behavior Specialist	66.21	4.00	264.84
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Behavior Specialist	66.21	0.00	0.00
5b Information gathering		Behavior Specialist	66.21	50.00	3,310.50
5c Writing FAA		Behavior Specialist	66.21	10.00	662.10
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Behavior Specialist	66.21	5.00	331.05
b - Attending IEP meetings		Behavior Specialist	66.21	30.00	1,986.30
c - Training/monitoring PBIP		Behavior Specialist	66.21	125.00	8,276.25
d - Evaluating PBIP effectiveness		Behavior Specialist	66.21	5.00	331.05
e - Modifications in IEP meetings		Behavior Specialist	66.21	5.00	331.05
f - Modifications outside of IEP meetings		Behavior Specialist	66.21	5.00	331.05
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	6				
Students with 3 or more IEP's	3				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	9	Behavior Specialist	66.21	18.00	1,191.78
9 - PBIP issues in IEP by non-BICM's when pre-existing	5	Behavior Specialist	66.21	5.00	331.05
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		Behavior Specialist	66.21	90.00	5,958.90
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Behavior Specialist	66.21	9.00	595.89
b - One day notification		Behavior Specialist	66.21	0.00	0.00
c - Completing report for file		Behavior Specialist	66.21	1.50	99.32
d - IEP meetings for no PBIP		Behavior Specialist	66.21	0.00	0.00
e - IEP meetings with PBIP		Behavior Specialist	66.21	0.00	0.00
f - Reporting dat for annual CDE report		Behavior Specialist	66.21	0.00	0.00
TOTALS				663.50	43,930.34

BICM Level- SOUTH COUNTY SD		Ryan Estrellano	Chula Vista			
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP					
	New					
	Existing					
3	FAA Activities					
	a - Parent notice and consent	Psychologist	63.18	0.00	0.00	
	b - Information gathering & assessment	Psychologist	63.18	0.00	0.00	
	c - Writing FAA	Psychologist	63.18	0.00	0.00	
4	Initial PBIP					
	a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
	b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
	c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
	d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
	e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
	f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5	FAA activities for pre-existing PBIP				0.00	
	5a Parent notice	Psychologist	63.18	0.50	31.59	
	5b Information gathering	Psychologist	63.18	1.50	94.77	
	5c Writing FAA	Psychologist	63.18	0.00	0.00	
6	Review/revision of pre-existing PBIP				0.00	
	a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
	b - Attending IEP meetings	Psychologist	63.18	3.00	189.54	
	c - Training/monitoring PBIP	Psychologist	63.18	0.50	31.59	
	d - Evaluating PBIP effectiveness	Psychologist	63.18	0.50	31.59	
	e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
	f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7	IEP's where PBIP was a component					
	Students with 1 IEP				0	
	Students with 2 IEP's				0	
	Students with 3 or more IEP's				1	
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0.00	
9	PBIP issues in IEP by non-BICM's when pre-existing					
		3 Teacher	66.33	3.00	198.99	
		2 CMH Rep	60.00	2.00	120.00	
					0.00	
					0.00	
					0.00	
10	Implementation/monitoring of PBIP's by non-Bicm's					
		Teacher	66.33	3.00	198.99	
		CMH Rep	60.00	2.00	120.00	
					0.00	
					0.00	
					0.00	
11	Emergency Behavior Interventions					
	a - Performing interventions	Psychologist	63.18	0.50	31.59	
	b - One day notification	Psychologist	63.18	0.00	0.00	
	c - Completing report for file	Psychologist	63.18	0.50	31.59	
	d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
	e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
	f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					17.00	1,080.24

BICM Level- SOUTH COUNTY SD		Susan Zeballas	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP	22				
New	13				
Existing	9				
3 - FAA Activities					
a - Parent notice and consent		Behavior Specialist	66.21	0.00	0.00
b - Information gathering & assessment		Behavior Specialist	66.21	275.00	18,207.75
c - Writing FAA		Behavior Specialist	66.21	132.00	8,739.72
4- Initial PBIP					
a - Preparing draft for IEP		Behavior Specialist	66.21	26.00	1,721.46
b - Attending IEP meetings		Behavior Specialist	66.21	104.00	6,885.84
c - Training/monitoring PBIP		Behavior Specialist	66.21	32.50	2,151.83
d - Evaluating PBIP effectiveness		Behavior Specialist	66.21	13.00	860.73
e - Modifications in IEP meetings		Behavior Specialist	66.21	13.00	860.73
f - Modifications outside of IEP meetings		Behavior Specialist	63.18	13.00	821.34
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Behavior Specialist	66.21	0.00	0.00
5b Information gathering		Behavior Specialist	66.21	90.00	5,958.90
5c Writing FAA		Behavior Specialist	66.21	18.00	1,191.78
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Behavior Specialist	66.21	9.00	595.89
b - Attending IEP meetings		Behavior Specialist	66.21	54.00	3,575.34
c - Training/monitoring PBIP		Behavior Specialist	66.21	27.00	1,787.67
d - Evaluating PBIP effectiveness		Behavior Specialist	66.21	9.00	595.89
e - Modifications in IEP meetings		Behavior Specialist	66.21	9.00	595.89
f - Modifications outside of IEP meetings		Behavior Specialist	66.21	9.00	595.89
7 - IEP's where PBIP was a component					
Students with 1 IEP	9				
Students with 2 IEP's	8				
Students with 3 or more IEP's	8				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	13	Behavior Specialist	66.21	26.00	1,721.46
9 - PBIP issues in IEP by non-BICM's when pre-existing	9	Behavior Specialist	66.21	9.00	595.89
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		Behavior Specialist	66.21	250.00	16,552.50
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Behavior Specialist	66.21	1.00	66.21
b - One day notification		Behavior Specialist	66.21	0.00	0.00
c - Completing report for file		Behavior Specialist	66.21	1.50	99.32
d - IEP meetings for no PBIP		Behavior Specialist	66.21	0.00	0.00
e - IEP meetings with PBIP		Behavior Specialist	66.21	0.00	0.00
f - Reporting dat for annual CDE report		Behavior Specialist	66.21	0.00	0.00
TOTALS				1,121.00	74,182.02

BICM Level- SOUTH COUNTY SD		Eddie Iriqui	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	4				
New	3				
Existing	1				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	63.18	1.00	63.18
b - Information gathering & assessment		Psychologist	63.18	12.00	758.16
c - Writing FAA		Psychologist	63.18	3.00	189.54
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	63.18	2.00	126.36
b - Attending IEP meetings		Psychologist	63.18	8.00	505.44
c - Training/monitoring PBIP		Psychologist	63.18	6.00	379.08
d - Evaluating PBIP effectiveness		Psychologist	63.18	8.00	505.44
e - Modifications in IEP meetings		Psychologist	63.18	2.00	126.36
f - Modifications outside of IEP meetings		Psychologist	63.18	6.00	379.08
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Psychologist	63.18	8.00	505.44
5b Information gathering		Psychologist	63.18	0.00	0.00
5c Writing FAA		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	63.18	3.00	189.54
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	4				
Students with 2 IEP's	2				
Students with 3 or more IEP's	1				
8 - PBIP issues in IEP by non-BICM's	3	Teacher	66.33	10.00	663.30
when discussed for the first time	3	Psychologist	63.18	10.00	631.80
	3	OT	65.00	10.00	650.00
	3	APE	45.00	10.00	450.00
	3	Behavior Specialist	66.21	10.00	662.10
					0.00
9 - PBIP issues in IEP by non-BICM's	2	Behavior Specialist	66.21	2.00	132.42
when pre-existing	2	Teacher	66.33	2.00	132.66
	2	Psychologist	63.18	2.00	126.36
	2	OT	65.00	2.00	130.00
	2	APE	45.00	2.00	90.00
10 - Implementation/monitoring of PBIP's		Teacher	66.33	16.00	1,061.28
by non-Bicm's		Psychologist	63.18	16.00	1,010.88
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	63.18	6.00	379.08
b - One day notification		Psychologist	63.18	1.00	63.18
c - Completing report for file		Psychologist	63.18	1.00	63.18
d - IEP meetings for no PBIP		Psychologist	63.18	4.00	252.72
e - IEP meetings with PBIP		Psychologist	63.18	8.00	505.44
f - Reporting dat for annual CDE report		Psychologist	63.18	2.00	126.36
TOTALS				173.00	10,858.38

BICM Level- SOUTH COUNTY SD		Norma Jourdain	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP	1				
New	0				
Existing	1				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	63.18	0.33	20.85
b - Information gathering & assessment		Psychologist	63.18	2.00	126.36
c - Writing FAA		Psychologist	63.18	2.00	126.36
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	63.18	1.00	63.18
b - Attending IEP meetings		Psychologist	63.18	2.00	126.36
c - Training/monitoring PBIP		Psychologist	63.18	1.00	63.18
d - Evaluating PBIP effectiveness		Psychologist	63.18	1.00	63.18
e - Modifications in IEP meetings		Psychologist	63.18	0.50	31.59
f - Modifications outside of IEP meetings		Psychologist	63.18	0.50	31.59
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Psychologist	63.18	0.50	31.59
5b Information gathering		Psychologist	63.18	0.50	31.59
5c Writing FAA		Psychologist	63.18	0.50	31.59
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	1				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	1	Psychologist	63.18	2.00	126.36
9 - PBIP issues in IEP by non-BICM's when pre-existing	1	Psychologist	63.18	2.00	126.36
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		Psychologist	63.18	0.00	0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	63.18	1.00	63.18
b - One day notification		Psychologist	63.18	0.50	31.59
c - Completing report for file		Psychologist	63.18	0.50	31.59
d - IEP meetings for no PBIP		Psychologist	63.18	0.33	20.85
e - IEP meetings with PBIP		Psychologist	63.18	2.00	126.36
f - Reporting dat for annual CDE report		Psychologist	63.18	0.50	31.59
TOTALS				20.66	1,305.30

BICM Level- SOUTH COUNTY SD		Jennifer McPhall	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	3			
	New	2			
	Existing	1			
3	FAA Activities				
	a - Parent notice and consent	Psychologist	63.18	3.00	189.54
	b - Information gathering & assessment	Psychologist	63.18	40.00	2,527.20
	c - Writing FAA	Psychologist	63.18	12.00	758.16
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist	63.18	10.00	631.80
	b - Attending IEP meetings	Psychologist	63.18	7.00	442.26
	c - Training/monitoring PBIP	Psychologist	63.18	6.00	379.08
	d - Evaluating PBIP effectiveness	Psychologist	63.18	5.00	315.90
	e - Modifications in IEP meetings	Psychologist	63.18	4.00	252.72
	f - Modifications outside of IEP meetings	Psychologist	63.18	4.00	252.72
5	FAA activities for pre-existing PBIP				0.00
	5a Parent notice	Psychologist	63.18	5.00	315.90
	5b Information gathering	Psychologist	63.18	5.00	315.90
	5c Writing FAA	Psychologist	63.18	3.00	189.54
6	Review/revision of pre-existing PBIP				0.00
	a - Preparing draft for IEP	Psychologist	63.18	5.00	315.90
	b - Attending IEP meetings	Psychologist	63.18	5.00	315.90
	c - Training/monitoring PBIP	Psychologist	63.18	3.00	189.54
	d - Evaluating PBIP effectiveness	Psychologist	63.18	3.00	189.54
	e - Modifications in IEP meetings	Psychologist	63.18	2.00	126.36
	f - Modifications outside of IEP meetings	Psychologist	63.18	3.00	189.54
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	3			
8	PBIP issues in IEP by non-BICM's when discussed for the first time				
	3 SDC Teacher		59.51	2.50	148.78
	3 Aide		32.74	2.50	81.85
	3 Principal		85.33	2.50	213.33
	3 Gen.Ed. Teacher		66.33	2.50	165.83
9	PBIP issues in IEP by non-BICM's when pre-existing				
	3 SDC Teacher		59.51	2.00	119.02
	3 Aide		32.74	2.00	65.48
	3 Principal		85.33	2.00	170.66
	3 Gen.Ed. Teacher		66.33	2.00	132.66
					0.00
10	Implementation/monitoring of PBIP's by non-Bicm's				
	SDC Teacher		59.51	0.00	0.00
	Aide		32.74	0.00	0.00
	Principal		85.33	0.00	0.00
	Gen.Ed. Teacher		66.33	0.00	0.00
					0.00
11	Emergency Behavior Interventions				
	a - Performing interventions	Psychologist	63.18	0.00	0.00
	b - One day notification	Psychologist	63.18	4.00	252.72
	c - Completing report for file	Psychologist	63.18	3.00	189.54
	d - IEP meetings for no PBIP	Psychologist	63.18	3.00	189.54
	e - IEP meetings with PBIP	Psychologist	63.18	4.00	252.72
	f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00
TOTALS				157.00	9,879.62

BICM Level- SOUTH COUNTY SD		Lauren Short	Chula Vista			
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP					
	New					
	Existing					
3	FAA Activities					
	a - Parent notice and consent	Psychologist	63.18	1.00	63.18	
	b - Information gathering & assessment	Psychologist	63.18	6.00	379.08	
	c - Writing FAA	Psychologist	63.18	6.00	379.08	
4	Initial PBIP					
	a - Preparing draft for IEP	Psychologist	63.18	2.00	126.36	
	b - Attending IEP meetings	Psychologist	63.18	4.00	252.72	
	c - Training/monitoring PBIP	Psychologist	63.18	1.00	63.18	
	d - Evaluating PBIP effectiveness	Psychologist	63.18	1.00	63.18	
	e - Modifications in IEP meetings	Psychologist	63.18	2.00	126.36	
	f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5	FAA activities for pre-existing PBIP				0.00	
	5a Parent notice	Psychologist	63.18	0.00	0.00	
	5b Information gathering	Psychologist	63.18	0.00	0.00	
	5c Writing FAA	Psychologist	63.18	0.00	0.00	
6	Review/revision of pre-existing PBIP				0.00	
	a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
	b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
	c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
	d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
	e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
	f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7	IEP's where PBIP was a component					
	Students with 1 IEP					
	Students with 2 IEP's					
	Students with 3 or more IEP's					
8	PBIP issues in IEP by non-BICM's					
	when discussed for the first time	Psychologist	63.18	0.00	0.00	
		RSP	66.33	0.00	0.00	
		Teacher	66.33	0.00	0.00	
9	PBIP issues in IEP by non-BICM's					
	when pre-existing	Psychologist	63.18	0.00	0.00	
		RSP	66.33	0.00	0.00	
		Teacher	66.33	0.00	0.00	
					0.00	
					0.00	
10	Implementation/monitoring of PBIP's					
	by non-Bicm's	Psychologist	63.18	0.00	0.00	
		RSP	66.33	0.00	0.00	
		Teacher	66.33	0.00	0.00	
					0.00	
					0.00	
11	Emergency Behavior Interventions					
	a - Performing interventions	Psychologist	63.18	2.00	126.36	
	b - One day notification	Psychologist	63.18	0.00	0.00	
	c - Completing report for file	Psychologist	63.18	0.00	0.00	
	d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
	e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
	f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					25.00	1,579.50

BICM Level- SOUTH COUNTY SD		Brian Sewell	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	2			
	New	2			
	Existing	0			
3	FAA Activities				
	a - Parent notice and consent	Psychologist	63.18	0.33	20.85
	b - Information gathering & assessment	Psychologist	63.18	3.00	189.54
	c - Writing FAA	Psychologist	63.18	2.00	126.36
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist	63.18	1.00	63.18
	b - Attending IEP meetings	Psychologist	63.18	5.00	315.90
	c - Training/monitoring PBIP	Psychologist	63.18	1.00	63.18
	d - Evaluating PBIP effectiveness	Psychologist	63.18	0.50	31.59
	e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
	f - Modifications outside of IEP meetings	Psychologist	63.18	2.00	126.36
5	FAA activities for pre-existing PBIP				0.00
	5a Parent notice	Psychologist	63.18	0.00	0.00
	5b Information gathering	Psychologist	63.18	0.00	0.00
	5c Writing FAA	Psychologist	63.18	0.00	0.00
6	Review/revision of pre-existing PBIP				0.00
	a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
	b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
	c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
	d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
	e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
	f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	1			
	Students with 3 or more IEP's	1			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	5 SDC Teacher	59.51	5.00	297.55
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0.00
					0.00
					0.00
					0.00
					0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	SDC Aide	32.74	2.00	65.48
		SDC Teacher	59.51	3.50	208.29
					0.00
					0.00
					0.00
11	Emergency Behavior Interventions				
	a - Performing interventions	Psychologist	63.18	0.00	0.00
	b - One day notification	Psychologist	63.18	0.50	31.59
	c - Completing report for file	Psychologist	63.18	0.50	31.59
	d - IEP meetings for no PBIP	Psychologist	63.18	2.00	126.36
	e - IEP meetings with PBIP	Psychologist	63.18	2.00	126.36
	f - Reporting dat for annual CDE report	Psychologist	63.18	2.00	126.36
TOTALS				32.33	1,950.53

BICM Level- SOUTH COUNTY SD		Gustano Martinez	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	1				
New	1				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	63.18	0.25	15.80
b - Information gathering & assessment		Psychologist	63.18	1.00	63.18
c - Writing FAA		Psychologist	63.18	1.00	63.18
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	63.18	0.50	31.59
b - Attending IEP meetings		Psychologist	63.18	1.50	94.77
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Psychologist	63.18	0.00	0.00
5b Information gathering		Psychologist	63.18	0.00	0.00
5c Writing FAA		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	1				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	1		1.00	2.00	0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		N/A			0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	63.18	0.00	0.00
b - One day notification		Psychologist	63.18	0.25	15.80
c - Completing report for file		Psychologist	63.18	0.50	31.59
d - IEP meetings for no PBIP		Psychologist	63.18	1.00	63.18
e - IEP meetings with PBIP		Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		Psychologist	63.18	0.00	0.00
TOTALS				8.00	379.08

BICM Level- SOUTH COUNTY SD	Shannon Baker	Chula Vista			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	4				
New	2				
Existing	2				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	63.18	2.00	126.36	
b - Information gathering & assessment	Psychologist	63.18	15.00	947.70	
c - Writing FAA	Psychologist	63.18	8.00	505.44	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	63.18	2.00	126.36	
b - Attending IEP meetings	Psychologist	63.18	8.00	505.44	
c - Training/monitoring PBIP	Psychologist	63.18	1.50	94.77	
d - Evaluating PBIP effectiveness	Psychologist	63.18	1.00	63.18	
e - Modifications in IEP meetings	Psychologist	63.18	1.00	63.18	
f - Modifications outside of IEP meetings	Psychologist	63.18	1.00	63.18	
5 - FAA activities for pre-existing PBIP				0.00	
5a Parent notice	Psychologist	63.18	0.00	0.00	
5b Information gathering	Psychologist	63.18	1.00	63.18	
5c Writing FAA	Psychologist	63.18	2.00	126.36	
6 - Review/revision of pre-existing PBIP				0.00	
a - Preparing draft for IEP	Psychologist	63.18	1.00	63.18	
b - Attending IEP meetings	Psychologist	63.18	1.00	63.18	
c - Training/monitoring PBIP	Psychologist	63.18	1.00	63.18	
d - Evaluating PBIP effectiveness	Psychologist	63.18	1.00	63.18	
e - Modifications in IEP meetings	Psychologist	63.18	1.00	63.18	
f - Modifications outside of IEP meetings	Psychologist	63.18	1.00	63.18	
7 - IEP's where PBIP was a component					
Students with 1 IEP	2				
Students with 2 IEP's	1				
Students with 3 or more IEP's	1				
8 - PBIP issues in IEP by non-BICM's	1	SDC Teacher	59.51	2.00	119.02
when discussed for the first time	1	Principal	85.33	2.00	170.66
9 - PBIP issues in IEP by non-BICM's	4	SDC Teacher	59.51	8.00	476.08
when pre-existing	1	RSP Teacher	66.33	2.00	132.66
	3	Principal	85.33	6.00	511.98
	2	LSH Teacher	66.33	4.00	265.32
	2	Nurse	70.00	4.00	280.00
10 - Implementation/monitoring of PBIP's					
by non-Bicm's		SDC Teacher	59.51	10.00	595.10
		RSP Teacher	66.33	1.00	66.33
		Aide	32.74	5.00	163.70
		Nurse	70.00	6.00	420.00
		Principal	85.33	4.00	341.32
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	63.18	0.20	12.64	
b - One day notification	Psychologist	63.18	1.00	63.18	
c - Completing report for file	Psychologist	63.18	1.00	63.18	
d - IEP meetings for no PBIP	Psychologist	63.18	1.00	63.18	
e - IEP meetings with PBIP	Psychologist	63.18	4.00	252.72	
f - Reporting dat for annual CDE report	Psychologist	63.18	0.50	31.59	
TOTALS				110.20	7,092.89

BICM Level- SOUTH COUNTY SD		Andrew Estrada	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP	6				
New	1				
Existing	5				
3 - FAA Activities					
a - Parent notice and consent		Lead Psychologist	72.86	3.00	218.58
b - Information gathering & assessment		Lead Psychologist	72.86	24.00	1,748.64
c - Writing FAA		Lead Psychologist	72.86	18.00	1,311.48
4- Initial PBIP					
a - Preparing draft for IEP		Lead Psychologist	72.86	6.00	437.16
b - Attending IEP meetings		Lead Psychologist	72.86	12.00	874.32
c - Training/monitoring PBIP		Lead Psychologist	72.86	3.00	218.58
d - Evaluating PBIP effectiveness		Lead Psychologist	72.86	3.00	218.58
e - Modifications in IEP meetings		Lead Psychologist	72.86	6.00	437.16
f - Modifications outside of IEP meetings		Lead Psychologist	72.86	6.00	437.16
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Lead Psychologist	72.86	3.00	218.58
5b Information gathering		Lead Psychologist	72.86	24.00	1,748.64
5c Writing FAA		Lead Psychologist	72.86	18.00	1,311.48
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Lead Psychologist	72.86	6.00	437.16
b - Attending IEP meetings		Lead Psychologist	72.86	12.00	874.32
c - Training/monitoring PBIP		Lead Psychologist	72.86	3.00	218.58
d - Evaluating PBIP effectiveness		Lead Psychologist	72.86	3.00	218.58
e - Modifications in IEP meetings		Lead Psychologist	72.86	6.00	437.16
f - Modifications outside of IEP meetings		Lead Psychologist	72.86	6.00	437.16
7 - IEP's where PBIP was a component					
Students with 1 IEP	6				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		N/A			0.00
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		N/A			0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Lead Psychologist	72.86	6.00	437.16
b - One day notification		Lead Psychologist	72.86	6.00	437.16
c - Completing report for file		Lead Psychologist	72.86	5.00	364.30
d - IEP meetings for no PBIP		Lead Psychologist	72.86	6.00	437.16
e - IEP meetings with PBIP		Lead Psychologist	72.86	6.00	437.16
f - Reporting dat for annual CDE report		Lead Psychologist	72.86	4.00	291.44
TOTALS				195.00	14,207.70

BICM Level- SOUTH COUNTY SD		Robin Ancona	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	63.18	0.00	0.00
b - Information gathering & assessment		Psychologist	63.18	0.00	0.00
c - Writing FAA		Psychologist	63.18	0.00	0.00
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Psychologist	63.18	0.00	0.00
5b Information gathering		Psychologist	63.18	0.00	0.00
5c Writing FAA		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		N/A			0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		N/A			0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	63.18	0.00	0.00
b - One day notification		Psychologist	63.18	0.00	0.00
c - Completing report for file		Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		Psychologist	63.18	0.00	0.00
TOTALS				0.00	0.00

BICM Level- SOUTH COUNTY SD	Ysenia Barnard	Chula Vista			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				0
New	0				0
Existing	0				0
3 - FAA Activities					
a - Parent notice and consent	Psychologist	63.18	0.00	0.00	
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00	
c - Writing FAA	Psychologist	63.18	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice	Psychologist	63.18	0.00	0.00	
5b Information gathering	Psychologist	63.18	0.00	0.00	
5c Writing FAA	Psychologist	63.18	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				0
Students with 2 IEP's	0				0
Students with 3 or more IEP's	0				0
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	63.18	0.00	0.00	
b - One day notification	Psychologist	63.18	0.00	0.00	
c - Completing report for file	Psychologist	63.18	0.00	0.00	
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD	Dianna Toliver	Chula Vista		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New				
Existing				
3 - FAA Activities				
a - Parent notice and consent	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00
c - Writing FAA	Psychologist	63.18	0.00	0.00
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP				0.00
5a Parent notice	Psychologist	63.18	0.00	0.00
5b Information gathering	Psychologist	63.18	0.00	0.00
5c Writing FAA	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP				0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's	N/A			0.00
when discussed for the first time				
9 - PBIP issues in IEP by non-BICM's	N/A			0.00
when pre-existing				0.00
10 - Implementation/monitoring of PBIP's	N/A			0.00
by non-Bicm's				0.00
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	63.18	0.00	0.00
b - One day notification	Psychologist	63.18	0.00	0.00
c - Completing report for file	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00
TOTALS			0.00	0.00

BICM Level- SOUTH COUNTY SD	Virginia Hernandez	Chula Vista		Total Costs
	Position	Hourly Rate	# of Hours	
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00
c - Writing FAA	Psychologist	63.18	0.00	0.00
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP				0.00
5a Parent notice	Psychologist	63.18	0.00	0.00
5b Information gathering	Psychologist	63.18	0.00	0.00
5c Writing FAA	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP				0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0.00
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	63.18	0.00	0.00
b - One day notification	Psychologist	63.18	0.00	0.00
c - Completing report for file	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00
TOTALS			0.00	0.00

BICM Level- SOUTH COUNTY SD		Patricia Sanchez Lizardi	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	63.18	0.00	0.00
b - Information gathering & assessment		Psychologist	63.18	0.00	0.00
c - Writing FAA		Psychologist	63.18	0.00	0.00
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Psychologist	63.18	0.00	0.00
5b Information gathering		Psychologist	63.18	0.00	0.00
5c Writing FAA		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		N/A			0.00
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		N/A			0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	63.18	0.00	0.00
b - One day notification		Psychologist	63.18	0.00	0.00
c - Completing report for file		Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		Psychologist	63.18	0.00	0.00
TOTALS	0.00			0.00	0.00

BICM Level- SOUTH COUNTY SD	Christina Areola	Chula Vista		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00
c - Writing FAA	Psychologist	63.18	0.00	0.00
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP				0.00
5a Parent notice	Psychologist	63.18	0.00	0.00
5b Information gathering	Psychologist	63.18	0.00	0.00
5c Writing FAA	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP				0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0.00
				0.00
				0.00
				0.00
				0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0.00
				0.00
				0.00
				0.00
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	63.18	0.00	0.00
b - One day notification	Psychologist	63.18	0.00	0.00
c - Completing report for file	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00
TOTALS			0.00	0.00

BICM Level- SOUTH COUNTY SD	Oscar Madera	Chula Vista			
	Position	Hourly Rate	# of Hours	Total Costs	
1a - Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	63.18	0.00	0.00	
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00	
c - Writing FAA	Psychologist	63.18	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice	Psychologist	63.18	0.00	0.00	
5b Information gathering	Psychologist	63.18	0.00	0.00	
5c Writing FAA	Psychologist	63.18	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	63.18	0.00	0.00	
b - One day notification	Psychologist	63.18	0.00	0.00	
c - Completing report for file	Psychologist	63.18	0.00	0.00	
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD	Yecenia Covarrubias	Chula Vista		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00
c - Writing FAA	Psychologist	63.18	0.00	0.00
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP				0.00
5a Parent notice	Psychologist	63.18	0.00	0.00
5b Information gathering	Psychologist	63.18	0.00	0.00
5c Writing FAA	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP				0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0.00
				0.00
				0.00
				0.00
				0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0.00
				0.00
				0.00
				0.00
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	63.18	0.00	0.00
b - One day notification	Psychologist	63.18	0.00	0.00
c - Completing report for file	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00
TOTALS				0.00
				0.00

BICM Level- SOUTH COUNTY SD	Andre Antenoracruz	Chula Vista			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	63.18	0.00	0.00	
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00	
c - Writing FAA	Psychologist	63.18	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice	Psychologist	63.18	0.00	0.00	
5b Information gathering	Psychologist	63.18	0.00	0.00	
5c Writing FAA	Psychologist	63.18	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	63.18	0.00	0.00	
b - One day notification	Psychologist	63.18	0.00	0.00	
c - Completing report for file	Psychologist	63.18	0.00	0.00	
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					0.00

BICM Level- SOUTH COUNTY SD		Roxana Ware	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	63.18	0.00	0.00
b - Information gathering & assessment		Psychologist	63.18	0.00	0.00
c - Writing FAA		Psychologist	63.18	0.00	0.00
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		Psychologist	63.18	0.00	0.00
5b Information gathering		Psychologist	63.18	0.00	0.00
5c Writing FAA		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		N/A			0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	63.18	0.00	0.00
b - One day notification		Psychologist	63.18	0.00	0.00
c - Completing report for file		Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		Psychologist	63.18	0.00	0.00
TOTALS				0.00	0.00

BICM Level- SOUTH COUNTY SD	Tom Simpson	Chula Vista			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	63.18	0.00	0.00	
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00	
c - Writing FAA	Psychologist	63.18	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice	Psychologist	63.18	0.00	0.00	
5b Information gathering	Psychologist	63.18	0.00	0.00	
5c Writing FAA	Psychologist	63.18	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0.00
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	63.18	0.00	0.00	
b - One day notification	Psychologist	63.18	0.00	0.00	
c - Completing report for file	Psychologist	63.18	0.00	0.00	
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD	Latisha Cervantes	Chula Vista			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	63.18	0.00	0.00	
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00	
c - Writing FAA	Psychologist	63.18	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice	Psychologist	63.18	0.00	0.00	
5b Information gathering	Psychologist	63.18	0.00	0.00	
5c Writing FAA	Psychologist	63.18	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	63.18	0.00	0.00	
b - One day notification	Psychologist	63.18	0.00	0.00	
c - Completing report for file	Psychologist	63.18	0.00	0.00	
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD	Cynthia Sevilla	Chula Vista			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	63.18	0.00	0.00	
b - Information gathering & assessment	Psychologist	63.18	0.00	0.00	
c - Writing FAA	Psychologist	63.18	0.00	0.00	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice	Psychologist	63.18	0.00	0.00	
5b Information gathering	Psychologist	63.18	0.00	0.00	
5c Writing FAA	Psychologist	63.18	0.00	0.00	
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00	
b - Attending IEP meetings	Psychologist	63.18	0.00	0.00	
c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00	
d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00	
e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00	
f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00	
7 - IEP's where PBIP was a component					
Students with 1 IEP	0				
Students with 2 IEP's	0				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A				0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A				0.00
					0.00
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	63.18	0.00	0.00	
b - One day notification	Psychologist	63.18	0.00	0.00	
c - Completing report for file	Psychologist	63.18	0.00	0.00	
d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00	
e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00	
f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00	
TOTALS					0.00
					0.00

BICM Level- SOUTH COUNTY SD		Lidia Medrano	Chula Vista		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
	a - Parent notice and consent	Psychologist	63.18	0.00	0.00
	b - Information gathering & assessment	Psychologist	63.18	0.00	0.00
	c - Writing FAA	Psychologist	63.18	0.00	0.00
4	Initial PBIP				
	a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
	b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
	c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
	d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
	e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
	f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
5	FAA activities for pre-existing PBIP				0.00
	5a Parent notice	Psychologist	63.18	0.00	0.00
	5b Information gathering	Psychologist	63.18	0.00	0.00
	5c Writing FAA	Psychologist	63.18	0.00	0.00
6	Review/revision of pre-existing PBIP				0.00
	a - Preparing draft for IEP	Psychologist	63.18	0.00	0.00
	b - Attending IEP meetings	Psychologist	63.18	0.00	0.00
	c - Training/monitoring PBIP	Psychologist	63.18	0.00	0.00
	d - Evaluating PBIP effectiveness	Psychologist	63.18	0.00	0.00
	e - Modifications in IEP meetings	Psychologist	63.18	0.00	0.00
	f - Modifications outside of IEP meetings	Psychologist	63.18	0.00	0.00
7	IEP's where PBIP was a component				
	Students with 1 IEP				0
	Students with 2 IEP's				0
	Students with 3 or more IEP's				0
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0.00
					0.00
					0.00
					0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0.00
					0.00
					0.00
					0.00
11	Emergency Behavior Interventions				
	a - Performing interventions	Psychologist	63.18	0.00	0.00
	b - One day notification	Psychologist	63.18	0.00	0.00
	c - Completing report for file	Psychologist	63.18	0.00	0.00
	d - IEP meetings for no PBIP	Psychologist	63.18	0.00	0.00
	e - IEP meetings with PBIP	Psychologist	63.18	0.00	0.00
	f - Reporting dat for annual CDE report	Psychologist	63.18	0.00	0.00
TOTALS					0.00
					0.00

DISTRICT

District Level-	SOUTH COUNTY		
1 # of Behavioral Emergency Reports	100		
		# of Hours	Total Costs
2 Activities			
a - performing emergency interventions		39.00	1,884.27
b - 1 day notification of use of emergency intervention		10.00	640.27
c - Completing report		30.00	1,742.25
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,738.51
e - Scheduling and holding IEP meetings for students with PBIP		47.00	2,928.10
f - Reporting data for annual report to CDE		17.00	1,019.63
g - Reviewing reports & forwarding to SELPA		15.50	947.87
3 - Informing school personnel		368.00	22,796.58
4 - Number of due process requests filed			
a - Number of written responses			
answers to 5 -8			
5 - Filing Response			
6 - Resolution Session			
7 - Mediation			
8 - Due Process Hearing			
9 - Outside Assistance			
TOTALS		553.00	33,697.47
Time to complete survey		8.50	446.82

	K. Filzenger	National			Allen Feldstein	Coronado
	2				22	
Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate
250.56	Teacher	66.33	1.00	66.33		
187.92	Teacher	66.33	0.50	33.17	Sp.Ed. Teacher	48.90
187.92	Psychologist	79.09	1.00	79.09	Behavior Specialist	45.86
187.92	Psychologist	79.09	2.00	158.18		
187.92	Psychologist	79.09	2.00	158.18	Behavior Specialist	45.86
					Vice Principal	75.29
					Sp.Ed. Teacher	48.90
					Gen.Ed. Teacher	51.13
					Psychologist	47.33
					Counselor	60.52
187.92	Psychologist	79.09	0.50	39.55	Behavior Specialist	45.86
62.64	Sp. Ed. Director	82.38	2.00	164.76	Behavior Specialist	45.86
626.40	N/A			0.00	N/A	
313.20				0.00		
	n/a				n/a	
	0				0	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	
0.00	n/a			0.00	n/a	
2,192.40			9.00	699.25		
75.16	Sp. Ed. Director	82.38	1.00	82.38	Behavior Specialist	45.86

		Deborah Wenbourne	Chula Vista		
		66			
# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
0.00	0.00	Psychologist	63.18	21.00	1,326.78
		Behavior Specialist	66.21	10.00	
0.00	0.00	Psychologist	63.18	6.00	379.08
11.00	504.46	Psychologist	63.18	12.00	758.16
		Behavior Specialist	66.21	2.00	132.42
	0.00	Psychologist	63.18	19.50	1,232.01
3.00	137.58	Psychologist	63.18	20.00	1,263.60
3.00	225.87	Behavior Specialist	66.21	8.00	529.68
3.00	146.70				
1.50	76.70				
1.50	71.00				
1.50	90.78				
4.00	183.44	Psychologist	63.18	9.00	568.62
4.00	183.44	Psychologist	63.18	8.50	537.03
	0.00	Principal	85.33	88.00	7,509.04
	0.00	Psychologist	63.18	88.00	5,559.84
		Behavior Specialist	66.21	88.00	5,826.48
		Behavioral Aide	32.74	88.00	2,881.12
		n/a			
		0			
	0.00	n/a			0.00
	0.00	n/a			0.00
	0.00	n/a			0.00
	0.00	n/a			0.00
	0.00	n/a			0.00
32.50	1,619.96			468.00	28,503.86
4.00	183.44	Director	70.56	1.50	105.84

SELPA

SELPA Level	SOUTH COUNTY					
Number of BICM's in SELPA		39				
Number of BICM surveys returned		39				
Number of LEA's in SELPA		6				
Number of LEA surveys returned		6				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	88.18	6.00		529.08	
* 8 - Governing Board approval	SELPA Director	88.18	1.00		88.18	
	Area Supt				0.00	
Training						
* 11 - Design training for initial BICM certification	SELPA Director	88.18	16.00		1,410.88	
** 12 - Update of training for initial BICM certification	N/A					N/A
** 13 - Lead training for initial BICM certification	N/A					Alternate years
** 14 - Lead training update for certified BICM's	Same as #13					Alternate years
* 15 - Design training for PBIP implementers	N/A					
** 16 - Update training for PBIP implementers	Presenter			1,800.00		Alternate years
** 17 - Lead training for PBIP implementers	Program Specialist	78.20	14.00	1,094.80		As requested
*18 - Design training on Emergency Behavioral Interventions	Program Specialist	78.20	8.00		625.60	
** 19 - Update trainin on Emergency Behavioral Interventions	Coordinator	78.20	6.50	508.30		As requested
** 20 - Lead training on Emergency Behavioral Interventions	Program Specialist	78.20	6.50	508.30		As requested
21- Other costs of BCIM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A				0.00	
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	SELPA Director 32 employees @ 6.5 See e-mail for list	88.18	6.50 208.00	573.17 14,059.58		
25 - Other training costs	N/A					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Coordinator	78.20	2.00	156.40		
27 - Due process hearings	NONE					
TOTAL			274.50	18,700.55	2,653.74	0.00
Time to complete survery	SELPA Director	88.18	6.00		529.08	
	Admin Assistant	38.96	1.00		38.96	
NOTES:						
one asterisk indicates a one time cost						
two asterisks indicates annual or more frequent costs						

BICM

BICM Survey Tehama County	Tehama County - Summary	
	# of Hours	Total Costs
1a Number of Students with PBIP	3.00	
New	3.00	
Existing	0.00	
3 - FAA Activities		
a - Parent notice and consent	9.00	477.76
b - Information gathering & assessment	17.00	1009.80
c - Writing FAA	13.00	772.20
4- Initial PBIP		
a - Preparing draft for IEP	8.00	475.20
b - Attending IEP meetings	10.50	583.10
c - Training/monitoring PBIP	3.00	178.20
d - Evaluating PBIP effectiveness	8.50	504.90
e - Modifications in IEP meetings	2.00	118.80
f - Modifications outside of IEP meetings	3.50	207.90
5 - FAA activities for pre-existing PBIP		
5a Parent notice		
5b Information gathering		
5c Writing FAA		
6 - Review/revision of pre-existing PBIP		
a - Preparing draft for IEP		
b - Attending IEP meetings		
c - Training/monitoring PBIP		
d - Evaluating PBIP effectiveness		
e - Modifications in IEP meetings		
f - Modifications outside of IEP meetings		
7 - IEP's where PBIP was a component		
Students with 1 IEP	1.00	
Students with 2 IEP's	0.00	
Students with 3 or more IEP's	2.00	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	15.50	883.77
9 - PBIP issues in IEP by non-BICM's when pre-existing		
10 - Implementation/monitoring of PBIP's by non-Bicm's	611.00	12317.12
11 - Emergency Behavior Interventions		
a - Performing interventions	5.00	344.93
b - One day notification	4.25	295.05
c - Completing report for file	3.00	204.83
d - IEP meetings for no PBIP	5.00	339.60
e - IEP meetings with PBIP	1.00	59.40
f - Reporting dat for annual CDE report	2.50	164.48
BICM LEVEL TOTALS	721.75	18937.02
Completing survey	5.83	378.25

BICM Survey Tehama County		Tehama County			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	1				
New	1				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent	Psychologist	59.4	2.00	118.8	
b - Information gathering & assessment	Psychologist	59.4	10.00	594	
c - Writing FAA	Psychologist	59.4	10.00	594	
4- Initial PBIP					
a - Preparing draft for IEP	Psychologist	59.4	5.00	297	
b - Attending IEP meetings	Psychologist	59.4	3.00	178.2	
c - Training/monitoring PBIP	Psychologist	59.4	1.00	59.4	
d - Evaluating PBIP effectiveness	Psychologist	59.4	3.00	178.2	
e - Modifications in IEP meetings	Psychologist	59.4	2.00	118.8	
f - Modifications outside of IEP meetings	Psychologist	59.4	2.00	118.8	
5 - FAA activities for pre-existing PBIP					0
5a Parent notice					0
5b Information gathering					0
5c Writing FAA					0
6 - Review/revision of pre-existing PBIP					0
a - Preparing draft for IEP					0
b - Attending IEP meetings					0
c - Training/monitoring PBIP					0
d - Evaluating PBIP effectiveness					0
e - Modifications in IEP meetings					0
f - Modifications outside of IEP meetings					0
7 - IEP's where PBIP was a component					
Students with 1 IEP					
Students with 2 IEP's					
Students with 3 or more IEP's	1				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	2	Psychologist	59.4	4.00	237.6
					0
					0
					0
9 - PBIP issues in IEP by non-BICM's when pre-existing					0
10 - Implementation/monitoring of PBIP's by non-Bicm's	Psychologist	59.4	5.00	297	
11 - Emergency Behavior Interventions					
a - Performing interventions	Psychologist	59.4	0.50	29.7	
b - One day notification	Psychologist	59.4	0.25	14.85	
c - Completing report for file	Psychologist	59.4	0.50	29.7	
d - IEP meetings for no PBIP	Psychologist	59.4	1.00	59.4	
e - IEP meetings with PBIP	Psychologist	59.4	1.00	59.4	
f - Reporting dat for annual CDE report	Psychologist	59.4	1.00	59.4	
BICM LEVEL TOTALS				51.25	3044.25
Completing survey	Psychologist	59.4	0.33	19.602	

BICM Survey Tehama County		Antelope - Corning HS				
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	1				
	New	1				
	Existing	0				
3	FAA Activities					
a	Parent notice and consent	Psychologist	59.4	0.00	0	
b	Information gathering & assessment	Psychologist	59.4	7.00	415.8	
c	Writing FAA	Psychologist	59.4	3.00	178.2	
4	Initial PBIP					
a	Preparing draft for IEP	Psychologist	59.4	3.00	178.2	
b	Attending IEP meetings	Psychologist	59.4	2.50	148.5	
c	Training/monitoring PBIP	Psychologist	59.4	2.00	118.8	
d	Evaluating PBIP effectiveness	Psychologist	59.4	4.50	267.3	
e	Modifications in IEP meetings	Psychologist	59.4	0.00	0	
f	Modifications outside of IEP meetings	Psychologist	59.4	1.50	89.1	
5	FAA activities for pre-existing PBIP				0	
5a	Parent notice				0	
5b	Information gathering				0	
5c	Writing FAA				0	
6	Review/revision of pre-existing PBIP				0	
a	Preparing draft for IEP				0	
b	Attending IEP meetings				0	
c	Training/monitoring PBIP				0	
d	Evaluating PBIP effectiveness				0	
e	Modifications in IEP meetings				0	
f	Modifications outside of IEP meetings				0	
7	IEP's where PBIP was a component					
	Students with 1 IEP					
	Students with 2 IEP's					
	Students with 3 or more IEP's	1				
8	PBIP issues in IEP by non-BICM's	1	Antelope RSP	48.02	1.50	72.03
	when discussed for the first time	1	Antelope S&L	48.02	1.50	72.03
					0	
					0	
					0	
9	PBIP issues in IEP by non-BICM's				0	
	when pre-existing					
10	Implementation/monitoring of PBIP's	Antelope RSP	48.02	12.00	576.24	
	by non-Bicm's	Antelope RSP Aide	18.97	9.00	170.73	
11	Emergency Behavior Interventions					
a	Performing interventions				0	
b	One day notification				0	
c	Completing report for file				0	
d	IEP meetings for no PBIP				0	
e	IEP meetings with PBIP				0	
f	Reporting dat for annual CDE report				0	
BICM LEVEL TOTALS				47.50	2286.93	
	Completing survey	Psychologist	59.4	1.00	59.4	

BICM Survey Tehama County	Position	Corning Union Elem		Total Costs	
		Hourly Rate	# of Hours		
1a Number of Students with PBIP	0				
New	0				
Existing	0				
3 - FAA Activities					
a - Parent notice and consent				0	
b - Information gathering & assessment				0	
c - Writing FAA				0	
4- Initial PBIP					
a - Preparing draft for IEP				0	
b - Attending IEP meetings				0	
c - Training/monitoring PBIP				0	
d - Evaluating PBIP effectiveness				0	
e - Modifications in IEP meetings				0	
f - Modifications outside of IEP meetings				0	
5 - FAA activities for pre-existing PBIP				0	
5a Parent notice				0	
5b Information gathering				0	
5c Writing FAA				0	
6 - Review/revision of pre-existing PBIP				0	
a - Preparing draft for IEP				0	
b - Attending IEP meetings				0	
c - Training/monitoring PBIP				0	
d - Evaluating PBIP effectiveness				0	
e - Modifications in IEP meetings				0	
f - Modifications outside of IEP meetings				0	
7 - IEP's where PBIP was a component					
Students with 1 IEP					
Students with 2 IEP's					
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's	1	SDC Teacher	47.75	1.50	71.625
when discussed for the first time	1	Reg Teacher	53.03	1.50	79.545
	1	Admin	64.95	1.50	97.425
					0
					0
9 - PBIP issues in IEP by non-BICM's					
when pre-existing					
10 - Implementation/monitoring of PBIP's					0
by non-Bicm's					
11 - Emergency Behavior Interventions					
a - Performing interventions		Psych/Coordinator	70.05	0.50	35.025
		Psych	70.05	4.00	280.2
b - One day notification		Psych/Coordinator	70.05	3.00	210.15
		Psych	70.05	1.00	70.05
c - Completing report for file		Psych/Coordinator	70.05	1.00	70.05
		Psych	70.05	1.50	105.075
d - IEP meetings for no PBIP		Psych/Coordinator	70.05	2.00	140.1
		Psych	70.05	2.00	140.1
e - IEP meetings with PBIP		Psych/Coordinator	70.05	0.00	0
		Psych	70.05	0.00	0
f - Reporting dat for annual CDE report		Psych/Coordinator	70.05	0.50	35.025
		Psych	70.05	1.00	70.05
BICM LEVEL TOTALS				21.00	1404.42
Completing survey		Psych/Coordinator	70.05	3.00	210.15

BICM Survey Tehama County	Position	Evergreen Union		Total Costs
		Hourly Rate	# of Hours	
1a Number of Students with PBIP	1			
New	1			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent				0
b - Information gathering & assessment				0
c - Writing FAA				0
4- Initial PBIP				
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness	Psychologist	59.4	1.00	59.4
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP	1			
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's	1 Evergreen/Supt	77.6	1.00	77.6
when discussed for the first time	1 Evergreen/RSP	69.23	1.00	69.23
	1 Evergreen/Tchr	54.78	1.00	54.78
	1 Evergreen/Pvt Con	51.9	1.00	51.9
				0
9 - PBIP issues in IEP by non-BICM's				
when pre-existing				
10 - Implementation/monitoring of PBIP's	Evergreen/RSP	69.23	25.00	1730.75
by non-Bicm's	Evergreen/Parapr	17.04	560.00	9542.4
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			590.00	11586.06
Completing survey	Psychologist	59.4	1.50	89.1

BICM Survey Tehama County	Position	Kirkwood		
		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Resource Specialist	51.28	7.00	358.96
b - Information gathering & assessment				0
c - Writing FAA				0
4- Initial PBIP				
a - Preparing draft for IEP				0
b - Attending IEP meetings	Resource Specialist	51.28	5.00	256.4
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's				0
when discussed for the first time				0
				0
				0
				0
9 - PBIP issues in IEP by non-BICM's				0
when pre-existing				0
10 - Implementation/monitoring of PBIP's				0
by non-Bicm's				0
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			12.00	615.36
Completing survey	Resource Specialist		0.34	0

BICM Survey Tehama County	Position	Los Molinos Unified		Total Costs
		Hourly Rate	# of Hours	
1a Number of Students with PBIP	0	NO Costs Except		
New	0	filling out the Survey		
Existing	0	see below		
3 - FAA Activities				0
a - Parent notice and consent				0
b - Information gathering & assessment				0
c - Writing FAA				0
4- Initial PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's				0
when discussed for the first time				0
				0
				0
9 - PBIP issues in IEP by non-BICM's				0
when pre-existing				0
10 - Implementation/monitoring of PBIP's				0
by non-Bicm's				0
11 - Emergency Behavior Interventions				0
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS				0.00
Completing survey	Psychologist	57.6	2.50	144

BICM Survey Tehama County	Manton	Mineral	Plum Valley	
1a Number of Students with PBIP	No Survey	NO COSTS	NO COSTS	Red Bluff Elem
New			Except 10 mins	Red Bluff High
Existing			completing	Reeds Creek Richfield
3 - FAA Activities				
a - Parent notice and consent				NO SURVEYS
b - Information gathering & assessment				
c - Writing FAA				
4- Initial PBIP				
a - Preparing draft for IEP				
b - Attending IEP meetings				
c - Training/monitoring PBIP				
d - Evaluating PBIP effectiveness				
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP				
5a Parent notice				
5b Information gathering				
5c Writing FAA				
6 - Review/revision of pre-existing PBIP				
a - Preparing draft for IEP				
b - Attending IEP meetings				
c - Training/monitoring PBIP				
d - Evaluating PBIP effectiveness				
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				
9 - PBIP issues in IEP by non-BICM's when pre-existing				
10 - Implementation/monitoring of PBIP's by non-Bicm's				
11 - Emergency Behavior Interventions				
a - Performing interventions				
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS				
Completing survey				

BICM Survey Tehama County	Lassen View	Flourney Unino El	Gerber
1a Number of Students with PBIP	NO COSTS	NO COSTS	NO COSTS
New			Except 15 min to
Existing			fill out the survey
3 - FAA Activities			
a - Parent notice and consent			
b - Information gathering & assessment			
c - Writing FAA			
4- Initial PBIP			
a - Preparing draft for IEP			
b - Attending IEP meetings			
c - Training/monitoring PBIP			
d - Evaluating PBIP effectiveness			
e - Modifications in IEP meetings			
f - Modifications outside of IEP meetings			
5 - FAA activities for pre-existing PBIP			
5a Parent notice			
5b Information gathering			
5c Writing FAA			
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP			
b - Attending IEP meetings			
c - Training/monitoring PBIP			
d - Evaluating PBIP effectiveness			
e - Modifications in IEP meetings			
f - Modifications outside of IEP meetings			
7 - IEP's where PBIP was a component			
Students with 1 IEP			
Students with 2 IEP's			
Students with 3 or more IEP's			
8 - PBIP issues in IEP by non-BICM's			
when discussed for the first time			
9 - PBIP issues in IEP by non-BICM's			
when pre-existing			
10 - Implementation/monitoring of PBIP's			
by non-Bicm's			
11 - Emergency Behavior Interventions			
a - Performing interventions			
b - One day notification			
c - Completing report for file			
d - IEP meetings for no PBIP			
e - IEP meetings with PBIP			
f - Reporting dat for annual CDE report			
BICM LEVEL TOTALS			
Completing survey			

DISTRICT

District Level	Tehama County Summary	
1 - # of Reports	31	
	# of Hours	Total Costs
2 Activities		
a - performing emergency interventions	23.00	1,594.75
	20.00	340.80
b - 1 day notification of use of emergency intervention	23.00	1,570.80
c - Completing report	15.50	965.67
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50
e - Scheduling and holding IEP meetings for students with PBIP	1.50	103.85
	1.50	116.40
f - Reporting data for annual report to CDE	2.00	139.28
g - Reviewing reports & forwarding to SELPA	4.00	278.56
3 - Informing school personnel	32.00	2,234.32
	54.50	3,096.18
	42.50	2,130.44
	60.50	1,422.30
4 - Number of due process requests filed		
a - Number of written responses		
For each response in 4a, there must be answers to 5 -8		
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance	0.00	8,347.90
DISTRICT LEVEL TOTALS	290.00	23,041.74
Time to complete survey	6.50	382.40

District Level				
1 - # of Reports	Records moved to High school			
Corning Union Elem				
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventior	Psych	70.05	3	210.15
b - 1 day notification of use of emerge intervention	Special Ed Tchr	47.74	1	47.74
c - Completing report	Special Ed Tchr	47.75	5	238.75
d - Scheduling and holding IEP meetin for students without PBIP	Psych	70.05	10	700.50
e - Scheduling and holding IEP meetin for studetns with PBIP		0.00	0	0.00
			0	0.00
f - Reporting data for annual report to	Coord	70.05	1	70.05
g - Reviewing reports & forwarding to	Coord	70.05	2	140.10
3 - Informing school personnel	Psychologists (2)	70.05	24	1,681.20
	RS Tchr (4)	61.79	48	2,965.92
	SDC (3)	47.75	36	1,719.00
	Aides (5)	23.21	60	1,392.60
	Training 12 hrs each			
4 - Number of due process requests file	n/a			
a - Number of written reponses	0			
For each response in 4a, there must answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance				370.20
DISTRICT LEVEL TOTALS			190	9536.21
Time to complete survey	Psych/Coord	70.05	5	350.25

District Level				
1 - # of Reports	31			
Evergreen Union				
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency intervention	Resource Teacher	69.23	20	1,384.60
	Aide	17.04	20	340.80
b - 1 day notification of use of emergency intervention	Resource Teacher	69.23	22	1,523.06
c - Completing report	Resource Teacher	69.23	10.5	726.92
d - Scheduling and holding IEP meeting for students without PBIP				0.00
e - Scheduling and holding IEP meeting for students with PBIP	Resource Teacher	69.23	1.5	103.85
	Supt	77.60	1.5	116.40
f - Reporting data for annual report to	Resource Teacher	69.23	1	69.23
g - Reviewing reports & forwarding to	Resource Teacher	69.23	2	138.46
3 - Informing school personnel				
	Resource Teacher	69.23	6	415.38
	Aides	17.04	6	102.24
	Principal	64.30	6	385.80
				0.00
4 - Number of due process requests filed/a				
a - Number of written responses	0			
For each response in 4a, there must be answers to 5-8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance				7,977.70
DISTRICT LEVEL TOTALS			96.5	13284.43
Time to complete survey	Principal	64.30	0.5	32.15

District Level				
1 - # of Reports	0			
Gerber School District				
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventior				0.00
b - 1 day notification of use of emerge intervention				0.00
c - Completing report				0.00
d - Scheduling and holding IEP meetin for students without PBIP				0.00
e - Scheduling and holding IEP meetin for studetns with PBIP				0.00
				0.00
f - Reporting data for annual report to				0.00
				0.00
g - Reviewing reports & forwarding to S				0.00
3 - Informing school personnel				
	Supt	68.87	2	137.74
	Asst Vice Principal	56.04	0.5	28.02
	RSP	51.28	0.5	25.64
	School Psychologist	59.40	0.5	29.70
4 - Number of due process requests filed n/a				
a - Number of written reponses	0			
For each response in 4a, there must answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			3.5	221.1
Time to complete survey			1	0.00

District Level			
1 - # of Reports			
	Kirkwood	Manton	Mineral
2 Activities	NO COSTS	No Survey	NO COSTS
a - performing emergency intervention	Except 10 mins for completing survey		
b - 1 day notification of use of emergency intervention			
c - Completing report			
d - Scheduling and holding IEP meeting for students without PBIP			
e - Scheduling and holding IEP meeting for students with PBIP			
f - Reporting data for annual report to			
g - Reviewing reports & forwarding to			
3 - Informing school personnel			
4 - Number of due process requests filed			
a - Number of written responses			
For each response in 4a, there must be answers to 5-8			
5 - Filing Response			
6 - Resolution Session			
7 - Mediation			
8 - Due Process Hearing			
9 - Outside Assistance			
DISTRICT LEVEL TOTALS			
Time to complete survey			

District Level			
1 - # of Reports			
	Plum Valley		Flournoy Union
		Red Bluff Elem	
2 Activities	NO COSTS	Red Bluff High	NO COSTS
a - performing emergency intervention	Except 10 mins for completing survey	Reeds Creek	
		Richfield	
b - 1 day notification of use of emergency intervention		NO SURVEYS	
c - Completing report			
d - Scheduling and holding IEP meeting for students without PBIP			
e - Scheduling and holding IEP meeting for students with PBIP			
f - Reporting data for annual report to			
g - Reviewing reports & forwarding to S			
3 - Informing school personnel			
4 - Number of due process requests filed			
a - Number of written responses			
For each response in 4a, there must be answers to 5 -8			
5 - Filing Response			
6 - Resolution Session			
7 - Mediation			
8 - Due Process Hearing			
9 - Outside Assistance			
DISTRICT LEVEL TOTALS			
Time to complete survey			

SELPA

SELPA	TEHAMA COUNTY	10,471 ADA		
Number of BICM's in SELPA	7	Represent 18 Districts		
Number of BICM surveys returned	11			
Number of LEA's in SELPA	18			
Number of LEA surveys returned	9	No Response from those not returned		
Question	Position	Hourly Rate	# of Hours	06-07 Costs
Local Plan				
* 7 - Procedures development	Asst SELPA Director	68.81	40.00	
	Admin Secretary	30.91	80.00	
	Legal Counsel		?	
*8 - Governing Board approval	SELPA Director	69.84	2.00	
	Admin Secretary	30.91	2.00	
Training				
*11 - Design training for initial BICM certification	Riverside Consultant		24.00	
**12 - Update of training for initial BICM certification				
**13 - Lead training for initial BICM certification				0.00
**14 - Lead training update for certified BICM's				
*15 - Design training for PBIP implementers	Program Specialist	53.97	12.00	
**16 - Update training for PBIP implementers	Aides		110.00	0.00
	Spec Ed Teachers	39.32	40.00	1,572.80
**17 - Lead training for PBIP implementers	Program Specialist	53.97	20.00	1,079.40
*18 - Design training on Emergency Behavioral Interventions	Asst SELPA Director	68.81	20.00	
**19 - Update trainin on Emergency Behavioral Interventions	Asst SELPA Director	68.81	2.00	137.62
	APE	59.64	2.00	119.28
	RST	51.28	2.00	102.56
	Visually Impaired (VI)		2.00	0.00
**20 - Lead training on Emergency Behavioral Interventions	RST	51.28	18.00	923.04
	Visually Impaired (VI)		18.00	0.00
	APE	59.64	19.00	1,133.16
21 - Other costs of BICM certification training	Behaviorist			11,000.00

22 - Number of participants in BICM training by position/hours				0.00
23 - Number of participants in PBIP training by position/hours				
24 - Number of participants in Emergency Beh Interv training by position/hours				0.00
25 - Other training costs				
Staff Activities				
26 - Data collection from BER's for annual report to CDE	SELPA Director	69.84	0.50	34.92
27 - Due process hearings				
SELPA LEVEL TOTALS			413.50	16,102.78
Time to complete survey	SELPA Director	69.84	10.00	
NOTES:				
one asterisk indicates a one time				
two asterisks indicates annual or more frequent cost				

DISTRICT

District Level	Tri - City SELPA		
	District Level Summary Totals		
1 - # of Reports	9.00		
2 Activities			
a - performing emergency interventions		630.00	40,905.90
b - 1 day notification of use of emergency intervention		8.20	529.56
c - Completing report		2.70	174.37
d - Scheduling and holding IEP meetings for students without PBIP		27.00	1,743.66
e - Scheduling and holding IEP meetings for students with PBIP		12.00	774.96
f - Reporting data for annual report to CDE		1.90	122.70
g - Reviewing reports & forwarding to SELPA		1.90	122.70
3 - Informing school personnel		2.70	174.37
4 - Number of due process requests filed			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0.00		
5 - Filing Response			
6 - Resolution Session			
7 - Mediation			
8 - Due Process Hearing			
9 - Outside Assistance			
DISTRICT LEVEL TOTALS		686.40	44,548.21
Time to complete survey		0.00	0.00

District Level				
1 - # of Reports	9.00			
		Culver City Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teachers	64.93	630.00	40,905.90
b - 1 day notification of use of emergency intervention	Psychologist	64.58	8.20	529.56
c - Completing report	Psychologist	64.58	2.70	174.37
d - Scheduling and holding IEP meetings for students without PBIP	Psychologist	64.58	27.00	1,743.66
e - Scheduling and holding IEP meetings for students with PBIP	Psychologist	64.58	12.00	774.96
f - Reporting data for annual report to CDE	Psychologist	64.58	1.90	122.70
g - Reviewing reports & forwarding to SELPA	Psychologist	64.58	1.90	122.70
3 - Informing school personnel	Psychologist	64.58	2.70	174.37
4 - Number of due process requests filed	n/a			
a - Number of written responses	0.00			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			686.40	44,548.21
Time to complete survey		0.00	0.00	0.00

District Level				
1 - # of Reports	0.00			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions				
b - 1 day notification of use of emergency intervention				
c - Completing report				
d - Scheduling and holding IEP meetings for students without PBIP				
e - Scheduling and holding IEP meetings for students with PBIP				
f - Reporting data for annual report to CDE				
g - Reviewing reports & forwarding to SELPA				
3 - Informing school personnel			0.00	0.00
4 - Number of due process requests filed				
a - Number of written responses For each response in 4a, there must be answers to 5 -8				
5 - Filing Response				
6 - Resolution Session				
7 - Mediation				
8 - Due Process Hearing				
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			0.00	0.00
Time to complete survey	0.00	0.00	0.00	0.00

SELPA

SELPA Level			Tri-City			
Number of BICM's in SELPA	8					
Number of BICM surveys returned	0	No BICM surveys submitted				
Number of LEA's in SELPA	3					
Number of LEA surveys returned	1					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7 - Procedures development	Prog Coord	67.55	30.00		2,026.50	
	Teacher	60.16	30.00		1,804.80	
	Director-LEA	74.68	30.00		2,240.40	
	Psychologist	64.62	30.00		1,938.60	
* 8 - Governing Board approval	Director	74.68	6.00		448.08	
	Secretary		4.00		0.00	
Training						
* 11 - Design training for initial BICM certification	Psychologist	64.62	150.00		9,693.00	
** 12 - Update of training for initial BICM certification	Psychologist	64.62	216.00	13,957.92		Annually
** 13 - Lead training for initial BICM certification	Psychologist	64.62	16.00	1,033.92		Annually
** 14 - Lead training update for certified BICM's	n/a					N/A
* 15 - Design training for PBIP implementers	Psychologist	64.62	9.00		581.58	
	Prog Special	67.55	3.00		202.65	
** 16 - Update training for PBIP implementers	Psychologist	64.62	2.00	129.24		As needed
** 17 - Lead training for PBIP implementers	Psychologist	64.62	3.00	193.86		District handles
* 18 - Design training on Emergency Behavioral Interventions	n/a					
** 19 - Update training on Emergency Behavioral Interventions	n/a					N/A
** 20 - Lead training on Emergency Behavioral Interventions	n/a					N/A
21 - Other costs of BICM certification training						
22 - Number of participants in BICM training by position/hours	Psychologist	64.62	320.00	20,678.40		
23 - Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in Emergency Beh Interv training by position/hours	n/a					
25 - Other training costs					117.36	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Director	74.68	3.00	224.04		
27 - Due process hearings						
TOTAL			852.00	36,217.38	19,052.97	
Time to complete survey	Dir, Pupil Svs	75.42	3.00	226.26		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

BICM

BICM Level - Tuolumne County		Wendy Pound	SELPA Psych		
		Position	Hourly Rate	# of Hours	Total Costs
9 - PBIP issues in IEP by non-BICM's when pre-existing	5	Teacher - SELPA	54.44	10.00	544.40
	0	SAI - SES	54.05	0.00	0.00
	0	SAI - TH	54.05	0.00	0.00
	6	SAI- JES	54.05	9.00	486.45
	0	Admin - SES	45.45	0.00	0.00
	0	Admin - TH	48.30	0.00	0.00
	6	Admin - JES	48.30	9.00	434.70
10 - Implementation/monitoring of PBIP's by non-Bicm's	2	SES - SAI	54.05	4.00	216.20
	2	SES - Admin	45.45	4.00	181.80
	1	TH - SAI	54.05	2.00	108.10
	1	TH - Admin	48.30	2.00	96.60
	6	JES - SAI	54.05	9.00	486.45
	6	JES - Admin	48.30	9.00	434.70
	10	Sp Ed Tchr SELPA	54.44	18.00	979.92
11- Emergency Behavior Interventions					
a - Performing interventions		Psych	61.00	1.00	61.00
b - One day notification					0.00
c - Completing report for file					0.00
d - IEP meetings for no PBIP					0.00
e - IEP meetings with PBIP		Psych	61.00	1.00	61.00
f - Reporting data for annual CDE report					0.00
BICM LEVEL TOTALS				219.00	42,510.54
Completing survey		Psych	61.00	1.50	91.50
Check Totals					
			Salary Information		
		Assumption Calcs	from SELPA		
		SAI - SES	70,000.00	54.05	
		SAI - TH	70,000.00	54.05	
		SAI- JES	70,000.00	54.05	
		Admin - SES	80,000.00	45.45	
		Admin - TH	85,000.00	48.30	
		Admin - JES	85,000.00	48.30	
		SELPA Paraeduca (30000 @.6)	50,000.00	38.61	
		Coord SELPA	90,000.00	51.14	
		Prog Spec - SELP	85,000.00	48.30	
		Senora Hi Prin	90,000.00	51.14	

BICM Level - Tuolumne County	Casey Donahue	SELPA Psych			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	3				
New	1				
Existing	2				
2 PBIP's with AB 3632 services	2				
3 - FAA Activities					
a - Parent notice and consent	Psych		61.00	0.50	30.50
					0.00
b - Information gathering & assessment	Psych		61.00	10.00	610.00
					0.00
c - Writing FAA	Psych		61.00	2.00	122.00
					0.00
4- Initial PBIP					
a - Preparing draft for IEP	Psych		61.00	2.00	122.00
b - Attending IEP meetings	Psych		61.00	4.00	244.00
c - Training/monitoring PBIP	Psych		61.00	24.00	1,464.00
d - Evaluating PBIP effectiveness	Psych		61.00	4.00	244.00
e - Modifications in IEP meetings	Psych		61.00	4.00	244.00
f - Modifications outside of IEP meetings	Psych		61.00	8.00	488.00
5 - FAA activities for pre-existing PBIP					
a - Preparing draft for IEP					
b - Attending IEP meetings	Psych		61.00	5.00	305.00
c - Training/monitoring PBIP	Psych		61.00	24.00	1,464.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP					0.00
b - Attending IEP meetings	Psych		61.00	2.00	122.00
c - Training/monitoring PBIP	Psych		61.00	14.00	854.00
d - Evaluating PBIP effectiveness	Psych		61.00	10.00	610.00
e - Modifications in IEP meetings	Psych		61.00	4.00	244.00
f - Modifications outside of IEP meetings	Psych		61.00	3.00	183.00
7 - IEP's where PBIP was a component					
Students with 1 IEP					
Students with 2 IEP's	2				
Students with 3 or more IEP's	1				
8 - PBIP issues in IEP by non-BICM's	1	Teacher - SELPA	54.44	4.00	217.76
when discussed for the first time	1	Coord - SELPA	51.14	4.00	204.56
	1	Prog Spec - SELPA	48.30	4.00	193.20
	1	Senora Hi Prin	51.14	4.00	204.56

SELPA

SELPA Level	TUOLUMNE COUNTY	6994 ADA				
Number of BICM's in SELPA		2				
Number of BICM surveys returned		2				
Number of LEA's in SELPA		12				
Number of LEA surveys returned		0	County SELPA provides all BICM services			
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	72.01	5.00		360.05	
	Principal	67.88	5.00		339.40	
	School Psychs	61	3.00		183.00	
* 8 - Governing Board approval	SELPA Director	72.01	2.00		144.02	
Training						
* 11 - Design training for initial BICM certification	None				0.00	
**12 - Update of training for initial BICM certification	School Psych	61	24.00	1,464.00		
	School Psych	61	24.00	1,464.00		
**13 - Lead training for initial BICM certification	None			0.00		
**14 - Lead training update for certified BICM's	None			0.00		
* 15 - Design training for PBIP implementers	School Psych	61	5.00		305.00	
	School Psych	61	5.00		305.00	
**16 - Update training for PBIP implementers	School Psych	61	3.00	183.00		
	School Psych	61	3.00	183.00		
**17 - Lead training for PBIP implementers	School Psych	61	3.00	183.00		
	School Psych	61	3.00	183.00		
*18 - Design training on Emergency Behavioral Interventions	None				0.00	
**19 - Update training on Emergency Behavioral Interventions	School Psych	61	24.00	1,464.00		
	Teachers	54.44	24.00	1,306.56		
	Aides	13.73	24.00	329.52		
**20 - Lead training on Emergency Behavioral Interventions	Teacher	54.44	28.00	1,524.32		
21 - Other costs of BICM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A					
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	N/A					
25 - Other training costs				1,500.00	0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Admin Asst	32.99	4.00	131.96		
	Principal	67.88	10.00	678.80		
27 - Due process hearings	None					

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
SELPA LEVEL TOTAL			199.00	10,595.16	1,636.47	

BICM - WEST ORANGE CCSE				SUMMARY	
9 - PBIP issues in IEP by non-BICM's when pre-existing				412.50	23,914.61
10 - Implementation/monitoring of PBIP's by non-Bicm's				24,849.00	949,634.82
11 - Emergency Behavior Interventions					
a - Performing interventions				80.00	5,643.41
b - One day notification				44.00	3,031.00
c - Completing report for file				45.50	3,198.50
d - IEP meetings for no PBIP				59.50	4,170.51
e - IEP meetings with PBIP				37.00	2,492.61
f - Reporting dat for annual CDE report				37.75	2,733.97
BICM LEVEL TOTALS				31,786.25	1,394,367.76
Completing survey				19.75	1,377.11

BICM - WEST ORANGE CCSE		Fountain Valley SD			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	2				
New	2				
Existing	0				
2. # of students also received AB 3632	1				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	75.82	1.00	75.82
b - Information gathering & assessment		Psychologist	75.82	16.00	1,213.12
c - Writing FAA		Psychologist	75.82	20.00	1,516.40
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	75.82	4.00	303.28
b - Attending IEP meetings		Psychologist	75.82	4.00	303.28
c - Training/monitoring PBIP		Psychologist	75.82	3.00	227.46
d - Evaluating PBIP effectiveness					0.00
e - Modifications in IEP meetings				0.00	0.00
f - Modifications outside of IEP meetings				0.00	0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice					0.00
5b Information gathering					0.00
5c Writing FAA					0.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP					0.00
b - Attending IEP meetings					0.00
c - Training/monitoring PBIP					0.00
d - Evaluating PBIP effectiveness					0.00
e - Modifications in IEP meetings					0.00
f - Modifications outside of IEP meetings					0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	1.00				
Students with 2 IEP's	1.00				
Students with 3 or more IEP's	0.00				
8 - PBIP issues in IEP by non-BICM's	1.00	Gen Ed Teacher	71.13	4.00	284.52
when discussed for the first time	1.00	Sped Ed Teacher	71.13	4.00	284.52
	1.00	Principal	74.86	4.00	299.44
	1.00	SLT	66.00	4.00	264.00
	1.00	Psychologist	75.82	4.00	303.28

BICM - WEST ORANGE CCSE		Fountain Valley SD			
9 - PBIP issues in IEP by non-BICM's					0.00
when pre-existing					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's		Sped Ed Teacher	71.13	70.00	4,979.10
by non-Bicm's		Teacher Asst #1	18.67	20.00	373.40
		Teacher Asst #2	18.67	20.00	373.40
		Teacher Asst #3	18.67	20.00	373.40
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	75.82	2.00	151.64
b - One day notification		Psychologist	75.82	1.00	75.82
c - Completing report for file		Psychologist	75.82	0.50	37.91
d - IEP meetings for no PBIP		Psychologist	75.82	1.00	75.82
e - IEP meetings with PBIP					0.00
f - Reporting dat for annual CDE report		Psychologist	75.82	0.25	18.96
BICM LEVEL TOTALS				202.75	11,534.57
Completing survey		Psychologist	75.82	0.75	56.87

BICM - WEST ORANGE CCSE		Huntington Beach City SD			
9 - PBIP issues in IEP by non-BICM's	3.00	Gen Ed Teacher	78.85	6.00	473.10
when pre-existing	3.00	Sped Ed Teacher	78.85	6.00	473.10
	3.00	Principal	82.50	6.00	495.00
	3.00	Speech Therapist	61.00	6.00	366.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's		1 to 1 Aide	21.00	900.00	18,900.00
by non-Bicm's		Gen Ed Teacher	78.85	180.00	14,193.00
		Sped Ed Teacher	78.85	720.00	56,772.00
					0.00
					0.00
11 - Emergency Behavior Interventions					0.00
a - Performing interventions					0.00
b - One day notification		Psychologist	70.83	2.00	141.66
c - Completing report for file					0.00
d - IEP meetings for no PBIP		Psychologist	70.83	6.00	424.98
e - IEP meetings with PBIP		Psychologist	70.83	6.00	424.98
f - Reporting dat for annual CDE report					0.00
BICM LEVEL TOTALS				1,941.00	100,066.59
Completing survey		Psychologist	70.83	1.00	70.83

BICM - WEST ORANGE CCSE		Huntington Beach UHSD			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	7	Nancy			
New	1				
Existing	6				
2. # of students also received AB 3632	5				
3 - FAA Activities					
a - Parent notice and consent		Program Specialist	74.93	1.00	74.93
b - Information gathering & assessment		Program Specialist	74.93	10.00	749.30
c - Writing FAA		Program Specialist	74.93	2.00	149.86
4- Initial PBIP					
a - Preparing draft for IEP		Program Specialist	74.93	5.00	374.65
b - Attending IEP meetings		Program Specialist	74.93	5.00	374.65
c - Training/monitoring PBIP		Program Specialist	74.93	1.00	74.93
d - Evaluating PBIP effectiveness		Program Specialist	74.93	2.00	149.86
e - Modifications in IEP meetings		Program Specialist	74.93	2.00	149.86
f - Modifications outside of IEP meetings		Program Specialist	74.93	1.00	74.93
5 - FAA activities for pre-existing PBIP					
5a Parent notice					0.00
5b Information gathering					0.00
5c Writing FAA					0.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP				0.00	0.00
b - Attending IEP meetings		Program Specialist	74.93	12.00	899.16
c - Training/monitoring PBIP		Program Specialist	74.93	3.00	224.79
d - Evaluating PBIP effectiveness		Program Specialist	74.93	3.00	224.79
e - Modifications in IEP meetings		Program Specialist	74.93	3.00	224.79
f - Modifications outside of IEP meetings		Program Specialist	74.93	3.00	224.79
7 - IEP's where PBIP was a component					
Students with 1 IEP	0.00				
Students with 2 IEP's	0.00				
Students with 3 or more IEP's	7.00				
8 - PBIP issues in IEP by non-BICM's	3.00	Admin/Director	87.68	7.00	613.76
when discussed for the first time	3.00	Gen Ed Teacher	61.26	7.00	428.82
	3.00	Sped Ed Teacher	61.26	3.00	183.78
	3.00	OT	71.00	7.00	497.00
	3.00	Autism Spec	61.00	7.00	427.00

BICM - WEST ORANGE CCSE		Huntington Beach UHSD			
9 - PBIP issues in IEP by non-BICM's	3.00	Admin/Director	87.68	7.00	613.76
when pre-existing	18.00	Gen Ed Teacher	61.26	30.00	1,837.80
	18.00	Sped Ed Teacher	61.26	9.00	551.34
	18.00	Psychologist	73.53	23.00	1,691.19
	3.00	SLP	61.00	7.00	427.00
	3.00	APE	61.00	7.00	427.00
10 - Implementation/monitoring of PBIP's		Instruct. Asst	26.05	180.00	4,689.00
by non-Bicm's		Sped Ed Teacher	61.26	180.00	11,026.80
		Autism Spec	61.00	100.00	6,100.00
		Instruct. Asst	26.05	360.00	9,378.00
11 - Emergency Behavior Interventions					
a - Performing interventions					0.00
b - One day notification					0.00
c - Completing report for file					0.00
d - IEP meetings for no PBIP					0.00
e - IEP meetings with PBIP					0.00
f - Reporting dat for annual CDE report					0.00
BICM LEVEL TOTALS				987.00	42,863.54
Completing survey		Program Specialist	74.93		0.00

BICM - WEST ORANGE CCSE			Ocean View SD		
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	2	Susan			
New	1				
Existing	1				
2. # of students also received AB 3632	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	73.53	0.50	36.77
b - Information gathering & assessment		Psychologist	73.53	10.00	735.30
c - Writing FAA		Psychologist	73.53	15.00	1,102.95
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	73.53	2.00	147.06
b - Attending IEP meetings		Psychologist	73.53	2.00	147.06
c - Training/monitoring PBIP		Psychologist	73.53	2.00	147.06
d - Evaluating PBIP effectiveness		Psychologist	73.53	2.00	147.06
e - Modifications in IEP meetings				0.00	0.00
f - Modifications outside of IEP meetings				0.00	0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice					0.00
5b Information gathering					0.00
5c Writing FAA					0.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP					0.00
b - Attending IEP meetings					0.00
c - Training/monitoring PBIP					0.00
d - Evaluating PBIP effectiveness					0.00
e - Modifications in IEP meetings					0.00
f - Modifications outside of IEP meetings					0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	0.00				
Students with 2 IEP's	1.00				
Students with 3 or more IEP's	0.00				
8 - PBIP issues in IEP by non-BICM's	1.00	Psychologist	73.53	10.00	735.30
when discussed for the first time	1.00	Gen Ed Teacher	61.26	10.00	612.60
	1.00	Sped Ed Teacher	61.26	10.00	612.60
	1.00	Principal	84.05	10.00	840.50
	1.00	School Counselor	61.26	10.00	612.60
		(used tchr for Counselor)			

BICM - WEST ORANGE CCSE		Ocean View SD			
9 - PBIP issues in IEP by non-BICM's					0.00
when pre-existing					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's	1.00	Sped Ed Teacher	61.26	900.00	55,134.00
by non-Bicm's					
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	73.53	4.00	294.12
b - One day notification		Psychologist	73.53	0.50	36.77
c - Completing report for file		Psychologist	73.53	2.00	147.06
d - IEP meetings for no PBIP		Psychologist	73.53	1.50	110.30
e - IEP meetings with PBIP					0.00
f - Reporting dat for annual CDE report		Psychologist	73.53	25.00	1,838.25
BICM LEVEL TOTALS				1,016.50	63,437.35
Completing survey		Psychologist	73.53	4.00	294.12

BICM - WEST ORANGE CCSE		Position	Ocean View SD		Total Costs
			Hourly Rate	# of Hours	
1a Number of Students with PBIP	0	Jeanette			
New	0				
Existing	0				
2. # of students also received AB 3632	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	73.53	0.50	36.77
b - Information gathering & assessment		Psychologist	73.53	7.00	514.71
c - Writing FAA		Psychologist	73.53	15.00	1,102.95
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	73.53	2.00	147.06
b - Attending IEP meetings		Psychologist	73.53	2.00	147.06
c - Training/monitoring PBIP		Psychologist	73.53	2.00	147.06
d - Evaluating PBIP effectiveness		Psychologist	73.53	2.00	147.06
e - Modifications in IEP meetings		Psychologist	73.53	2.00	147.06
f - Modifications outside of IEP meetings		Psychologist	73.53	2.00	147.06
5 - FAA activities for pre-existing PBIP					
5a Parent notice					0.00
5b Information gathering					0.00
5c Writing FAA					0.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP					0.00
b - Attending IEP meetings					0.00
c - Training/monitoring PBIP					0.00
d - Evaluating PBIP effectiveness					0.00
e - Modifications in IEP meetings					0.00
f - Modifications outside of IEP meetings					0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP					
Students with 2 IEP's					
Students with 3 or more IEP's					
8 - PBIP issues in IEP by non-BICM's					0.00
when discussed for the first time					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00

BICM - WEST ORANGE CCSE		Ocean View SD	
9 - PBIP issues in IEP by non-BICM's			0.00
when pre-existing			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
10 - Implementation/monitoring of PBIP's			0.00
by non-Bicm's			0.00
			0.00
			0.00
11 - Emergency Behavior Interventions			
a - Performing interventions			0.00
b - One day notification			0.00
c - Completing report for file			0.00
d - IEP meetings for no PBIP			0.00
e - IEP meetings with PBIP			0.00
f - Reporting dat for annual CDE report			0.00
BICM LEVEL TOTALS			34.50
			2,536.79
Completing survey	Psychologist	73.53	0.00

BICM - WEST ORANGE CCSE			Ocean View SD		
9 - PBIP issues in IEP by non-BICM's	2.00	SDC	61.26	1.50	91.89
when pre-existing	2.00	Gen Ed Teach	61.26	1.50	91.89
	2.00	Admin	84.05	1.50	126.08
	2.00	Speech Lang	58.00	1.50	87.00
10 - Implementation/monitoring of PBIP's	2.00	SDC	61.26	22.50	1,378.35
by non-Bicm's	2.00	Gen Ed Teach	61.26	22.50	1,378.35
	2.00	Admin	84.05	22.50	1,891.13
	2.00	Speech Lang	58.00	22.50	1,305.00
11 - Emergency Behavior Interventions					
a - Performing interventions					0.00
b - One day notification					0.00
c - Completing report for file					0.00
d - IEP meetings for no PBIP					0.00
e - IEP meetings with PBIP					0.00
f - Reporting dat for annual CDE report					0.00
BICM LEVEL TOTALS				120.00	8,114.40
Completing survey		Psychologist	73.53	4.00	294.12

BICM - WEST ORANGE CCSE		Ocean View SD			
9 - PBIP issues in IEP by non-BICM's when pre-existing	Gen Ed teacher	61.26	8.00	490.08	
	Admin (Prin)	84.05	8.00	672.40	
	Spec Ed teacher	61.26	8.00	490.08	
	Speech Therapist	58.00	8.00	464.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	1 to 1 Aide	21.00	2,700.00	56,700.00	
	SDC Teacher	61.26	2,700.00	165,402.00	
				0.00	
				0.00	
				0.00	
11 - Emergency Behavior Interventions					
a - Performing interventions				0.00	
b - One day notification				0.00	
c - Completing report for file				0.00	
d - IEP meetings for no PBIP				0.00	
e - IEP meetings with PBIP				0.00	
f - Reporting dat for annual CDE report				0.00	
BICM LEVEL TOTALS			5,531.50	231,239.30	
Completing survey	Psychologist	73.53	1.00	73.53	

BICM - WEST ORANGE CCSE		Ocean View SD				
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	4	Robyn			
	New	1				
	Existing	3				
2.	# of students also received AB 3632	1				
3	FAA Activities					
	a - Parent notice and consent	Psychologist	73.53	0.50	36.77	
	b - Information gathering & assessment	Psychologist	73.53	5.00	367.65	
	c - Writing FAA	Psychologist	73.53	3.00	220.59	
4-	Initial PBIP					
	a - Preparing draft for IEP	Psychologist	73.53	1.00	73.53	
	b - Attending IEP meetings	Psychologist	73.53	2.00	147.06	
	c - Training/monitoring PBIP	Psychologist	73.53	1.50	110.30	
	d - Evaluating PBIP effectiveness	Psychologist	73.53	1.00	73.53	
	e - Modifications in IEP meetings	Psychologist	73.53	0.00	0.00	
	f - Modifications outside of IEP meetings	Psychologist	73.53	0.00	0.00	
5	FAA activities for pre-existing PBIP				0.00	
	5a Parent notice				0.00	
	5b Information gathering				0.00	
	5c Writing FAA				0.00	
6	Review/revision of pre-existing PBIP				0.00	
	a - Preparing draft for IEP				0.00	
	b - Attending IEP meetings				0.00	
	c - Training/monitoring PBIP	Psychologist	73.53	20.00	1,470.60	
	d - Evaluating PBIP effectiveness	Psychologist	73.53	6.00	441.18	
	e - Modifications in IEP meetings	Psychologist	73.53	4.00	294.12	
	f - Modifications outside of IEP meetings				0.00	
7	IEP's where PBIP was a component					
	Students with 1 IEP	1.00				
	Students with 2 IEP's	1.00				
	Students with 3 or more IEP's	2.00				
8	PBIP issues in IEP by non-BICM's					
	when discussed for the first time	2.00	School Counselor	65.00	4.00	260.00
		2.00	Principal	84.05	4.00	336.20
		2.00	Speech Therapist	58.00	4.00	232.00
		1.00	RSP Teacher	61.26	2.00	122.52
		2.00	Psych Intern	Unpaid	4.00	
		1.00	SELPA Director	97.76	2.00	195.52
		1.00	District director	71.41	2.00	142.82
		2.00	Teacher	61.26	4.00	245.04
		2.00	Teacher (Gen Ed)	61.26	2.00	122.52

BICM - WEST ORANGE CCSE		Ocean View SD			
9 - PBIP issues in IEP by non-BICM's	7.00	SDC Teacher	61.26	14.00	857.64
when pre-existing	7.00	Principal	84.05	14.00	1,176.70
	6.00	Speech Therapist	58.00	8.00	464.00
	2.00	RSP Teacher	61.26	3.00	183.78
	7.00	Gen Ed Teacher	61.26	7.00	428.82
	5.00	Psych Intern	Unpaid	10.00	
	4.00	District Director	71.41	8.00	571.28
10 - Implementation/monitoring of PBIP's		Aides	21.00	2,100.00	44,100.00
by non-Bicm's		SDC Teachers	61.26	144.00	8,821.44
		Psych	73.53	75.00	5,514.75
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions					0.00
b - One day notification		Psychologist	73.53	2.00	147.06
c - Completing report for file		Psychologist	73.53	2.00	147.06
d - IEP meetings for no PBIP		Psychologist	73.53	2.00	147.06
e - IEP meetings with PBIP		Psychologist	73.53	3.00	220.59
f - Reporting dat for annual CDE report		Psychologist	73.53	0.50	36.77
BICM LEVEL TOTALS				2,464.50	67,708.89
Completing survey		Psychologist	73.53		0.00

BICM - WEST ORANGE CCSE		Ocean View SD			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	3	Holly			
New	2				
Existing	1				
2. # of students also received AB 3632	2				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	73.53	2.00	147.06
b - Information gathering & assessment		Psychologist	73.53	11.00	808.83
c - Writing FAA		Psychologist	73.53	5.00	367.65
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	73.53	4.00	294.12
b - Attending IEP meetings		Psychologist	73.53	8.00	588.24
c - Training/monitoring PBIP		Psychologist	73.53	4.00	294.12
d - Evaluating PBIP effectiveness		Psychologist	73.53	5.00	367.65
e - Modifications in IEP meetings		Psychologist	73.53	6.00	441.18
f - Modifications outside of IEP meetings		Psychologist	73.53	0.00	0.00
5 - FAA activities for pre-existing PBIP					
5a Parent notice					0.00
5b Information gathering					0.00
5c Writing FAA					0.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP					0.00
b - Attending IEP meetings					0.00
c - Training/monitoring PBIP		Psychologist	73.53	3.00	220.59
d - Evaluating PBIP effectiveness		Psychologist	73.53	3.00	220.59
e - Modifications in IEP meetings		Psychologist	73.53	3.00	220.59
f - Modifications outside of IEP meetings					
7 - IEP's where PBIP was a component					
Students with 1 IEP					
Students with 2 IEP's					
Students with 3 or more IEP's	3.00				
8 - PBIP issues in IEP by non-BICM's	7.00	Psych Intern	Unpaid	18.00	
when discussed for the first time	4.00	School counselor	65.00	8.00	520.00
	7.00	SDC Teacher	61.26	18.00	1,102.68
	4.00	Autism specialist	58.00	12.00	696.00
	3.00	RSP Teacher	61.26	5.00	306.30
	7.00	Gen Ed Teacher	61.26	10.00	612.60
	7.00	Distrcit Director	71.41	18.00	1,285.38
					0.00

BICM - WEST ORANGE CCSE		Ocean View SD			
9 - PBIP issues in IEP by non-BICM's	3.00	Psych Intern	Unpaid	6.00	
when pre-existing	3.00	School counselor	65.00	6.00	390.00
	3.00	SDC Teacher	61.26	6.00	367.56
	3.00	Gen Ed Teacher	61.26	2.00	122.52
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's		Aides	21.00	1,400.00	29,400.00
by non-Bicm's		Psych Intern	Unpaid	90.00	
		SDC Teachers	61.26	180.00	11,026.80
					0.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	73.53	7.00	514.71
b - One day notification		Psychologist	73.53	2.00	147.06
c - Completing report for file		Psychologist	73.53	4.00	294.12
d - IEP meetings for no PBIP		Psychologist	73.53	8.00	588.24
e - IEP meetings with PBIP		Psychologist	73.53	2.00	147.06
f - Reporting dat for annual CDE report		Psychologist	73.53	2.00	147.06
BICM LEVEL TOTALS				1,858.00	51,638.71
Completing survey		Psychologist	73.53		0.00

BICM - WEST ORANGE CCSE		Westminster SD			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	3	Lorrie			
New	2				
Existing	1				
2. # of students also received AB 3632	3				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	73.53	2.00	147.06
b - Information gathering & assessment		Psychologist	73.53	8.00	588.24
c - Writing FAA		Psychologist	73.53	8.00	588.24
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	62.94	4.00	251.76
b - Attending IEP meetings		Psychologist	62.94	4.00	251.76
c - Training/monitoring PBIP		Psychologist	62.94	1,200.00	75,528.00
d - Evaluating PBIP effectiveness		Psychologist	62.94	1,200.00	75,528.00
e - Modifications in IEP meetings		Psychologist	62.94	6.00	377.64
f - Modifications outside of IEP meetings		Psychologist	62.94	6.00	377.64
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	62.94	2.00	125.88
5b Information gathering		Psychologist	62.94	8.00	503.52
5c Writing FAA		Psychologist	62.94	8.00	503.52
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Psychologist	62.94	4.00	251.76
b - Attending IEP meetings		Psychologist	62.94	4.00	251.76
c - Training/monitoring PBIP		Psychologist	62.94	1,200.00	75,528.00
d - Evaluating PBIP effectiveness		Psychologist	62.94	1,200.00	75,528.00
e - Modifications in IEP meetings		Psychologist	62.94	6.00	377.64
f - Modifications outside of IEP meetings		Psychologist	62.94	6.00	377.64
7 - IEP's where PBIP was a component					
Students with 1 IEP	0.00				
Students with 2 IEP's	0.00				
Students with 3 or more IEP's	3.00				
8 - PBIP issues in IEP by non-BICM's	3.00	SDC Teacher	56.27	6.00	337.62
when discussed for the first time	3.00	Gen Ed Teacher	58.00	6.00	348.00
	3.00	Instruct asst	21.00	6.00	126.00
	3.00	Instruct asst	21.00	6.00	126.00
	3.00	Psychologist	73.53	6.00	441.18
	3.00	Nurse	58.00	6.00	348.00
	7.00	Distrcit Director	65.00	18.00	1,170.00
					0.00

BICM - WEST ORANGE CCSE			Westminster SD		
9 - PBIP issues in IEP by non-BICM's	9.00	SDC Teacher	56.27	27.00	1,519.29
when pre-existing	9.00	Instruct asst	21.00	27.00	567.00
	9.00	Instruct asst	21.00	27.00	567.00
	9.00	Psychologist	62.94	27.00	1,699.38
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's	9.00	SDC Teacher	56.27	1,200.00	67,524.00
by non-Bicm's	9.00	Instruct asst	21.00	1,200.00	25,200.00
	9.00	Instruct asst	21.00	1,200.00	25,200.00
	9.00	Psychologist	62.94	1,200.00	75,528.00
					0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	62.94	18.00	1,132.92
b - One day notification		Psychologist	62.94	18.00	1,132.92
c - Completing report for file		Psychologist	62.94	4.00	251.76
d - IEP meetings for no PBIP		Psychologist	62.94	16.00	1,007.04
e - IEP meetings with PBIP		Psychologist	62.94	16.00	1,007.04
f - Reporting dat for annual CDE report		Psychologist	62.94	3.00	188.82
BICM LEVEL TOTALS				9,913.00	512,508.03
Completing survey		Psychologist	62.94	3.00	188.82

BICM - WEST ORANGE CCSE		Westminster SD			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	2	Mike			
New	1				
Existing	1				
2. # of students also received AB 3632	0				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	73.53	0.50	36.77
b - Information gathering & assessment		Psychologist	73.53	20.00	1,470.60
c - Writing FAA		Psychologist	73.53	4.00	294.12
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	62.94	40.00	2,517.60
b - Attending IEP meetings		Psychologist	62.94	6.00	377.64
c - Training/monitoring PBIP		Psychologist	62.94	20.00	1,258.80
d - Evaluating PBIP effectiveness		Psychologist	62.94	6.00	377.64
e - Modifications in IEP meetings		Psychologist	62.94	4.00	251.76
f - Modifications outside of IEP meetings		Psychologist	62.94	2.00	125.88
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	62.94	2.00	125.88
5b Information gathering		Psychologist	62.94	6.00	377.64
5c Writing FAA		Psychologist	62.94	2.00	125.88
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Psychologist	62.94	4.00	251.76
b - Attending IEP meetings		Psychologist	62.94	6.00	377.64
c - Training/monitoring PBIP		Psychologist	62.94	20.00	1,258.80
d - Evaluating PBIP effectiveness		Psychologist	62.94	6.00	377.64
e - Modifications in IEP meetings		Psychologist	62.94	4.00	251.76
f - Modifications outside of IEP meetings		Psychologist	62.94	2.00	125.88
7 - IEP's where PBIP was a component					
Students with 1 IEP	2.00				
Students with 2 IEP's	0.00				
Students with 3 or more IEP's	0.00				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	2.00	Gen Ed Teacher	58.00	4.00	232.00
	2.00	Principal	67.71	4.00	270.84
	2.00	SDC Teacher	56.27	12.00	675.24
	2.00	SLP	74.00	8.00	592.00
	2.00	Dir Spec Ed	97.76	12.00	1,173.12
	2.00	Prog SP/AT	74.00	12.00	888.00
	2.00	Aide (1:1)	21.00	6.00	126.00
					0.00

BICM - WEST ORANGE CCSE		Westminster SD			
9 - PBIP issues in IEP by non-BICM's	2.00	Gen Ed Teacher	58.00	4.00	232.00
when pre-existing	2.00	Principal	67.71	4.00	270.84
	2.00	SDC Teacher	56.27	12.00	675.24
	2.00	SLP	74.00	8.00	592.00
	2.00	Dir Spec Ed	97.76	8.00	782.08
	2.00	Prog SP/AT	74.00	8.00	592.00
	2.00	Aide (1:1)	21.00	4.00	84.00
10 - Implementation/monitoring of PBIP's		Spec Ed Teacher	56.27	1,080.00	60,771.60
by non-Bicm's		Prog Sp	65.00	40.00	2,600.00
		DTT	21.00	360.00	7,560.00
		Aide 1:1	21.00	1,080.00	22,680.00
		OT	71.00	80.00	5,680.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	62.94	5.00	314.70
b - One day notification		Psychologist	62.94	1.00	62.94
c - Completing report for file		Psychologist	62.94	10.00	629.40
d - IEP meetings for no PBIP		Psychologist	62.94	2.00	125.88
e - IEP meetings with PBIP		Psychologist	62.94	4.00	251.76
f - Reporting dat for annual CDE report		Psychologist	62.94	1.00	62.94
BICM LEVEL TOTALS				2,923.50	117,908.27
Completing survey		Psychologist	62.94	4.00	251.76

BICM - WEST ORANGE CCSE		Position	Ocean View SD		
			Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	6	Margaret			
New	3				
Existing	3				
2. # of students also received AB 3632	5				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	73.53	3.00	220.59
b - Information gathering & assessment		Psychologist	73.53	30.00	2,205.90
c - Writing FAA		Psychologist	73.53	5.00	367.65
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	73.53	5.00	367.65
b - Attending IEP meetings		Psychologist	73.53	6.00	441.18
c - Training/monitoring PBIP		Psychologist	73.53	31.00	2,279.43
d - Evaluating PBIP effectiveness		Psychologist	73.53	3.00	220.59
e - Modifications in IEP meetings		Psychologist	73.53	1.00	73.53
f - Modifications outside of IEP meetings		Psychologist	73.53	1.00	73.53
5 - FAA activities for pre-existing PBIP					
5a Parent notice		Psychologist	73.53	1.50	110.30
5b Information gathering		Psychologist	73.53	18.00	1,323.54
5c Writing FAA		Psychologist	73.53	0.00	0.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP		Psychologist	73.53	1.00	73.53
b - Attending IEP meetings		Psychologist	73.53	14.00	1,029.42
c - Training/monitoring PBIP		Psychologist	73.53	31.00	2,279.43
d - Evaluating PBIP effectiveness		Psychologist	73.53	3.00	220.59
e - Modifications in IEP meetings		Psychologist	73.53	1.00	73.53
f - Modifications outside of IEP meetings		Psychologist	73.53	1.00	73.53
7 - IEP's where PBIP was a component					
Students with 1 IEP	1.00				
Students with 2 IEP's	0.00				
Students with 3 or more IEP's	5.00				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	11.00	Gen Ed Teacher	61.26	5.50	336.93
	11.00	Admin (Prin)	84.05	16.00	1,344.80
	11.00	SDC Teacher	61.26	16.00	980.16
	2.00	Speech Teacher	58.00	4.00	232.00
	2.00	OT	58.00	4.00	232.00
	1.00	Nurse	58.00	2.00	116.00

BICM - WEST ORANGE CCSE			Ocean View SD		
9 - PBIP issues in IEP by non-BICM's	7.00	Gen Ed Teacher	61.26	3.50	214.41
when pre-existing	7.00	Admin (Prin)	84.05	8.00	672.40
	7.00	SDC Teacher	61.26	8.00	490.08
10 - Implementation/monitoring of PBIP's		Aides	21.00	108.00	2,268.00
by non-Bicm's		Admin (Prin)	84.05	54.00	4,538.70
		SDC Teachers	61.26	108.00	6,616.08
		Speech Therapist	58.00	18.00	1,044.00
		Nurse	58.00	1.00	58.00
11 - Emergency Behavior Interventions					
a - Performing interventions		Psychologist	73.53	44.00	3,235.32
b - One day notification		Psychologist	73.53	17.50	1,286.78
c - Completing report for file		Psychologist	73.53	23.00	1,691.19
d - IEP meetings for no PBIP		Psychologist	73.53	23.00	1,691.19
e - IEP meetings with PBIP		Psychologist	73.53	6.00	441.18
f - Reporting dat for annual CDE report		Psychologist	73.53	6.00	441.18
BICM LEVEL TOTALS				631.00	39,364.31
Completing survey		Psychologist	73.53		0.00

BICM - WEST ORANGE CCSE		Position	Ocean View SD		
			Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	5	Janet H			
New	3				
Existing	2				
2. # of students also received AB 3632	1				
3 - FAA Activities					
a - Parent notice and consent		Psychologist	73.53	2.00	147.06
b - Information gathering & assessment		Psychologist	73.53	24.00	1,764.72
c - Writing FAA		Psychologist	73.53	30.00	2,205.90
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	73.53	36.00	2,647.08
b - Attending IEP meetings		Psychologist	73.53	7.00	514.71
c - Training/monitoring PBIP		Psychologist	73.53	6.00	441.18
d - Evaluating PBIP effectiveness		Psychologist	73.53	6.00	441.18
e - Modifications in IEP meetings		Psychologist	73.53	3.00	220.59
f - Modifications outside of IEP meetings		Psychologist	73.53	3.00	220.59
5 - FAA activities for pre-existing PBIP					
5a Parent notice					0.00
5b Information gathering					0.00
5c Writing FAA					0.00
6 - Review/revision of pre-existing PBIP					
a - Preparing draft for IEP				0.00	0.00
b - Attending IEP meetings				0.00	0.00
c - Training/monitoring PBIP		Psychologist		0.00	0.00
d - Evaluating PBIP effectiveness		Psychologist	73.53	6.00	441.18
e - Modifications in IEP meetings		Psychologist	73.53	5.00	367.65
f - Modifications outside of IEP meetings		Psychologist	73.53	3.00	220.59
7 - IEP's where PBIP was a component					
Students with 1 IEP	3.00				
Students with 2 IEP's	1.00				
Students with 3 or more IEP's	1.00				
8 - PBIP issues in IEP by non-BICM's	3.00	Prin	84.05	7.00	588.35
when discussed for the first time	3.00	Spec Ed Teacher	61.26	7.00	428.82
	3.00	Gen Ed Teacher	61.26	4.00	245.04
	2.00	Speech Teacher	58.00	6.00	348.00
	2.00	Autism Specialist	58.00	6.00	348.00
	1.00	Inclusion specialist	58.00	3.00	174.00
	1.00	OT	58.00	3.00	174.00
	1.00	APE	58.00	3.00	174.00

BICM - WEST ORANGE CCSE			Ocean View SD		
9 - PBIP issues in IEP by non-BICM's	2.00	Prin	84.05	2.00	168.10
when pre-existing	2.00	Spec Ed Teacher	61.26	2.00	122.52
	2.00	Gen Ed Teacher	61.26	1.00	61.26
	2.00	Speech Teacher	58.00	2.00	116.00
	1.00	Autism Specialist	58.00	1.00	58.00
10 - Implementation/monitoring of PBIP's		Spec Ed Teacher	61.26	730.00	44,719.80
by non-Bicm's		Instruct Asst	21.00	2,728.00	57,288.00
		Autism Specialist	58.00	457.00	26,506.00
		Inclusion Specialis	58.00	4.00	232.00
		Gen Ed Teacher	61.26	72.00	4,410.72
11 - Emergency Behavior Interventions					
a - Performing interventions					0.00
b - One day notification					0.00
c - Completing report for file					0.00
d - IEP meetings for no PBIP					0.00
e - IEP meetings with PBIP					0.00
f - Reporting dat for annual CDE report					0.00
BICM LEVEL TOTALS				4,169.00	145,795.04
Completing survey		Psychologist	73.53	2.00	147.06

DISTRICT

District - Level	WEST ORANGE	SUMMARY
Behavioral Emergency Reports		
1 - # of Reports	44	
2 Activities		
a - performing emergency interventions	155.85	8,934.55
b - 1 day notification of use of emergency intervention	19.00	1,410.27
c - Completing report	71.80	4,596.44
d - Scheduling and holding IEP meetings for students without PBIP	197.00	14,252.82
e - Scheduling and holding IEP meetings for students with PBIP		
f - Reporting data for annual report to CDE	11.00	896.12
g - Reviewing reports & forwarding to SELPA	17.00	1,458.42
3 - Informing school personnel	32.00	2,192.41
4 - Number of due process requests filed		
a - Number of written responses For each response in 4a, there must be answers to 5 -8		
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance		44,500.00
DISTRICT LEVEL TOTALS	503.65	78,241.02
Time to complete survey	6.50	519.13
Check Totals	503.65	78,241.02

District - Level				
Behavioral Emergency Reports				
1 - # of Reports	5			
		Huntington Beach Union HS		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teacher	61.26	4.00	245.04
	Aide	26.05	11.00	286.55
	Administrator (Prin)	84.05	2.50	210.13
	Psychologist	73.53	4.00	294.12
b - 1 day notification of use of emergency intervention	Administrator	84.05	1.00	84.05
	Teacher	61.26	1.00	61.26
	Psychologist	73.53	3.00	220.59
c - Completing report	Administrator	84.05	5.00	420.25
	Teacher	61.26	5.00	306.30
	Psychologist	73.53	5.00	367.65
d - Scheduling and holding IEP meetings for students without PBIP	Administrator	84.05	4.00	336.20
	Teacher	61.26	2.00	122.52
	Psychologist	73.53	6.00	441.18
	G. E. Teacher	61.26	2.00	122.52
e - Scheduling and holding IEP meetings for students with PBIP	Administrator	84.05	6.00	504.30
	Teacher	61.26	6.00	367.56
	Psychologist	73.53	9.00	661.77
	G. E. Teacher	61.26	3.00	183.78
f - Reporting data for annual report to CDE	Site Admin	84.05	5.00	420.25
g - Reviewing reports & forwarding to SELPA	Director	87.68	2.00	175.36
3 - Informing school personnel	Director	87.68	5.00	438.40
	Psychologist	73.53	3.00	220.59
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	NOTE Outside services provided to various districts but included here			
9 - Outside Assistance	Behavior consult	130.00		35,200.00
	BIP Monitoring	56.00		7,300.00
	Pro-Act Cert	80.00		2,000.00
DISTRICT LEVEL TOTALS			94.50	50,990.37
Time to complete survey	Spec Ed Director	87.68	1.50	131.52
Check Totals				

District - Level				
Behavioral Emergency Reports				
1 - # of Reports	9			
		Huntington Beach City (Elem?)		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Dir Student Services	92.49	5.10	471.70
b - 1 day notification of use of emergency intervention	Dir Student Services	92.49	4.50	416.21
c - Completing report	Dir Student Services	92.49	4.30	397.71
d - Scheduling and holding IEP meetings for students without PBIP	Dir Student Services	92.49	18.00	1,664.82
e - Scheduling and holding IEP meetings for students with PBIP	Dir Student Services	92.49	18.00	1,664.82
				0.00
f - Reporting data for annual report to CDE	Dir Student Services	92.49	2.50	231.23
g - Reviewing reports & forwarding to SELPA	Dir Student Services	92.49	9.00	832.41
3 - Informing school personnel				0.00
				0.00
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			61.40	5,678.89
Time to complete survey	Spec Ed Director	92.49	1.50	138.74
Check Totals				

District - Level				
Behavioral Emergency Reports				
1 - # of Reports	6	Westminster SD		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Prin	67.71	14.25	964.87
	Spec Ed Teacher	56.27	14.25	801.85
	Psychologist	62.94	14.25	896.90
	Aide	21.00	14.25	299.25
b - 1 day notification of use of emergency intervention	Principal	67.71	3.00	203.13
	Spec Ed Teacher	56.27	3.00	168.81
c - Completing report	Spec Ed Teacher	56.27	3.50	196.95
	Aide	21.00	3.50	73.50
	Psychologist	62.94	3.50	220.29
d - Scheduling and holding IEP meetings for students without PBIP	Principal	67.71	4.00	270.84
	Spec Ed Teacher	56.27	4.00	225.08
	Psychologist	62.94	4.00	251.76
	G. E. Teacher	58.00	4.00	232.00
e - Scheduling and holding IEP meetings for studetns with PBIP	Principal	67.71	6.00	406.26
	Spec Ed Teacher	56.27	6.00	337.62
	Psychologist	62.94	6.00	377.64
f - Reporting data for annual report to CDE	Spec Ed Director	65.00	1.50	97.50
g - Reviewing reports & forwarding to SELPA	Spec Ed Director	65.00	1.00	65.00
3 - Informing school personnel	BICM	66.00	3.00	198.00
	Psychologist	62.94	3.00	188.82
4 - Number of due process requests filed	n/a			
a - Number of written reponses	0			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			116.00	6,476.06
Time to complete survey	Admin, Spec Ed	65.00	2.00	130.00
Check Totals				

District - Level				
Behavioral Emergency Reports				
1 - # of Reports	4			
		Fountain Valley		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Principal	74.86	14.00	1,048.04
	Aide	18.67	14.00	261.38
	Spec Ed Teacher	71.13	14.00	995.82
	Psychologist	75.82	14.00	1,061.48
	G. E. Teacher	71.13	14.00	995.82
b - 1 day notification of use of emergency intervention	Principal	74.86	3.00	224.58
c - Completing report	Principal	74.86	8.00	598.88
	Aide	18.67	8.00	149.36
	Spec Ed Teacher	71.13	8.00	569.04
	Psychologist	75.82	8.00	606.56
	Reg Teacher	71.13	8.00	569.04
d - Scheduling and holding IEP meetings for students without PBIP	G. E. Teacher	71.13	8.00	569.04
	Principal	74.86	8.00	598.88
	Spec Ed Teacher	71.13	8.00	569.04
	BICM	65.00	8.00	520.00
e - Scheduling and holding IEP meetings for students with PBIP	Principal	74.86	8.00	598.88
	G. E. Teacher	71.13	8.00	569.04
	Spec Ed Teacher	71.13	8.00	569.04
	BICM	65.00	8.00	520.00
f - Reporting data for annual report to CDE	Principal	74.86	1.50	112.29
g - Reviewing reports & forwarding to SELPA	Director	76.60	4.00	306.40
3 - Informing school personnel	BICM	65.00	3.00	195.00
	Psychologist	75.82	3.00	227.46
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance				
DISTRICT LEVEL TOTALS			188.50	12,435.07
Time to complete survey	Director Support Serv			0.00
Check Totals				

SELPA

SELPA	WEST ORANGE CCSE SELPA			46,304 ADA		
Number of BICM's in SELPA	16					
Number of BICM surveys returned	13					
Number of LEA's in SELPA	5					
Number of LEA surveys returned	5					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	97.76	24.00		2,346.24	
	BICMs	73.51	6.00		441.06	School Psychologist
	District Directors	87.68	2.00		175.36	
* 8 - Governing Board approval	SELPA Director	97.76	2.00		195.52	
Training						
* 11 - Design training for initial BICM certification	(OCED)					
** 12 - Update of training for initial BICM certification						
** 13 - Lead training for initial BICM certification						per OCDE
** 14 - Lead training update for certified BICM's						per OCDE
* 15 - Design training for PBIP implementers	Conducted by OCDE					
** 16 - Update training for PBIP implementers	SELPA Program Director	71.41	65.00	4,641.65		As often as new rese
	SELPA Program Specialist	74.93	55.00	4,121.15		
	District Directors	87.68	6.00	449.58		
	Secretary	24.05	4.00	96.20		
** 17 - Lead training for PBIP implementers	SELPA Program Director	71.41	108.00	7,712.28		
	SELPA Program Specialist	74.93	108.00	8,092.44		
* 18 - Design training on Emergency Behavioral Interventions						
** 19 - Update training on Emergency Behavioral Interventions	SELPA Program Director	71.41	30.00	2,142.30		As often as new rese
	SELPA Program Specialist	74.93	30.00	2,247.90		
	Directors	87.68	5.00	438.40		
** 20 - Lead training on Emergency Behavioral Interventions	SELPA Program Director	71.41	38.00	2,713.58		6 times a year
	SELPA Program Specialist	74.93	38.00	2,847.34		
21 - Other costs of BICM certification training	Registration			1,500.00	5 @ \$300 per	
	5 Psychologists in BICM training paid at daily rate					
22 - Number of participants in BICM training by position/hours	Principal	84.05	10.00	840.50		
	Asst Principal	81.47	10.00	814.70		
	Instructional Aide	26.05	100.00	2,605.00		
	Teacher	61.26	120.00	7,351.20		
	Psychologist	73.53	30.00	2,205.90		
23 - Number of participants in PBIP training by position/hours	District Lead					
24 - Number of participants in Emergency Beh Interv training by position/hours	Principal	84.05	6.00	504.30		
	Asst Principal	81.47	6.00	488.82		
	Instructional Aide	26.05	60.00	1,563.00		
	Teacher	61.26	72.00	4,410.72		

	Psychologist	73.53	18.00	1,323.54			
25 - Other training costs	Daily rate for 3 days						
Staff Activities							
26 - Data collection from BER's for annual report to CDE	Director	97.76	2.00	195.52			
27 - Due process hearings	NONE						
SELPA LEVEL TOTALS			955.00	59,306.02	3,158.18		
Time to complete survey	Executive Director	97.76	13.00	1,270.88			

BICM

9 - PBIP issues in IEP by non-BICM's when pre-existing			15.00	939.84
10 - Implementation/monitoring of PBIP's by non-Bicm's			6051.00	280,816.42
Emergency Behavior Interventions				
a - Performing interventions			26.00	1,712.06
b - One day notification			3.50	222.61
c - Completing report for file			11.00	662.29
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP			1.50	85.67
f - Reporting dat for annual CDE report			0.50	28.56
BICM LEVEL TOTALS			7135.25	341,623.30
Completing survey			13.50	626.40
Check			7135.25	341623.30

BICM Level - Yolo	Position	Davis Joint Unified		
		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	2			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Inclusion Sp	68.47	1.00	68.47
	Behavior Sp	57.11	0.50	28.56
b - Information gathering & assessment	Inclusion Sp	68.47	12.00	821.64
	Behavior Sp	57.11	12.00	685.32
c - Writing FAA	Inclusion Sp	68.47	5.00	342.35
	Behavior Sp	57.11	3.00	171.33
4- Initial PBIP				
a - Preparing draft for IEP	Inclusion Sp	68.47	3.00	205.41
	Behavior Sp	57.11	3.00	171.33
b - Attending IEP meetings	Inclusion Sp	68.47	8.00	547.76
	Behavior Sp	57.11	4.50	257.00
c - Training/monitoring PBIP	Inclusion Sp	68.47	12.00	821.64
	Behavior Sp	57.11	21.00	1,199.31
d - Evaluating PBIP effectiveness	Inclusion Sp	68.47	5.00	342.35
	Behavior Sp	57.11	6.00	342.66
e - Modifications in IEP meetings	Inclusion Sp	68.47	0.00	0.00
f - Modifications outside of IEP meetings	Inclusion Sp	68.47	0.00	0.00
5 - FAA activities for pre-existing PBIP	n/a			
6 - Review/revision of pre-existing PBIP	n/a			
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	1			
Students with 3 or more IEP's	1			
8 - PBIP issues in IEP by non-BICM's	2 Teacher	58.84	4.00	235.36
when discussed for the first time	2 Para-educator	37.78	8.00	302.24
	2 SLP	58.84	4.00	235.36
	2 OT	58.84	4.00	235.36
	2 Psychologist	70.80	4.00	283.20
	3 Inclusion Sp	68.47	4.50	308.12
	3 Para-Educator	37.78	4.50	170.01
	3 Teacher	58.84	4.50	264.78
	3 SLP	58.84	4.50	264.78
	3 OT	58.84	4.50	264.78
	3 Psychologist	70.80	4.50	318.60

9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a				0.00
					0.00
					0.00
					0.00
					0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	Teacher	58.84	10.00		588.40
	Para-Educator	37.78	120.00		4,533.60
	Administrator	72.89	5.00		364.45
	Inclusion Sp	68.47	10.00		684.70
	Para Educator	37.78	10.00		377.80
	Teacher	58.84	1.00		58.84
Emergency Behavior Interventions					
a - Performing interventions	Inclusion Sp	68.47	20.00		1,369.40
	Behavior Sp	57.11	6.00		342.66
b - One day notification	Inclusion Sp	68.47	2.00		136.94
	Behavior Sp	57.11	1.50		85.67
c - Completing report for file	Inclusion Sp	68.47	3.00		205.41
	Behavior Sp	57.11	8.00		456.88
d - IEP meetings for no PBIP	n/a				
e - IEP meetings with PBIP	Behavior Sp	57.11	1.50		85.67
f - Reporting dat for annual CDE report	Behavior Sp	57.11	0.50		28.56
BICM LEVEL TOTALS			345.50		18,206.67
Completing survey	n/a Behavior Sp	57.11	0.50		28.56
Check				Used assumption	

BICM Level - Yolo	Position	Woodland Joint Unified		Total Costs
		Hourly Rate	# of Hours	
1a Number of Students with PBIP				
New	0			
Existing	3			
3 - FAA Activities				
a - Parent notice and consent	n/a			
b - Information gathering & assessment	n/a			
c - Writing FAA	n/a			
4- Initial PBIP				
a - Preparing draft for IEP	n/a			
b - Attending IEP meetings	n/a			
c - Training/monitoring PBIP	n/a			
d - Evaluating PBIP effectiveness	n/a			
e - Modifications in IEP meetings	n/a			
f - Modifications outside of IEP meetings	n/a			
5 - FAA activities for pre-existing PBIP	Behavior Analyst	56.94	89.50	5,096.13
6 - Review/revision of pre-existing PBIP	Behavior Analyst	56.94	455.00	25,907.70
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	3			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's	n/a			
when discussed for the first time	n/a			
	n/a			
	n/a			
	n/a			

9 - PBIP issues in IEP by non-BICM's when pre-existing	2	Administrator	59.43	3.00	178.29
	2	Psychologist	56.97	3.00	170.91
	2	SDC	62.13	3.00	186.39
	2	SLP	72.62	3.00	217.86
	2	Teacher	62.13	3.00	186.39
10 - Implementation/monitoring of PBIP's by non-Bicm's		Para-Profes	45.84	1600.00	73,344.00
		Teacher	62.13	500.00	31,065.00
Emergency Behavior Interventions					
a - Performing interventions	n/a				
b - One day notification	n/a				
c - Completing report for file	n/a				
d - IEP meetings for no PBIP	n/a				
e - IEP meetings with PBIP	n/a				
f - Reporting dat for annual CDE report	n/a				
BICM LEVEL TOTALS				2659.50	136352.67
Completing survey		Behavior Analyst	56.94	4.00	227.76
Check					

BICM Level - Yolo		Winters Joint Unified				
		Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP						
New	1					3
Existing	0					0
3 - FAA Activities						
a - Parent notice and consent		Behavior Analyst	Free	0.50		
b - Information gathering & assessment		Behavior Analyst	Free	20.00		
c - Writing FAA		Behavior Analyst	Free	8.00		
4- Initial PBIP						
a - Preparing draft for IEP		Behavior Analyst	Free	5.00		
b - Attending IEP meetings		Behavior Analyst	Free	5.00		
c - Training/monitoring PBIP		Behavior Analyst	Free	12.00		
d - Evaluating PBIP effectiveness		Behavior Analyst	Free	3.00		
e - Modifications in IEP meetings		Behavior Analyst	Free	0.00		
f - Modifications outside of IEP meetings		Behavior Analyst	Free	3.00		
5 - FAA activities for pre-existing PBIP	n/a					n/a
6 - Review/revision of pre-existing PBIP	n/a					n/a
7 - IEP's where PBIP was a component						
Students with 1 IEP	0					1
Students with 2 IEP's	1					1
Students with 3 or more IEP's	0					1
8 - PBIP issues in IEP by non-BICM's when discussed for the first time						
	2	Principal	61.17	1.00	61.17	1
	2	SDC	46.97	2.00	93.94	4
	2	Psychologist	48.46	2.00	96.92	4
	2	APE	46.97	1.00	46.97	1
	2	SLP	45.59	2.00	91.18	2
	2	Sp Ed Director	33.93	2.00	67.86	
	2	OT	74.21	2.00	148.42	
	2	Para-Educator	19.35	2.00	38.70	
	2	Teacher	46.97	2.00	93.94	

9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a					n/a
	n/a					
	n/a					
	n/a					
	n/a					
10 - Implementation/monitoring of PBIP's by non-Bicm's	Para-Educator	19.35	504.00	9,752.40		
	SLP	45.59	12.00	547.08		
	Teacher	46.97	105.00	4,931.85		
	Psychologist	48.46	6.00	290.76		
	OT	74.21	6.00	445.26		
Emergency Behavior Interventions						
a - Performing interventions	n/a					n/a
b - One day notification	n/a					n/a
c - Completing report for file	n/a					n/a
d - IEP meetings for no PBIP	n/a					n/a
e - IEP meetings with PBIP	n/a					n/a
f - Reporting dat for annual CDE report	n/a					n/a
BICM LEVEL TOTALS			705.50	16706.45		
Completing survey	Behavior Analyst	Free	3.00			
Check						

9 - PBIP issues in IEP by non-BICM's when pre-existing				
10 - Implementation/monitoring of PBIP's by non-Bicm's	SDC Teacher	73.75	1330.00	98,087.50
	Behavior Spec	61.68	8.00	493.44
	Para-Educator	29.02	1770.00	51,365.40
	Psychologist	61.68	8.00	493.44
	SLP Therapist	73.75	46.00	3,392.50
Emergency Behavior Interventions				
a - Performing interventions				
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS			3424.75	170357.51
Completing survey	Psychologist	61.68	6.00	370.08
Check			Used assumption	

DISTRICT

District Level		Yolo County SELPA		
1 - # of Reports	31			
		Davis Joint Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Teacher	58.84	53.00	3,118.52
	Para-educator	37.78	34.00	1,284.52
b - 1 day notification of use of emergency intervention	Teacher	58.84	31.00	1,824.04
c - Completing report	Teacher	58.84	40.00	2,353.60
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	58.84	8.00	470.72
	Behaviorist	57.11	4.00	228.44
	Psychologist	70.80	3.00	212.40
e - Scheduling and holding IEP meetings for students with PBIP	Teacher	58.84	12.00	706.08
	Psychologist	70.80	4.00	283.20
f - Reporting data for annual report to CDE	Teacher	58.84	15.00	882.60
g - Reviewing reports & forwarding to SELPA	Director	72.61	10.00	726.10
3 - Informing school personnel	Principal	72.89	2.00	145.78
	Behaviorist	57.11	5.00	285.55
	Teacher	58.84	5.00	294.20
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			226.00	12,815.75
Time to complete survey	Director	72.61	2.50	181.53

District Level		Yolo County SELPA		
1 - # of Reports	0			
		Esparto Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities	n/a			
a - performing emergency interventions				
b - 1 day notification of use of emergency intervention				
c - Completing report				
d - Scheduling and holding IEP meetings for students without PBIP				
e - Scheduling and holding IEP meetings for students with PBIP				
f - Reporting data for annual report to CDE				
g - Reviewing reports & forwarding to SELPA				
3 - Informing school personnel	n/a			
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			0.00	0.00
Time to complete survey	Coordinator	50.00	0.17	8.50

District Level		Yolo County SELPA		
1 - # of Reports	0			
		Winters JUSD		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities	n/a			
a - performing emergency interventions				
b - 1 day notification of use of emergency intervention				
c - Completing report				
d - Scheduling and holding IEP meetings for students without PBIP				
e - Scheduling and holding IEP meetings for students with PBIP				
f - Reporting data for annual report to CDE				
g - Reviewing reports & forwarding to SELPA				
3 - Informing school personnel	n/a			
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0			
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			0.00	0.00
Time to complete survey	Director	33.93	0.08	2.71

SELPA

SELPA Level		Yolo County				
Number of BICM's in SELPA	44					
Number of BICM surveys returned	6					
Number of LEA's in SELPA	6					
Number of LEA surveys returned	3					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7 - Procedures development	BICM/ Prog Spec	61.93	60.00		3,715.80	
* 8 - Governing Board approval	SELPA Dir	74.24	2.00		148.48	
Training						
* 11 - Design training for initial BICM certification	Prog Spec	61.93	6.00		371.58	
** 12 - Update of training for initial BICM certification	Prog Spec	61.93	18.00	1,114.74		Annually
** 13 - Lead training for initial BICM certification	Prog Spec	61.93	24.00	1,486.32		Annually
** 14 - Lead training update for certified BICM's	Prog Spec	61.93	40.00	2,477.20		Annually
* 15 - Design training for PBIP implementers	BICM/ Prog Spec	61.93	16.00		990.88	
** 16 - Update training for PBIP implementers	BICM/ Prog Spec	61.93	16.00	990.88		Annually
** 17 - Lead training for PBIP implementers	BICM/ Prog Spec	61.93	32.00	1,981.76		Annually
* 18 - Design training on Emergency Behavioral Interventions	Prog Spec	61.93	20.00		1,238.60	
** 19 - Update training on Emergency Behavioral Interventions	Prog Spec	61.93	20.00	1,238.60		Training calendar
** 20 - Lead training on Emergency Behavioral Interventions	Prog Spec	61.93	20.00	1,238.60		Annually
21 - Other costs of BICM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A					
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	N/A					
25 - Other training costs					1,200.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	74.24	2.00	148.48		
27 - Due process hearings	N/A					
SELPA LEVEL TOTALS			276.00	10,676.58	7,665.34	
Time to complete survey	SELPA Dir	74.24	4.00	296.96		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						



JOHN CHIANG
California State Controller
 Division of Accounting and Reporting

January 24, 2011



Mr. Drew Bohan
 Executive Director
 Commission on State Mandates
 980 Ninth Street, Suite 300
 Sacramento, CA 95814.

RE: Revised Proposed Parameters and Guidelines with Reasonable Reimbursement Methodology, Comment Period, and Informal Conference
Behavioral Intervention Plan, CSM-4464
 Education Code Section 56523
 Statutes 1990, Chapter 959
 Title 5, California Code of Regulations, Sections 3001 and 3052
 Butte County Office of Education, San Joaquin County Office of Education, and San Diego Unified School District, Claimants

Dear Mr. Bohan:

We reviewed the proposed Parameters and Guidelines (P's & G's) for the Behavioral Intervention Plan program as communicated by the Commission on December 27, 2010. The State Controller's Office (SCO) comments to the proposed P's & G's are as follows:

The proposed P's & G's allow the claimant to be reimbursed using three calculated reasonable reimbursement methodology (RRM) rates.

On October 4, 2007, the Department of Finance in a settlement agreement with the co-test claimants agreed to create a survey that would be administered to Special Education Local Plan Areas (SELPA) to establish representative cost data. All parties agreed that the survey would collect information only on the school year just completed, 2006-07, so that school districts would have ready access to recent student Individualized Education Programs (IEP), staff calendars, salary and benefit cost, and other relevant data. From October through December 2007, co-test claimants worked with the Department of Finance to develop a survey of cost based on the reimbursable activities identified in the Commission's decision.

The co-test claimants received 21 completed SELPA surveys from a possible 120 SELPA statewide. The surveys represented approximately 12% of the total eligible state SELPA in the 2006-07 school year. According to the Declaration of Diana K. McDonough, both the co-test claimants and the Department of Finance agreed that this was an adequate sampling. From the resulting survey, three RRM rates were calculated. According to the proposed P's and G's an

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Implicit Price Deflator (IPD) would be used to adjust the 2006-07 calculated rates to the applicable fiscal year of claim.

As stated in Government Code Section 17518.5 (d), "...In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the determination of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years." The calculated RRM rates were derived from a single fiscal year of cost data and the reimbursement period in question is over 15 years. IPD adjustments cannot give an accurate RRM rate for such a long reimbursement period based on a single year of cost data.

The survey results for the calculation of the proposed RRM should be based on a sound methodology. Because the RRM proposed rates were based on 1) unaudited cost data; 2) cost data for only a single school year (2006-07); 3) data from only 12% of SELPA and; 4) to be utilized for over an 18 year period, the State Controller's Office cannot support the revised proposed parameters and guidelines for the Behavioral Intervention Plan (CSM-4464) program.

If you have any questions, please contact Dennis Speciale at (916) 324-0254 or email at dspeciale@sco.ca.gov.

Sincerely,



JAY LAL, Section Manager
Local Reimbursements Section

JL/ALT: djs



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February 23, 2011

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Drew Bohan
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: **Rebuttal to SCO's Comments Regarding Revised Proposed Parameters and Guidelines with Reasonable Reimbursement Methodology Behavioral Intervention Plans, CSM-4464**
Chapter 959, Statutes of 1990
Education Code section 56523
Title 5, California Code of Regulations section 3001 and 3052

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Diana McDonough
Lynn Murphy, Ed.D.
Of Counsel

Dear Mr. Bohan:

In accordance with section 1183.131(f) of Title 2 of the California Code of Regulations, Co-Test Claimants submit the following rebuttal to the State Controller's Office ("SCO") comments dated January 24, 2011.

SCO states that it cannot support the proposed reasonable reimbursement methodology ("RRM") because the rates are based on "1) unaudited cost data; 2) cost data for only a single school year (2006-07); 3) data from only 12% of SELPA[s] and; 4) to be utilized for over an 18 year period." Co-Test Claimants respond to each of SCO's objections in turn.

1. Unaudited Cost Data

The statutory scheme governing RRM does not require or even contemplate audited data. In fact, such a requirement at this stage is impossible and illogical. An audit requirement would directly conflict with Government Code section 17557(b) which allows the Commission, in adopting parameters and guidelines pursuant to the test claim decision, to adopt an RRM. At this RRM development stage, no audited data yet exists. Reimbursement claims are subject to audit by the Controller only after they have been filed and thus, necessarily, after the adoption of an RRM. (Gov. Code, § 17558.5.)

Drew Bohan
February 23, 2011
Page 2

In fact, contrary to SCO's desire for "audited" cost data, the applicable statute actually sets standards for RRM source data well below the "audited" figures the SCO seeks, - standards which Co-Test Claimants here well exceed. Government Code section 17518.5, subdivision (b) describes the data on which the RRM shall be based, none of which is required to be audited. It provides, "A reasonable reimbursement methodology shall be based on cost information from a representative sample of eligible claimants, information provided by associations of local agencies and school districts, or *other projections* of local costs." (Gov. Code, § 17518.5, subd. (b) (*emphasis added*)). Co-Test Claimants' survey is substantially more reliable than "other projections of local costs" – a standard the statute finds acceptable. Co-Test Claimants' survey information is also substantially more reliable than the RRM bases allowed in Section 17518.5(d), which provides "*Whenever possible*, a reasonable reimbursement methodology shall be based on general allocation formulas, uniform cost allowances, and *other approximations* of local costs mandated by the state, rather than detailed documentation of actual local costs." (Gov. Code, § 17518.5, subd. (d) (*emphasis added*)). "Other approximations" is hardly audited cost data. With the qualifier "whenever possible," subdivision (d) intimates that even less may be adequate although, as noted, claimants need not rely on that exception.

In this case, Co-Test Claimants used a detailed, comprehensive, and rigorous survey to obtain cost information directly from a representative sample of eligible claimants. The resulting cost data is at a level of accuracy far in excess of the statutory requirements. It meets the test of being the type of information generally relied upon by persons in the conduct of serious affairs, the Commission's own evidentiary standard. (Cal. Code Regs., tit.2, § 1186.63, subd. (b).) While audited data might be an asset, it is not one available here, - and it is not required or even contemplated by the statute.

2. Cost Data from 2006-07 School Year

There is no requirement that cost data be drawn from more than one school year. The 2006-07 school year was selected because, in January 2008 when the cost information was gathered, that was the most recent complete school year. Thus, survey respondents had ready access to current data regarding the number of students with BIPs, the identity of persons performing tasks related to each program activity, the amount of time associated with each activity, the salary and benefit costs of employees providing the service, and other relevant information. Collecting such data, data not maintained in the usual course of business, from school years previous to 2006-07 would have been difficult, if not impossible, and would have resulted in figures less accurate

Drew Bohan
February 23, 2011
Page 3

than those obtained.¹ In short, the recency of the cost data ensured that the survey was as accurate as possible.

Additionally, the representative sample of survey respondents compensates for the fact that this was not a multi-year survey.² This is because the scope of the BIP mandate and its necessary activities has not changed since the 1993-94 school year when it became effective. The only variable is the needs of the students served in any particular district. As a result, though BIP mandate costs may vary from year to year for an individual school district, the average for all school districts remains constant with time. In short, the recency of the cost data at the time it was collected, the great care taken to survey a representative sample of claimants, and the unchanged mandate requirements ensure that a single year of data is sufficient.

3. Data from 12% of SELPAs

Here again, SCO suggests a requirement where none exists. There is no requirement regarding a minimum sample size, so long as the sample is large enough to be representative. Thus, the pertinent issue is not the size of the sample but its representative nature. SCO does not claim that the sample is not representative, nor could it. Here, 21 of the State's 119 SELPAs responded to the survey. The 21 SELPAs were made up of 197 school districts and 11 county offices of education, claiming 12% of ADA statewide. They were representative of all eligible SELPAs. They spanned small and large SELPAs (Calaveras County and South County San Diego), single-district and multi-district SELPAs (Fresno Unified and Butte County), rural, urban, and suburban SELPAs (Mono, Tri-City Los Angeles, and Marin County), and were geographically diverse (Poway and Modoc). The diversity of SELPAs surveyed ensures that the RRM was derived from an adequately representative sample of the eligible claimants.

¹ It must be noted that the various documents required to determine the cost to carry out the BIP mandate activities are not necessarily maintained by school districts for any length of time. In fact, staff calendars are not maintained at all. In addition, certain special education records that would be crucial in determining actual costs are classified as mandatory interim records, and as the name suggest, are not maintained permanently. (Cal. Code Regs., tit.5, § 432, subd. (b)(2)(C).) "Unless forwarded to another district, mandatory interim pupil records may be adjudged to be disposable when the student leaves the district or when their usefulness ceases. Destruction shall be in accordance with Section 16027 of this title during the third school year following such classification." (Cal. Code Regs., tit. 5, § 437, subd. (c).)

² The representative nature of the survey respondents is further discussed below, in Part 3.

Drew Bohan
February 23, 2011
Page 4

4. **RRM to be Utilized for over an 18-year Period**

SCO's final argument is that the proposed RRM will be utilized for over an 18-year period, in violation of Government Code section 17518.5, subdivision (d). There is no clear legal basis for this claim, as discussed more fully below. Further, practicality requires that RRM's extend well beyond 10 years given the Commission's current backlog and the fact that, as a result, the typical test claim reaches the claiming process more than 10 years after filing.

SCO supports its objection to the 18-year period based on Government Code section 17518.5, subdivision (d), but the statutory language is not as straightforward as SCO suggests. It reads: "In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the *determination* of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years." (Gov. Code, § 17518.5, subd. (d) (*emphasis added*)).

SCO objects to the *application* of the proposed RRM for a period exceeding 10 years, a situation not clearly covered by the statute. A plain reading of the statute would suggest, rather, that the *determination*, or the development or creation of the RRM, would be subject to the 10 year limitation – not its application. In other words, in determining the RRM the Commission would be limited to the consideration of 10 years of data. Here, Co-Test Claimants fell well within that limitation, only using cost data from a one-year period to determine the proposed RRM.

If, however, this section does in fact limit the *application* of the RRM, we believe using the RRM as Co-Test Claimants propose is consistent with the statute. Section 17518.5, subd. (d) does not specify whether the application of the RRM is prospective, retroactive, or both. A logical reading of this section might be that the RRM is prospective, meaning from 2011 (assuming the Commission adopts the proposed RRM) to 2021. Or, it could apply retroactively to claims from 2001 to 2011. Another reading would be that the RRM apply from 2006 (the year of the survey cost data) to 2016. In the other direction, the RRM would apply from 1996 to 2006. None of these alternatives is patently the proper interpretation and, under the circumstances, multiple factors militate toward applying a longer time period and toward applying the RRM retroactively as well as prospectively. Here we seek to apply the RRM retroactively 18 years (1993-94 through 2010-11) and prospectively 10 years or as the Commission allows for the reasons set forth below.

Drew Bohan
February 23, 2011
Page 5

A. The RRM should apply retroactively because actual documentation is not available for the claims through no fault of claimants.

1. Claimants had no notice of what documentation would be required because no Parameters and Guidelines were adopted and no claiming instructions issued.

Retroactive application of the RRM should be permitted to remedy the lack of documentation for the past 18 years. Mandate documentation requirements are controlled by the parameters and guidelines and noticed in the ensuing claiming instructions from SCO, which are released to all eligible claimants after the adoption of parameters and guidelines. (Gov. Code, § 17558; Cal. Code Regs., tit.2, § 1183.1, subd. (a)(6).) After 18 years, the parties in this case remain without parameters and guidelines. Therefore, there has been no notice to eligible claimants to collect documentation for reimbursement, and no notice regarding what specific documentation should be maintained.

2. Current law does not otherwise require claimants to retain the records necessary to document their claims for the past 18 years.

In addition, records related to BIP mandate activities are not necessarily maintained permanently by school districts, or even at all. In particular, staff calendars, which are an integral part of determining the number of hours required to implement the various BIP mandate activities, are not maintained at all by claimants. As a result, a 10-year limitation could well make it impossible for claimants to seek reimbursement for the majority of the past years of the BIP mandate.

3. State agencies, not Co-Test Claimants, filed the court appeal which delayed the Parameters and Guidelines after the Commission adopted the decision in 2000.

The excessive delay in this case is not due to Co-Test Claimants, but rather the state agencies. The Commission's Statement of Decision was issued in 2000, six years after Co-Test Claimants' test claim was filed. The Department of Finance appealed the decision in 2003 but failed to move the appeal forward or to fund the settlement the parties reached in good faith. Only in October 2010, a full 10 years after the Decision was issued and seven years after the appeal, did the Department of Finance dismiss its appeal. After prolonging the already lengthy process, the state agencies should not now be able to argue that a 10-year limitation should be applied to the RRM.

Drew Bohan
February 23, 2011
Page 6

B. Applying the RRM retroactively is consistent with the purposes of the statute in that it will enhance the accuracy of the claims and lessen the burden on the claimants and the SCO.

The very purpose of an RRM would be circumvented by restricting its application to prospective claims. RRM's are intended to serve as an alternative to the otherwise onerous requirement of submitting proof of actual costs. If eligible claimants are not able to use an RRM retroactively, one of two things will happen: either eligible claimants will not be able to claim reimbursement because they do not maintain records of actual cost, or eligible claimants will be forced to submit cost information that is little more than a guess. Neither alternative is desirable.

In addition, allowing a retroactive application of an RRM would establish a precedent useful to many claimants currently before the Commission. The Commission is currently determining claims that are almost 10 years old, so the extreme delay in this case is not all that uncommon for mandate reimbursement claims. Interpreting Government Code section 17518.5, subdivision (d) as limiting the application of the RRM to 10 years prospectively or even 10 years retroactively would have the effect of denying a remedy to many claimants before the Commission due to lack of records.

C. Applying the RRM prospectively is consistent with the purposes of the statute in that it will lessen the burden on the claimants and SCO - and promote the state's ability to predict mandate liability.

To promote the statutory requirement of balancing "accuracy with simplicity," the RRM should be applied prospectively, even following an 18-year retroactive application. (Gov. Code, § 17557, subd. (f).) As demonstrated by the details of Co-Test Claimants' thorough cost survey, Co-Test Claimants' proposed RRM is accurate, while at the same time provides for a simple and straightforward application. The only variable in the RRM formula is the number of ADA, which will not only ease the burden on claimants to collect and maintain documentation of mandate activities, but will also promote the State's ability to predict mandate liability. Thus, prospective application of the RRM is entirely consistent with statutory intent.

D. The Implicit Price Deflator may be applied to Co-Test Claimants' RRM in the manner requested.

Finally, SCO offers no justification for its assertion that "IPD adjustments cannot give an accurate RRM rate for such a long reimbursement period based on a single year of cost data." Just as there is no requirement for more than one year of source data, there is also no requirement that an implicit price deflator ("IPD") be applied only to an RRM based on more than one year of source data. As explained in detail above, we believe that the source data from the 2006-07 school year is sufficiently representative to be the basis for Co-Test Claimants' proposed RRM.

Drew Bohan
February 23, 2011
Page 7

SCO's objection regarding the application of an IPD to Co-Test Claimants' proposed RRM is without merit.

Conclusion

The Legislature developed a process whereby claimants and state agencies can develop an RRM to alleviate the data collection burden of the claimants and the oversight burden of the Controller, and to promote the predictability of the state's mandate liability from year to year. This process reimburses the cost of the mandate program activities based on formulas, allowances, and other approximations. The time spent by claimant staff to collect data, prepare claims, and respond to audits is itself a cost reimbursed by the state and it is in the interest of all parties to reduce the time burden and cost. The Legislature's RRM process allows the Commission to adopt RRMs based on a wide variety of reasonable data, without respect to a minimum sample size or minimum number of fiscal years involved, and potentially allows the Commission to apply this RRM retroactively for any number of years. The FY 2006-07 cost data provided by the claimants is statistically representative of the variety of districts and SELPAs that implement the mandate, and qualitatively representative of the consistent scope of the program activities since the date the test claim was filed. Based on the foregoing, Co-Test Claimants respectfully request that the Commission adopt the Revised Proposed Parameters and Guidelines, including the Proposed RRM, as submitted. If you have any questions, please do not hesitate to contact us.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP

/s/ Diana McDonough



Melanie Seymour

DKM:MDS
00334.00100/248978.1



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August 9, 2011

Mr. Drew Bohan
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Dear Mr. Bohan:

The Department of Finance (Finance) has reviewed the proposed parameters and guidelines with reasonable reimbursement methodology (RRM) submitted by the Butte County Office of Education, the San Joaquin County Office of Education, and the San Diego Unified School District for the *Behavioral Intervention Plans* (BIPs) program (CSM-4464), and respectfully submit the following comments.

The three RRM's proposed by the claimants are based on survey data that was collected from 21 of the 120 Special Education Local Plan Areas (SELPA's) statewide and which represented 11.34 percent of the average daily attendance (ADA) of SELPA's in 2006-07. Specifically, the three RRM's were calculated for the following: (1) one-time activities, (2) on-going activities at the SELPA level, and (3) on-going activities for county offices of education and school districts. For each RRM, the SELPA's ADA for the fiscal year of reimbursement would be multiplied by a per-ADA base rate adjusted by the Implicit Price Deflator. The base rates used in the RRM's were determined by dividing the total costs collected from the 21 surveys for the 2006-07 fiscal year by the total ADA of the participating SELPA's.

Subdivisions (b) and (f) of Government Code section 17557 authorize the inclusion of a RRM in the parameters and guidelines "that balances accuracy with simplicity." Subdivisions (b) and (c) of Government Code section 17518.5 require that the RRM be based on cost information from a representative sample of eligible claimants, and that it consider the variation of costs among local school districts to implement the mandate in a cost-efficient manner.

Finance does not believe that the RRM meets the criterion of being based on cost information from a representative sample of eligible claimants. Additionally, the proposed RRM fails to consider the variation of costs to implement the mandate in a cost efficient manner. For these reasons, it does not meet the statutory requirements for establishing an RRM. Therefore, we recommend that the Commission deny this request to amend the parameters and guidelines.

The proposed RRM does not consider the variation of costs among school districts to implement the mandate in a cost-efficient manner.

As evidenced by the survey data collected, there are two significant variations that are not considered by the proposed RRM: (1) the variation of costs reported for BIP programs, and (2) the number of BIP programs developed by school districts. In order to compare the amounts

reported on each of the surveys submitted by the 21 SELPAs, we divided the total amount reported by total ADA, and also divided the total amount by the number of BIPs reported. As a result, we found the following instances of very wide ranges of unit costs:

- The cost for a BIP per ADA ranged from \$1.31 to \$81.91 and averaged \$10.17.
- The cost per BIP ranged from \$2,400 to \$197,000 and averaged \$17,047.
- On an ADA basis, the highest cost reported is 62 times higher than the lowest while the highest cost per BIP is 82 times higher than the lowest.

The variation in the number of BIPs reported by the SELPAs was equally significant, ranging from 0 to 87. Based on the survey data, it does not appear that the frequency of a BIP nor the total cost is related to a SELPA's ADA. For instance, the Fresno County and Fresno Unified School District SELPAs have similar ADA of 73,258 and 71,980, respectively. However, Fresno Unified reported one BIP at a cost of \$139,624, which equates to \$1.94 per ADA, and Fresno County reported 67 BIPs with a total cost of \$727,062 or \$9.92 per ADA.

Overall, the survey data demonstrates that the cost per ADA, the cost per BIP, and the number of BIPs per ADA vary widely among SELPAs. There is no evidence showing a correlation between the number of students and the cost incurred by SELPAs to develop BIP programs. Therefore, we do not believe using ADA as part of the proposed RRM is appropriate.

In fact, if the proposed RRM was applied to the 21 survey participants, the reimbursement levels for 2006-07 would be significantly different than the amounts reported as expenditures in the survey. Under the proposed RRM, 18 of the SELPAs would be eligible for reimbursement that is significantly different than reported expenditures. These differences range from 88 percent below and 677 percent above reported expenditures. Only three SELPAs would receive reimbursement within 20 percent of reported costs. Reimbursement standards that would allow reimbursement for a school district in excess of that district's actual costs or overall reimbursement in excess of statewide actual costs should not be supported.

Further, the proposed RRM does not consider the relationship of the mandated activities and the mechanism that triggers the need for those activities. For instance, Emergency Interventions, Developing and Evaluating Behavioral Intervention Plans and Conducting Functional Analysis are only mandated activities if a serious behavior problem interferes with the implementation of a student's IEP. However, under the proposed RRM, all school districts would be eligible to receive reimbursement for these activities regardless of whether the activity is actually performed.

The proposed RRM would not provide reimbursement based on cost information from a representative sample of eligible claimants.

As previously mentioned, the proposed RRM is based on survey data collected from only 21 of 120 SELPAs statewide and that represents just 11.3 percent of total ADA. Additionally, the sample does not include representation from the ten largest SELPAs in the state, which accounted for over 32 percent of total ADA in 2006-07, including San Diego Unified School District. We also found that the Southern California region was underrepresented. If the state were divided into four geographical regions—North, Central, Bay Area and South, 67 percent of survey results came from SELPAs in the Northern and Central regions. However, these regions

Mr. Drew Bohan
August 9, 2011
Page 3

only represent 21 percent of the state's total ADA. The Southern California region, on the other hand, accounts for 63 percent of the state's ADA but contributed just 20 percent of the survey results. While Los Angeles County is comprised of 17 SELPAs, only one was included in the survey—Tri-City SELPA. Los Angeles County represents 26 percent of the state's total ADA but only makes up 3 percent of the ADA surveyed. San Bernardino and Riverside Counties, who have combined ADA of 792,422 (13 percent of the statewide total), were not included in the survey.

Based on the reasons discussed above, we respectfully urge the Commission to deny the proposed RRM since it does not consider the variation of costs among school districts nor is it based on cost information from a representative sample of eligible claimants. Moreover, the data used to calculate the proposed unit rate is based on survey results from SELPAs, not on actual cost claims that have been audited. We are concerned that this data along with the proposed RRM does not accurately reflect the cost of the program, and we question whether the BIPs program is suitable for such an approach.

If you have any questions regarding this letter, please contact, Lenin Del Castillo, Principal Program Budget Analyst at (916) 445-0328.

Sincerely,



NICOLAS SCHWEIZER
Program Budget Manager



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October 14, 2011

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Drew Bohan
Executive Director
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Re: **Co-Claimants' Rebuttal to Finance's Comments Regarding Revised Proposed Parameters and Guidelines with Reasonable Reimbursement Methodology**
Behavioral Intervention Plans, CSM-4464
Chapter 959, Statutes of 1990
Education Code section 56523
Title 5, California Code of Regulations section 3001 and 3052

Dear Mr. Bohan:

Co-Claimants San Diego Unified School District, San Joaquin County Office of Education, and Butte County Office of Education ("Co-Claimants") submit the following rebuttal to the Department of Finance's ("Finance") comments dated August 9, 2011.

Finance's Untimely Filing of Comments has Prejudiced Co-Claimants, Wasted Time, and Should be Disregarded by the Commission.

Initially, Co-Claimants object to Finance's late filing of comments concerning the proposed reasonable reimbursement methodology ("RRM"). These comments were due on January 24, 2011 however Finance filed them on August 9, 2011, seven months late. Finance's disregard of the deadline has prejudiced Co-Claimants and wasted the time of both Co-Claimants and Commission staff, thereby driving up the costs of mandate reimbursement, the very costs it should seek to reduce.

After waiting for all comments to be submitted by the January 24, 2011 deadline, Co-Claimants filed a rebuttal on February 23, 2011 and asked for an informal conference to explain its RRM to Commission staff and the state agencies. Several individuals represented the State Controller's Office ("the Controller") at the April 25, 2011 informal conference and actively participated.

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Drew Bohan
Re: *Behavioral Intervention Plans, CSM-4464*
October 14, 2011
Page 2

Representatives of Finance attended by phone, not in person, and did not participate.

In June 2011, Commission staff issued a proposed decision on the Habitual Truants RRM stating that it did not meet the “cost-efficient” element required by statute. Commission staff convened a conference to discuss “cost-efficient” on July 27, 2011. Finance now contends that Co-Claimants’ proposed RRM is not cost-efficient, aligning itself with the concerns that the Commission staff highlighted in June and July. Neither Co-Claimants nor the Controller had this benefit when they timely filed their documents in January and February.

Finance’s untimely filing meant that Co-Claimants were unable to respond to this matter when they responded to the Controller’s comments, that the parties were unable to take into account Finance’s comments at the April 25, 2011 informal conference, and that Finance was able to benefit from its tardiness by aligning itself with the Commission staff’s concerns regarding “cost-efficiency,” concerns raised after Co-claimants’ timely filing. This is contrary to standards of fairness, not to mention judicial economy, and has prejudiced Co-Claimants by further delaying eventual reimbursement.

Should the Commission consider the merits of Finance’s comments, Co-Claimants urge the Commission to reject them. Finance makes the following assertions: 1) the proposed RRM fails to consider the variation of costs to implement the mandate in a cost-efficient manner; and 2) the proposed RRM does not meet the criterion of being based on cost information from a representative sample of eligible claimants. Co-Claimants disagree on both counts and respond to each assertion below.

1. The proposed RRM appropriately considers the variation of costs among school agencies to implement the mandate in a cost-efficient manner.

A. Variation in costs is relevant in determining the RRM level, but not to bar an RRM.

The plain meaning of the requirement to “consider the variation in costs . . . to implement the mandate in a cost-efficient manner” is that the variation provides information to the Commission on what level is “cost efficient.” (Gov’t Code, §17518.5(c).) In other words, if there is a wide variation in costs, it would not make sense to set the RRM at the high or the low end of the variation. Rather the variation should be “considered” to determine what the “reasonable” level of reimbursement is – and presumably that reasonable level would be one near the middle. In short, a variation is relevant as to the *level* of reimbursement proposed in an RRM, not as to *whether* an RRM is appropriate.

Drew Bohan
Re: *Behavioral Intervention Plans, CSM-4464*
October 14, 2011
Page 3

Finance ignores the plain meaning of the statute and instead argues that the variation in costs – a fact which Co-Claimants do not deny – precludes the use of an RRM. Co-Claimants do not understand the basis for Finance’s claim. There is no language that suggests a variation in costs bars reimbursement. Rather, variation must be *considered* to arrive at a reasonable reimbursement level.

Co-Claimants’ proposed RRM does just that – by taking into account the ADA of each SELPA reporting data. The per ADA amount proposed by the RRM was calculated by totaling all costs, totaling all ADA, and dividing those results – for a level at the middle. The highest spenders will not be reimbursed for their full costs, encouraging cost-efficiency. The lowest spenders will be reimbursed above their minimal costs, still encouraging cost-efficiency by ensuring that the mandate will be reasonably implemented, not under-implemented. We believe this is consistent with legislative intent in adopting the “cost-efficient” standard. Notably, the language the Legislature chose is not “least costly.” Rather, it chose “cost-efficient,” to protect against inflated costs while still promoting full program implementation.

B. The cost and number of BIPs is not an accurate measure of the BIP mandate.

Finance alleges that the proposed RRM fails to consider: 1) the variation of costs reported for BIPs and 2) the number of BIPs developed by school districts. As indicated above, a variation in cost in and of itself is not a bar to an RRM although it should be considered in arriving at the proper RRM. Further, focusing on the number of Behavioral Intervention Plans (“BIPs”) as a measure of a district’s activities for this mandate is misplaced. BIPs account for only three of the seven areas of reimbursable activities named in the Commission’s 2000 decision: 1) Development and implementation of BIPs; 2) Functional analysis assessments; and 3) Modifications and contingent BIPs. The other four areas are: 1) SELPA plan requirements (which includes training); 2) Development and implementation of emergency interventions; 3) Prohibited BIPs and training in that regard; and 4) Due process hearings. The goal of Co-Claimants’ RRM was to see that school agencies were reasonably reimbursed for *all* activities that the Commission found reimbursable, not simply for BIPs.

Further, the survey reports costs for one year, 2006-07. Three of the SELPAs surveyed had no BIPs for the year surveyed. This is not a surprise. Costs vary widely by SELPA from year to year because of the particular students being served in any one year. Nevertheless, the total costs state-wide from year to year are not likely to vary, and thus a per ADA approach as Co-Claimants propose is a rational and reasonable method.

Similarly, Finance’s narrow focus does not acknowledge the actual manner in which the RRM is constructed. Co-Claimants developed a two-pronged RRM for ongoing activities, one primarily

Drew Bohan
Re: *Behavioral Intervention Plans, CSM-4464*
October 14, 2011
Page 4

for training activities to be distributed by SELPA, the other for all other ongoing activities, to be distributed by school district or COE. The training activities, based on survey data, amount to \$1.187 per ADA, while all other activities amounted to \$9.4457. Finance ignored this division when analyzing Co-Claimants' proposed RRM, lumping together the two costs.¹ As might be expected, the training costs, while varied, are closer than the service costs, as staff needs to be trained regularly regardless of the number of students with BIPs in any particular year. Because trainings often are provided SELPA-wide, Co-Claimants surveyed the training costs by SELPA and proposed reimbursement to that entity.

C. Finance's true concern is the high reimbursement level which a per ADA RRM will allow not whether such a reimbursement level is reasonable or accurate.

Co-Claimants must briefly address Finance's purported concern regarding the variation between reported expenditures and reimbursement levels. A closer review of Finance's comments reveals a much narrower issue. Finance states only: "Reimbursement standards that would allow reimbursement for a school district *in excess* of that district's actual costs . . . should not be supported." Conversely, Finance does not appear to be at all troubled that other claimants would be reimbursed *less* than actual costs under the proposed RRM.

Finance further states: "Reimbursement standards that would allow . . . overall reimbursement in excess of statewide actual costs should not be supported." We agree. We believe Co-Claimants' RRM does not support overall reimbursement in excess of actual costs – nor do we see that Finance has shown in its comments that the proposed RRM would result in such excess.

¹ We believe Finance made an error when it found the cost per BIP averaged \$10.17 per ADA, even using its own methodology. So far as we can tell, this figure came from Exhibit 5 of Co-Claimants Revised Proposed Parameters and Guidelines, which shows costs before Co-Claimants and Finance had reconciled them. Ultimately the parties agreed to the accuracy of the figures in Exhibit 7, which shows costs of \$10.64 per ADA.

We also believe Finance made an error when it found that the cost per BIP per SELPA ranged from \$2,400 to \$197,000. Our calculations show the BIPS ranged from \$2,396.30 to \$139,624.66.

Drew Bohan
Re: *Behavioral Intervention Plans, CSM-4464*
October 14, 2011
Page 5

D. Basing an RRM on the cost of each mandated activity is not consistent with streamlining mandate process and reimbursement, and incentivizes increasing mandate costs.

Finance also objects to the RRM because it does not require that a district show, in a given year, that it has performed a specific activity. We understand the objection but we believe it is just such an approach that has mired the mandate system in minutia, concentrating on cost accounting designed to inhibit, rather than facilitate, fair reimbursement. We believe this is contrary to the spirit of the Constitutional amendment, the goal of which was to see that local agencies are reimbursed when the state requires them to do an activity. More specifically, we believe it is contrary to the spirit which animated the Legislature when it amended the law to allow a “reasonable reimbursement methodology.” The goal of an RRM is to expedite mandate proof and payment, particularly given the backlog of mandates. The Legislature’s liberal intent in allowing RRMs is even more evident from its 2007 amendments to Government Code section 17518.5, which eliminated the requirement that a proposed RRM *fully offset* the projected costs of 50 percent or more of eligible agencies. (Compare Gov’t Code, §17518.5, subd. (a)(2) (2004) with Gov’t Code, §17518.5 (2007).) In short, the Legislature has steadily progressed from requiring strict cost accounting to permitting reasonable reimbursement which contemplates cost variation.

Further, the per ADA approach has a specific cost-efficient benefit here – it does not incentivize activities required by the BIP legislation and regulations, which could be an unintended consequence of payment per activity. The per ADA approach is a familiar one in California. In 1997-98, the state chose to fund special education based on total ADA rather than per service or activity with the enactment of AB 602. Prior to this shift, which took effect in 1998-99, a district received funding based on the number of special education classes (special day class and resource specialist classes) that the district operated, as well as on designated instructional services (“DIS”) units. This “instructional personnel services unit” (“IPSU”) system rewarded a district for identifying and serving more special education students and, thus, operating more classes and providing more special education services. The state did not want to incentivize special education growth, not only because of the funding involved but also because it was contrary to the federal policy of keeping students in general education to the greatest extent possible. By consolidating previous special education program allocations and then distributing those dollars based on all ADA, the legislature adopted a “revenue neutral” reform that eliminated incentives for increasing the number of special education students. The AB 602 system, still in place to date, is a reasonable system.

Drew Bohan

Re: *Behavioral Intervention Plans, CSM-4464*

October 14, 2011

Page 6

We believe Co-Claimants' proposed RRM achieves many of the same ends as AB 602. Co-Claimants concede there is a large variation between reported expenditures for the 2006-07 school year and reimbursement figures under the RRM. However, Co-Claimants believe this variation is constitutionally permissible. Co-Claimants' position on this issue will be explained in detail in its response to the Commission's request for comments to be submitted on or before December 20, 2011.

2. The proposed RRM is based on a representative sample of eligible claimants.

Finance asserts the survey sample is not representative because data was collected from "only" 21 of the state's 120 SELPAs. As previously stated in Co-Claimants' rebuttal to the Controller's comments, there is no requirement regarding a minimum sample size, so long as the sample is large enough to be representative. There is also no requirement that the sample include representation from the ten largest SELPAs in the state, as Finance implies.

The 21 SELPA survey respondents were made up of 197 school districts and 11 county offices of education, claiming 12% of ADA statewide. The survey respondents were representative of all eligible SELPAs, spanning small and large SELPAs (Calaveras County and South County San Diego), single-district and multi-district SELPAs (Fresno Unified and Butte County), rural, urban, and suburban SELPAs (Mono, Tri-City Los Angeles, and Marin County), and were geographically diverse (Poway and Modoc). The diversity of SELPAs surveyed ensures that the RRM was derived from an adequately representative sample of the eligible claimants.

In fact, the Commission has previously found that a smaller sample of eligible claimants was nonetheless representative of all eligible claimants because both large and small agencies were represented. In Municipal Storm Water and Urban Runoff Discharges (March 24, 2011 Parameters and Guidelines and Decision, 03-TC-04, 03-TC-20, 03-TC-21), the Commission found that the proposed RRM was based on a representative sample of claimants, even though the information was based on only seven of about 85 eligible claimants, approximately 8.2%. There, the survey participants represented cities and counties that had as few as nine trash receptacles (Artesia) and as many as 324-470 trash receptacles (Los Angeles County).

Finance also asserts that the survey sample is not representative because the Southern California region was underrepresented. Presumably Finance believes this is relevant because it would impact costs of implementing the mandate. The facts show this is not the case – based on two sources of data. First, certificated salaries, which drive the costs of the BIP mandate, are actually surprisingly similar in all parts of the state. If anything, salaries are higher on average in

Drew Bohan
Re: *Behavioral Intervention Plans, CSM-4464*
October 14, 2011
Page 7

Southern California than in Northern California.² Note, for instance, that the average scheduled salary paid statewide in unified districts was \$63,323 in 2006-07, the survey year. In Los Angeles County the comparable amount was \$63,673, in Riverside County \$66,009, in San Diego County \$62,699, in Ventura County \$62,908. Contrary to Finance's theories, Co-Claimants' Northern California survey participants were not on the high end when compared to the statewide \$63,323 figure. For instance, Solano County's comparable figure was \$58,255, Fresno's \$58,923, and San Joaquin's \$59,034. A review of more current J-90s does not noticeably differ from these comparisons. (See attached Compilation of Selected Counties and Statewide Totals and Averages.)

Finally, Finance's objection to the proposed RRM on the basis that the data used to calculate the proposed RRM is based on survey results from SELPAs, not on actual cost claims that have been audited, is without merit. The very purpose of an RRM is to simplify the claiming process by bypassing actual cost claims. If actual, audited cost data existed, there would be no need for an RRM. As succinctly explained by Camille Shelton, Chief Legal Counsel, during the hearing on the proposed RRM for Municipal Stormwater and Urban Runoff, "[An RRM] is based on approximations of local costs and it is not based -- it doesn't have to be based on actual costs incurred." (Transcript of Hearing on Municipal Stormwater RRM, p.14.)

Conclusion.

Co-Claimants object to Finance's comments based on their exceptionally late filing without excuse or explanation. Should the Commission nonetheless consider them at this late date, Co-Claimants urges the Commission to find that the RRM properly considers the variation in costs to implement the mandate in a cost-efficient manner and that its sample is representative.

Co-Claimants highlight Finance's delay to show that its true concern is not to reach a fair reimbursement level, but to indefinitely delay or deny reimbursement. Co-Claimants understand the state is presently without resources. That is not an excuse for failing to work with Co-Claimants in good faith to reach a reasonable reimbursement methodology, one that will actually promote, rather than block, reimbursement. If Finance does not believe the system Co-claimants have proposed is a good one, let it propose its own. A critical part of any such system will be to allow SELPAs, districts, and county offices to recoup their costs retroactively without providing item-by-item proof. Such proof is not available, since the mandate commenced in 1993-94 but

² Certificated salary information is based on "2006-2007 Salary and Benefit Schedule for the Certificated Bargaining Unit (Form J-90)" from the California Department of Education School Fiscal Services Division (<http://www.cde.ca.gov/ds/fd/cs/>).

Drew Bohan

Re: *Behavioral Intervention Plans, CSM-4464*

October 14, 2011

Page 8

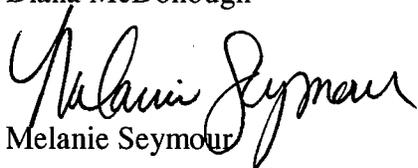
no claiming instructions have been issued and no claims filed or reimbursed. With notice, different standards of proof might be possible for future years, although given the time and expense of maintaining and auditing such information, one might believe Finance, the Controller, and Co-Claimants could agree that a per ADA RRM approach makes much more sense.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP



Diana McDonough



Melanie Seymour

DKM:MDS

Attachment: *Compilation of Selected Counties and Statewide Totals and Averages*

00334.00100/300484.2

2006-07 CERTIFICATED TEACHER SALARY PROFILE BY COUNTY BY DISTRICT BY TYPE
 Compilation of Selected Counties and Statewide Totals and Averages
 Source: <http://www.cde.ca.gov/ds/fd/cs/>

County	Number of LEAs	Total Salary Schedule F-T-E	Total Salary Schedule Cost	Average Schedule Salary Paid	Highest Schedule Salary Offered	Mid-Point Salary Offered	Lowest Schedule Salary Offered
10 Fresno							
County Office	1	196.88	11,411,473	57,962	70,036	55,009	39,982
Elementary	10	258.35	13,547,131	52,437	72,043	50,022	28,000
High	1	53.00	3,240,539	61,142	76,982	58,558	40,133
Unified	16	8,854.17	521,714,941	58,923	79,501	56,171	32,841
TOTALS	28	9,362.40	549,914,084				
19 Los Angeles							
Elementary	23	7,724.35	503,440,046	65,176	92,922	63,580	34,238
High	5	3,495.40	221,220,718	63,289	90,252	62,951	35,650
Unified	46	67,887.28	4,322,580,207	63,673	95,252	64,908	34,563
TOTALS	74	79,107.03	5,047,240,971				
33 Riverside							
Elementary	4	889.89	53,638,164	60,275	83,593	59,956	36,319
High	1	339.00	21,635,385	63,821	84,572	63,535	42,498
Unified	17	18,175.48	1,199,750,406	66,009	94,500	65,260	36,020
TOTALS	22	19,404.37	1,275,023,955				
37 San Diego							
County Office	1	259.00	18,516,514	71,492	92,980	66,125	39,269
Elementary	21	6,977.00	453,415,015	64,987	92,445	63,942	35,438
High	6	4,070.44	274,504,310	67,438	97,595	66,430	35,264
Unified	10	13,730.53	860,890,646	62,699	86,962	60,293	33,624
TOTALS	38	25,036.97	1,607,326,485				
39 San Joaquin							
County Office	1	192.30	10,907,553	56,722	76,413	57,863	39,312
Elementary	6	198.25	10,484,394	52,885	74,105	52,349	30,592
Unified	8	6,336.60	374,075,937	59,034	81,323	58,669	36,015
TOTALS	15	6,727.15	395,467,884				

2006-07 CERTIFICATED TEACHER SALARY PROFILE BY COUNTY BY DISTRICT BY TYPE
 Compilation of Selected Counties and Statewide Totals and Averages
 Source: <http://www.cde.ca.gov/ds/fd/cs/>

County	Number of LEAs	Total Salary Schedule F-T-E	Total Salary Schedule Cost	Average Schedule Salary Paid	Highest Schedule Salary Offered	Mid-Point Salary Offered	Lowest Schedule Salary Offered	
48 Solano	Unified	6	3,357.76	195,605,025	58,255	76,766	55,430	34,093
	TOTALS	6	3,357.76	195,605,025				
56 Ventura	County Office	1	84.00	5,040,152	60,002	79,729	60,150	40,571
	Elementary	10	1,706.77	105,195,637	61,634	80,039	57,051	34,063
	High	2	760.53	51,302,363	67,456	84,154	60,994	37,834
	Unified	6	2,915.17	183,387,613	62,908	85,401	59,198	32,994
	TOTALS	19	5,466.47	344,925,765				

(STATEWIDE)
 GRAND TOTALS

County Office	34	4,158.74	267,985,036	64,439	98,463	64,939	31,415
Elementary	422	57,925.10	3,656,834,296	63,130	110,356	68,043	25,730
High Schools	77	25,358.50	1,686,714,140	66,515	114,525	73,505	32,485
Unified	302	212,429.38	13,451,686,373	63,323	106,573	66,829	27,084
Common Admn.	5	3,300.86	230,600,484	69,861	94,684	63,892	33,100
Overall TOTALS	840	303,172.58	19,293,820,329				

COMMISSION ON STATE MANDATES

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August 12, 2011

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 Oakland, CA 94607

Ms. Juliana Gmur
 MAXIMUS
 2380 Houston Ave
 Clovis, CA 93611

And Interested Parties and Affected State Agencies (see mailing list)

RE: Request for Comments

Regarding Reasonable Reimbursement Methodologies
 in Relation to the Following Claims:

Behavioral Intervention Plans, CSM 4464

San Diego Unified School District, San Joaquin County Office of Education
 and Butte County Office of Education, Claimants

Habitual Truants, 09-PGA-01, 01-PGA-06 (CSM-4487 and CSM-4487A)

San Jose Unified School District, Requestors

Voter Identification Procedures, 03-TC-23

County of San Bernardino, Claimant

Dear Mr. Petersen, Ms. McDonough, and Ms. Gmur:

Thank you for your participation on July 27, 2011 at the prehearing conference conducted by the Commission on State Mandates (Commission) to discuss reasonable reimbursement methodologies (RRMs) as they relate to the above-named matters, and to future requests for RRMs. Staff sought input regarding how "cost efficient," as that term is used in Government Code section 17518.5, should be applied to proposed RRMs. The participants in the prehearing conference provided helpful input on this issue and into the draft staff analysis on the proposed parameters and guidelines amendment for the *Habitual Truants* program. The draft staff analysis was issued on June 9, 2011. Subsequent to the prehearing, Commission staff reviewed the draft staff analysis based on the input received and now seeks briefing on the following questions:

1. Government Code section 17518.5(a) states: "Reasonable reimbursement methodology" means a formula for reimbursing local agencies and school districts for costs mandated by the state, as defined in Section 17514." Section 17514 states: "'costs mandated by the state' means any increased costs which a local agency or school district is required to incur" to fulfill the requirements of a state mandate.

The California Constitution and section 17514 require that each local agency be reimbursed for its mandated costs. An RRM is a tool to facilitate the reimbursement process. Staff believes it is constitutionally permissible to develop an RRM unit cost that reasonably reimburses each local agency even if

some local agencies receive more and some local agencies receive less than the RRM unit cost. The Commission recently found in the *Municipal Stormwater* program that the RRM unit cost of \$6.74 was reasonable even though the unit costs used to develop that figure ranged from a low of \$2.02 to a high of \$14.46. The Commission implicitly found that \$6.74 was a constitutionally permissible figure even though one claimant whose figures were used to calculate the RRM figure had actual costs of \$14.46. Under the RRM, that claimant would be entitled to less than half of its actual costs.

Question: At some point is the range of figures used to develop the unit cost so wide that it violates the constitutional requirement that local agencies be reimbursed for their mandate-related costs?

2. Government Code section 17518.5(c) states: "A reasonable reimbursement methodology shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner."

Question 1: How should "cost-efficient" be defined?

Question 2: What does this section require be cost-efficient? Stated another way, what does a requestor need to show to demonstrate that its proposed RRM unit cost meets the requirement of section 17518(c)?

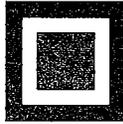
We invite all parties, interested parties, and interested persons to submit comments on these questions or any related issues by Wednesday, **September 2, 2011**.

Please contact me at (916) 323-3562 if you have questions.

Sincerely,



Drew Bohan
Executive Director



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December 20, 2011

Ms. Nancy Patton
Acting Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: **Co-Claimants' Response to the Commission on State Mandates' August 12, 2011
Request for Comments**
Behavioral Intervention Plans, CSM 4464
Chapter 959, Statutes of 1990
Education Code Section 56523
Title 5, California Code of Regulations section 3001 and 3052

Dear Ms. Patton:

This letter is in response to the Commission on State Mandates' ("Commission") correspondence dated August 12, 2011, in which the Commission invited Behavioral Intervention Plans Claimants San Diego Unified School District, San Joaquin County Office of Education, and Butte County Office of Education (collectively, "Co-Claimants") to submit comments to three questions related to reasonable reimbursement methodologies ("RRM") under Government Code section 17518.5. Co-Claimants respectfully request that this response also be included in the record of CSM 4464. We respond to each question in turn.

Question 1: *At some point is the range of figures used to develop the unit cost so wide that it violates the constitutional requirement that local agencies be reimbursed for their mandate-related costs?*

The Constitution requires that the State reimburse local agencies for their mandated costs. The Legislature has enacted a scheme to implement this constitutional provision which includes empowering the Commission to adopt an RRM when it adopts parameters and guidelines for reimbursement. If the Commission adopts an RRM, it is required to consult with the affected

Ms. Nancy Patton
December 20, 2011
Re: Request for Comments
Page 2

parties to consider an RRM that balances accuracy with simplicity. The RRM must be based on representative cost information and consider variation in costs to implement the mandate in a cost efficient manner. If those requirements are met, the resulting RRM is presumed constitutional.

1. The Constitution requires reimbursement of state mandates. Under the California Constitution, local agencies *must* be reimbursed for their mandate-related costs. Article XIII B, section 6, subdivision (a) of the California Constitution provides: “Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the State shall provide a subvention of funds to reimburse that local government for the costs of the program or increased level of service . . .[.]” In *California School Boards Association v. State*, the California Court of Appeal recently considered this provision, stating, “This reimbursement obligation was ‘enshrined in the Constitution . . . to provide local entities with the assurance that state mandates would not place additional burdens on their increasingly limited revenue resources.’” (*California Sch. Boards Assn. v. State* (2011) 192 Cal.App.4th 770, 785 (CSBA), citing *Lucia Mar Unified Sch. Dist. v. Honig* (1988) 44 Cal.3d 830, 836, fn. 6, 244; *County of Sonoma v. Commission on State Mandates* (2000) 84 Cal.App.4th 1264, 1282.)

2. The Legislature created a statutory scheme to implement the constitutional requirement of mandate reimbursement and courts presume that scheme is consistent with the Constitution. In 1984, the Legislature enacted Government Code sections 17500 and following to implement the constitutional requirement of reimbursing local agencies and school districts for state mandates.

* * *

It is the intent of the Legislature in enacting this part to provide for the implementation of Section 6 of Article XIII B of the California Constitution. Further, the Legislature intends that the Commission on State Mandates, as a quasi-judicial body, will act in a deliberative manner in accordance with the requirements of Section 6 of Article XIII B of the California Constitution. (Gov. Code, § 17500.)

The action of the Legislature in creating this scheme is presumed to be constitutional and to date, no court has found to the contrary:

[A] court must presume the Legislature acts consistent with the Constitution when enacting legislation, and we must adopt an interpretation that upholds the statute's constitutionality, if the interpretation is consistent with the statutory language and purpose. (*CSBA, supra*, 192 Cal.App.4th at 795.)

Ms. Nancy Patton
December 20, 2011
Re: Request for Comments
Page 3

In *CSBA*, the California Court of Appeal considered section 6 of Article XIII B and one of the statutes enacted to implement it. (*CSBA, supra*, 192 Cal.App.4th 770.) There the Court of Appeal held that the State's practice of nominally funding state mandates with the intention to defer full payment with interest to a later, unspecified date, does not satisfy the applicable constitutional and statutory provisions. (*Id.* at 790.) Rather the court found that "section 17561, subdivision (a)'s statement that 'all' costs must be reimbursed by the State is a clear statutory directive requiring full payment once a mandate is determined by the Commission . . . An interpretation of section 17561 that would allow partial payments would render the word 'all' superfluous." (*Id.* at 789.) In reaching this decision, the court gave weight to the presumption discussed above – namely that the "court must presume that the Legislature acts consistent with the Constitution when enacting legislation" – "and uphold[] the statute's constitutionality, if the interpretation is consistent with the statutory language and purpose." (*Id.* at 795.)

3. The Legislature's authorization of use of an RRM with minimal requirements is presumed to be constitutional. The Legislature has chosen to permit reimbursement through use of an RRM with minimal requirements. An RRM, 1) is a formula, 2) is based on representative cost information, 3) considers variation in costs, and 4) balances accuracy with simplicity, as follows:

--1) The RRM is "a formula for reimbursing local agencies and school districts for costs mandated by the state, as defined in Section 17514." (Gov. Code, § 17518.5, subd.(a).)

--2) An RRM "shall be based on cost information from a representative sample of eligible claimants, information provided by associations of local agencies and school districts, or other projections of local costs." (Gov. Code, § 17518.5, subd.(b).)

--3) An RRM "shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner." (Gov. Code, § 17518.5, subd.(c).)

--4) The Commission "shall consult with the Department of Finance, the affected state agency, the Controller, the fiscal and policy committees of the Assembly and Senate, the Legislative Analyst, and the claimants to consider a reasonable reimbursement methodology that balances accuracy with simplicity." (Gov. Code, §17557, subd.(f).)

This minimal list of requirements makes it clear that the Legislature has authorized standardized reimbursement for a broad range of costs based on the particular mandate and the particular sources of cost information available. As long as the statutory requirements listed above are met there is no range of figures so wide as to violate constitutional requirements. In fact, no doubt with an eye towards expediting the process, "[W]henever possible" an RRM "shall be based on

Ms. Nancy Patton
December 20, 2011
Re: Request for Comments
Page 4

general allocation formulas, uniform cost allowances, and other approximations of local costs . . . rather than detailed documentation of actual local costs." (Gov. Code, § 17518.5, subd.(d).)

By allowing local agencies to use RRM, the Legislature contemplates that some local agencies will receive more than their actual costs, and some local agencies will receive less. As the Commission's August 12, 2011 letter notes, the Commission has already determined an RRM reasonably reimburses each local agency even if, when applied, some local agencies receive more and some local agencies receive less than the actual costs incurred. Specifically, in Municipal Stormwater and Urban Runoffs, the Commission found \$6.74 was a reasonable level of reimbursement under an RRM even though actual costs ranged from \$2.02 to \$14.46. Applying the approved RRM, some agencies were entitled to over three times their actual costs while others received less than half their actual costs.

Does a standardized reimbursement level, an RRM, contradict the statutory mandate discussed by the Court of Appeal above that "all costs" be reimbursed by the state? We believe the answer is no. Rather the RRM is to be interpreted consistent with the rules of statutory construction which require harmonization of all parts of a legislative scheme to achieve the overall purpose – here the expeditious reimbursement of local agencies and school districts for mandated costs. As the Court of Appeal quoted with approval in *CSBA*:

"The words of the statute must be construed in context, keeping in mind the statutory purpose, and statutes or statutory sections relating to the same subject must be harmonized, both internally and with each other, to the extent possible. (*CSBA, supra*, 192 Cal.App.4th at 795, citing *Los Angeles Unified Sch. Dist. v. County of Los Angeles* (2010) 181 Cal App.4th 414, 423.)

One good faith method of harmonization is to adopt an RRM that will reimburse the estimated total costs of all school districts and agencies statewide to implement the mandate in a cost efficient manner although it will not necessarily reimburse the actual costs of each individual entity.

4. The initial enactment of the RRM language and its subsequent amendment evidence the Legislature's conclusion that levels of mandate reimbursement may range widely and still be constitutional. Prior to 2004, RRM did not exist. In 2004, the Legislature amended Section 17557 subdivision (b) to substitute "reasonable reimbursement methodology" for "allocation

Ms. Nancy Patton
December 20, 2011
Re: Request for Comments
Page 5

formula” or “uniform allowance.”¹ Amended Section 17557, subdivision (b) reads: "In adopting parameters and guidelines, the commission may adopt a reasonable reimbursement methodology." At the same time, Section 17518.5 was added to the Government Code, which required RRM's to meet certain conditions, including the following: “The total amount to be reimbursed statewide is *equivalent* to total estimated local agency and school district costs to implement the mandate in a cost-efficient manner;” and “For *50 percent or more* of eligible local agency and school district claimants, the amount reimbursed is estimated to *fully offset their projected costs* to implement the mandate in a cost-efficient manner.” (Gov. Code, § 17518.5, subd.(a)(1)&(2) (2004), *emphasis added*.)

The 50% requirement makes it clear that in 2004 the Legislature had authorized reimbursement that would be quite different from actual costs for claimants – allowing for the possibility that 50% of claimants would be over-reimbursed and 50% would be under-reimbursed. However, in 2007 both of these requirements were eliminated and replaced by subdivisions (b) and (c).

Since 2007, the current requirements for RRM's are considerably less specific and more flexible than the former requirements. Now, there is *no* requirement that a minimum percentage of claimants' projected costs be fully offset or that the total amount to be reimbursed statewide covers the total of local estimated costs. Since 2007, Section 17518.5 requires only that RRM's “be based on cost information from a representative sample of eligible claimants, information provided by associations of local agencies and school districts, or other projections of local costs,” and that the RRM “consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner.” (Gov. Code, § 17518.5, subds.(b)&(c) (2007).) In other words, the statute expressly contemplates variation and leaves open the possibility for a potentially large degree of variation in the costs offset.

Not only does Section 17518.5 subdivision (c) intentionally leave open the possibility for cost variation underlying the RRM, it also only requires that the RRM *consider* the variation in costs. The Legislature's amendment of Section 17518.5 to impose less stringent requirements coupled with the fact that variation of costs is assumed in the section's language, demonstrates legislative intent to allow RRM's even when the underlying costs reflect significant variation. Cost variation

¹ We believe the term “reasonable reimbursement methodology” should be given special attention. “Reasonable reimbursement methodology” is frequently interchanged with “unit cost” which we believe is inconsistent with current law. An RRM is a “formula” and while it may include a unit cost, it suggests a system that is much more general and flexible than one based on “unit cost.” (Gov. Code, § 17518.5, subd.(a).)

Ms. Nancy Patton
December 20, 2011
Re: Request for Comments
Page 6

is not a bar to the use of RRM's nor is there any provision requiring that cost variation be within certain limits. As set out in Co-Claimants' Rebuttal to Finance's Comments, variation is only relevant to determine what a reasonable *level* of reimbursement is for an RRM – presumably one at or near the average, as Co-Claimants propose in the BIP context – not *whether* the use of an RRM is appropriate in the first place.²

5. The Legislature's timing in enacting the statute which authorizes RRM's shows its intent to apply RRM's to claims that require extensive retroactive reimbursement. As noted above, in 2004, the Legislature amended Section 17557 subdivision (b) to substitute "reasonable reimbursement methodology" for "allocation formula" or "uniform allowance." This amendment closely followed, and was likely spurred by, the 2003 change in law which limited test claims to mandates going back only three years and prompted a large number of filings in 2002 and 2003. (See Commission on State Mandates Backlog Reduction Plan, p.2, May 25, 2011, excerpts attached hereto as Exhibit A.) As a result local agencies and school districts filed 51 test claims in 2002 and 23 test claims in 2003 to preserve claims for mandates going as far back as 1975. (*Id.*) These larger and more complicated test claims contributed to the Commission's backlog, the effects of which are still felt today. Out of the Commission's backlog of 51 test claims (as of May 2011), 12 are from 2002 and 12 are from 2003. (*Id.*) The introduction of RRM's into the mandate process simplified the onerous task of reimbursement for large claims involving many years of retroactivity. The fact that the Legislature enacted the process just when such claims were filed suggests that it saw the RRM as a tool in those cases.

Why does an RRM make particular sense in cases where the claim goes back a number of years? In such a case, local agencies and districts do not have records to show actual costs. However, an RRM, based on costs incurred in a recent year, can be developed with accuracy. Without an RRM, local agencies and school districts would be forced to forgo reimbursement, to base claims on pure speculation or undertake a burdensome, likely fruitless, effort to substantiate claims. In such a case, an RRM, which may be based on a wide range of costs but meets the statutory requirements, furthers the constitutional intent of reimbursing school districts and local agencies for state-imposed mandates in a rational way.

² Co-Claimants incorporate by reference their October 14, 2011 Rebuttal to Finance's Comments (hereafter "Rebuttal").

Ms. Nancy Patton
December 20, 2011
Re: Request for Comments
Page 7

Question 2: *How should "cost-efficient" be defined?*

“A reasonable reimbursement methodology shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost efficient manner.” (Gov. Code, § 17518.5(c).) The Legislature did not define “cost-efficient.” The Commission has the power to determine what "cost-efficient" means. As the agency charged with interpreting and implementing the statutes and regulations governing state mandates and RRM, the Commission’s interpretation of “cost-efficient” “is entitled to consideration and respect by the courts.” (*Yamaha Corp. of America v. State Bd. Of Equalization* (1998) 19 Cal.4th 1, 6, 7.)

Since the Legislature stated that an RRM shall consider the “variation in costs” “to implement the mandate in a cost efficient manner,” we can conclude that it believed variation in costs provides information regarding what is cost efficient. Considering variation, we believe, means that the Legislature concluded that a mandate implemented at a middle cost, not at a high cost and not at a low cost, was a mandate implemented with cost efficiency. This approach allows for mandate implementation in an adequate, but not extravagant, manner. If the state reimbursed at the average cost level it would be meeting its constitutional obligation.

Question 3: *What does this section require be cost-efficient? Stated another way, what does a requestor need to show to demonstrate that its proposed RRM unit cost meets the requirement of section 17518.5(c)?*

Government Code section 17518.5, subdivision (c) states: “A reasonable reimbursement methodology shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner.” The express language of the statute assumes that “cost-efficient” implementation for one local agency will vary from “cost-efficient” implementation for another. As we do not believe there can be one definition for “cost-efficient” with respect to mandate implementation, it follows that there is no single way for a requestor to show that its proposed RRM meets the requirement of Section 17518.5(c).

However, we believe one straightforward manner to use variation to ensure cost-efficiency is to base an RRM on an average weighted by ADA. With this approach, 1) the average cost per item in a given district or agency is multiplied by the number of students, or other relevant multiplier, 2) the products of these calculations are totaled, and 3) the sum is divided by the total number of students (or other relevant multiplier) to reach the RRM. In this manner the RRM is neither set at the top, nor the bottom. Thus the highest cost districts are reimbursed below their costs requiring them to be more efficient if possible and the lowest cost districts are reimbursed above their costs encouraging their fuller implementation of the mandate.

Ms. Nancy Patton
December 20, 2011
Re: Request for Comments
Page 8

We hope that this response is helpful to the Commission. If we can provide any further briefing or information please do not hesitate to contact us.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP



Diana McDonough



Melanie Seymour

Attachment

EXHIBIT A

Commission on State Mandates

Backlog Reduction Plan

A Comprehensive Plan Prepared by Staff
to Complete All Pending Claims

May 25, 2011

I. Executive Summary

As of May 25, 2011, the Commission on State Mandates (Commission) has a backlog of 51 test claims and 163 incorrect reduction claims. The Commission has pledged to develop a strategy to reduce the backlog of incorrect reduction claims. This document sets forth staff's plan to reduce the backlog of both test claims and incorrect reduction claims. The plan describes several tools Commission staff plan to employ to reduce the backlog as expeditiously as possible. The plan contemplates presenting all of the most complicated test claims (the 2002 and 2003 claims) to the Commission for decision by the end of fiscal year 2011-2012, and all backlogged test claims by 2014. Of the 163 pending incorrect reduction claims, 102 involve just two programs. Commission staff believe by working closely with the State Controller's Office and the claimant community, the backlog of IRCs could also be eliminated by 2014.

II. Overview

Local agencies and school districts are authorized by law to file test claims with the Commission alleging that a statute or executive order imposes a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution. If the Commission finds that there is a reimbursable state-mandated program, the Commission is required to determine the amount to be subvended by adopting parameters and guidelines for the program. The State Controller's Office (Controller) then prepares and issues claiming instructions to local agencies and school districts to notify them of the right to file reimbursement claims for the fiscal years eligible for reimbursement.

Local agencies and school districts may then file reimbursement claims with the Controller for the reimbursement of state-mandated costs. The Controller is authorized to reduce reimbursement claims it deems excessive or unreasonable. If the Controller reduces a reimbursement claim, a local agency or school district may file an incorrect reduction claim (IRC) with the Commission alleging that the Controller incorrectly reduced the claim. The Commission is required to hear these claims and determine if they were incorrectly reduced.

Despite having a small staff of only about 11 employees, the Commission over the last decade has completed a substantial amount of work. Between fiscal years 2003-2003 and 2009-2010, the Commission decided a total of 146 test claims, reconsidered another 17 test claims, adopted or set aside 184 parameters and guidelines (and parameters and guidelines amendments), adopted 55 statewide cost estimates, and decided 86 incorrect reduction claims. In addition, Commission staff during this time worked on numerous litigation matters and on a host of special projects such as the mandate reform process and the audits performed by the Bureau of State Audits.

Nevertheless, over time, a backlog of claims has accumulated. Preparing staff analyses for test claims and IRCs is the most time-consuming activity for Commission staff and is the primary area the Commission needs to focus on in order to reduce the backlog. The oldest test claims were filed in 2002 and 2003. Collectively, those claims are much larger and more complicated than claims from any subsequent year because in 2003 the law was amended to only allow claimants to allege mandates going back three years. Prior to this amendment, claimants could allege mandates going all the way back to 1975. This amendment caused local agencies and school districts to file 51 test claims for 2002 and 23 for 2003. These test claims allege that nearly 500 statutes and 400 regulatory sections and executive orders are mandated programs. As of May 25, 2011, 12 test claims from 2002 and 12 from 2003 are still pending with the Commission.

The Commission also has 163 pending IRCs. In October 2009, the Bureau of State Audits published a report (BSA 2009 Report¹) regarding the Commission on State Mandates. The BSA paid particular attention to IRCs and recommended that the Commission accelerate its efforts to complete IRCs. The report stated:

Until the incorrect reduction claims are resolved, the Controller may continue to make similar field-audit reductions that are reversed later by the Commission. Conversely, if the Commission ultimately finds the Controller's reductions to be correct, local entities will have continued to submit inappropriate claims until the time the Commission makes its decision. Either way, speedier resolution of outstanding incorrect reduction claims would allow the Controller to conduct audits with an awareness of the Commission's decisions and to incorporate those results into its audit findings and outreach efforts. (BSA 2009 Report, p. 40.)

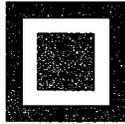
In its September 15, 2010 Report² to the Director of the Department of Finance, the Commission stated that it would prepare a plan to reduce and ultimately eliminate the backlog of IRCs. Because the Commission has limited staff resources, if staff shifts its efforts from test claims to IRCs, the time it will take to reduce the test claim backlog will increase, and vice versa. Accordingly, Commission staff decided to assemble a plan to comprehensively address the problem by focusing both on IRCs and test claims. This document represents that plan, and is divided into three sections. The first section describes the nature of the backlog, with tables that illustrate the types of claims before the Commission. The second section describes the challenges Commission staff faces in trying to reduce this backlog. The third section articulates Commission staff's plan to reduce and ultimately eliminate the backlog.

III. Backlog of Claims

The Commission's pending caseload consists of matters filed by claimants and state agencies, including test claims, incorrect reduction claims, parameters and guidelines and proposed

¹ The full title of the report is *State Mandates: Operational and Structural Changes Have Yielded Limited Improvements in Expediting Processes and in Controlling Costs and Liabilities, October 2009, Report 2009-501*. It can be found at <http://www.bsa.ca.gov/pdfs/reports/2009-501.pdf>

² This document can be found at <http://www.csm.ca.gov/docs/091510b.pdf>



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February 23, 2012

Nancy Patton
Acting Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Comments to Draft Staff Analysis and Proposed Parameters and Guidelines
Voter Identification Procedures 03-TC-23

Dear Ms. Patton:

Behavioral Intervention Plans (CSM 4464) Claimants San Diego Unified School District, San Joaquin County Office of Education, and Butte County Office of Education (collectively, "BIP Claimants") hereby submit comments to the Commission on State Mandates' February 3, 2012 draft staff analysis and proposed parameters and guidelines (hereafter, "DSA") regarding Voter Identification Procedures (03-TC-23) (hereafter, "VIP").

BIP Claimants have not reviewed the declarations and spreadsheets which are the subject of the DSA regarding the RRM for VIP and therefore do not speak authoritatively as to how staff's analysis should apply in the VIP case. However, the DSA is troubling regarding RRMs in general because: 1) the emphasis and focus on *actual* costs incurred exceeds the statutory and regulatory standards allowing "projections" and "other approximations" of costs based on surveys and letters of support "rather than detailed documentation of actual costs"; 2) an evidentiary standard that would require each and every survey respondent to submit statements under oath of actual costs incurred is inconsistent with principals of fundamental fairness; 3) the rigid evidentiary standard proposed impedes the Commission's mission of implementing the constitutional requirement that local agencies be reimbursed for costs mandated by the State.

BIP Claimants also request guidance regarding the evidence required to support a finding that an RRM reasonably represents an agency's actual costs, as well as an opportunity to amend filings to provide conforming evidence.

1. An RRM is required to reasonably represent actual costs.

The RRM statutes which staff are applying are replete with references to "approximations," "projections of local costs," and "accuracy balanced with simplicity." These references all support the view that the Legislature specifically intended to base reasonable reimbursement methodologies on items such as surveys, and not on sworn statements of actual costs, as the DSA suggests. The actual statutory wording runs counter to the DSA's exacting interpretation.

The DSA states, "The proposed unit cost must ... result in a reasonable representation of the actual costs incurred by any eligible claimant to comply with the mandated program." (DSA, p.16.) In focusing on "actual costs" to the exclusion of other relevant language – that is, "reasonably represents" – the DSA holds claimants to a higher standard than that required by Government Code section 17518.5. In so doing, the DSA has opted for the Legislature's interest – continuing to require mandates which it does not fund – rather than the Constitution's interest of seeing that costs are actually paid for.

Although an RRM must reasonably represent actual costs, what in fact constitutes an agency's "actual cost" may be ascertained by approximations and other projections. Indeed, the Legislature's own language – that an RRM balance accuracy with simplicity – means that it anticipated and authorized reimbursement that was not for "actual" costs. (Gov. Code, §17557(f).) Government Code section 17518.5 only requires that the RRM be "based on cost information from a representative sample...or projections of other local costs," and further provides that "whenever possible," the RRM "shall be based on general allocation formulas, uniform cost allowances, and other approximations of local costs...rather than detailed documentation of actual costs." (Gov. Code, §17518.5, emphasis added.)

One of Section 17518.5's implementing regulations confirms that an RRM may be based on something less than evidence of *actual* costs: "An interested party may submit cost information or other cost projections that can be the basis of a reasonable reimbursement methodology, and letters in support of a draft reasonable reimbursement methodology...[.]" 2 C.C.R. §1183.13(b)(2). This same regulation also contemplates the use of surveys to gather data to "develop a formula." 2 C.C.R. §1183.13(b)(3). Both the statutes and the regulation cited would be nullities if the Commission requires local agencies to first determine *actual* costs before proposing an RRM.

In requiring a determination of actual costs before determining what constitutes a reasonable representation of mandated costs, the DSA ignores the very reason the Legislature enacted Government Code section 17518.5 – "to reduce local costs to file claims, reduce state costs to process and audit claims, and reduce disputes regarding mandate claims and appeals to the Commission regarding State Controller claim reductions." (DSA, p.12, citing "State-Local Working Group Proposal to Improve the Mandate Process," Legislative Analyst's Office, June 21, 2007, p.3.) Requiring evidence of *actual* costs rather than reasonable representations of actual costs – determined by approximations or projections – would have the opposite effect of reducing local and state costs related to the filing of claims.

2. The standard which the DSA announces - that survey evidence shall not be admissible to support an RRM unless each agency participating in the survey submitted its information under oath - is inconsistent with fundamental fairness.

There is nothing in the Commission's regulations to give notice to claimants that submissions regarding the RRM must be based on sworn statements of costs. Notice is an essential component of fairness, particularly here where the Commission's interpretation is so different from the statutory wording and from the LAO discussions which the Commission itself cites. At this late date, claimants are woefully prejudiced if held to such a standard.

We believe public agencies have spent increasingly scarce resources developing and executing detailed surveys of costs to support reasonable reimbursement methodologies. Many of these surveys, including the survey completed by the BIP claimants over five years ago and which took months to complete and analyze, cannot be replicated. It may also prove very difficult to locate survey respondents after the fact to request declarations under penalty of perjury – some individuals may no longer work for the same agency or they may have retired or moved out of state. Thus in our view if the Commission plans to require documentation of actual costs under oath to support RRMs, it should propose a regulation to that effect and apply the rule only prospectively.

3. The DSA's narrow interpretation of permissible evidence impedes, rather than facilitates, the Commission's mission.

The Commission's mission -- its constitutional mandate -- is to see that the state reimburses each local agency and school district for all costs mandated by the state. The more labored and exacting the Commission's decisions are, the longer this process takes and the more likely it is that local agencies will never be reimbursed at all. The purpose of the RRM was to expedite reimbursement of expenses to local agencies. Evidentiary determinations which the Commission makes should be reached with an eye to accomplishing that goal, unless inconsistent with law.

Here the DSA requires evidence under oath contrary to a plain reading of the statute because the staff fears that courts will overturn an RRM based on a lesser standard. In defense the staff cites a number of recent lawsuits where the courts overturned Commission decisions because the decision was not based on appropriate evidence. (p. 18, note 30.) The only reported case cited, *Department of Finance v. Commission on State Mandates* (2009) 170 Cal.App.4th 1355, does not apply to an RRM, a statute which specifically authorizes "information from associations, projections of local costs, and "approximations of local costs..., rather than detailed documentation of actual costs...." The Commission risks challenge whenever it acts. It would seem preferable to err in an effort to implement the statute rather than in one to impede it.

Conclusion

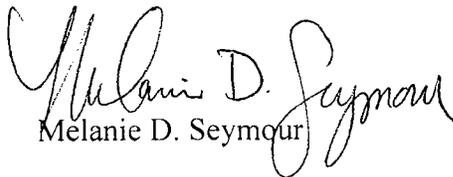
The duty of the Commission is to make difficult decisions and to move along the business of the government. Imposing standards that exceed statutes and regulations does precisely the opposite. The VIP DSA sends a strong message that reimbursement for claimants who have been waiting for years, sometimes decades, to be reimbursed for costs mandated by the state, will continue to remain elusive.

Therefore, BIP Claimants respectfully request further guidance from the Commission regarding the evidence required for a finding that an RRM reasonably represents actual costs, as well as an opportunity to amend its filings to provide declarations or otherwise conform to the newly-announced evidentiary standard.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP


Diana McDonough


Melanie D. Seymour

DKM/MDS:MDS
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August 15, 2012

Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: CSM-4464 - Behavioral Intervention Plans
Amended Exhibit 2 of Co-Claimants' December 16, 2010
Revised Proposed Parameters and Guidelines

Dear Ms. Halsey:

Co-Claimants San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education ("Co-Claimants") hereby amend Exhibit 2 ("CSM 4454 Behavioral Intervention Plans Statewide Cost Survey") of its December 16, 2010 Revised Proposed Parameters and Guidelines.¹

Co-Claimants have amended Exhibit 2 to meet the standard described in the Commission on State Mandates' March 23, 2012 decision on the parameters and guidelines in Voter Identification Procedures ("VIP") (03-TC-23). In that decision, the Commission rejected the VIP claimant's proposed reasonable reimbursement methodology ("RRM") for failure to meet the evidentiary requirements of Government Code sections 17557 and 17518.5. Specifically, the Commission determined that the summaries of survey responses were hearsay because they were out-of-court statements that were not provided under oath or affirmation from the responder. Without sworn survey responses, staff determined there was no evidence to support the proposed RRM.

As you know, Co-Claimants' proposed RRM in the behavioral intervention plans ("BIP") test claim is based on survey data collected in 2007-2008. In its Revised Proposed Parameters and

¹ Amended Exhibit 2 replaces the existing Exhibit 2 in its entirety.

Commission on State Mandates
August 15, 2012
RE: Amended Exhibit 2
Page 2

Guidelines, Co-Claimants included detailed spreadsheet summaries of the survey responses in Exhibit 2. Co-Claimants also included a copy of the blank survey forms in Exhibit 1. However, Co-Claimants did not provide copies of the original survey responses or sworn declarations from the survey respondents, nor did we include the final reconciled spreadsheet summaries to which claimants and the Department of Finance (“Finance”) agreed.² Amended Exhibit 2 includes both of these, 1) the actual survey responses with declarations wherever possible, and 2) the final reconciled spreadsheets summarizing the data from the survey responses.

Discussion

In light of the Commission’s analysis in VIP, BIP Co-Claimants set out to obtain sworn declarations from each of its survey respondents. Recognizing the logistical difficulty of obtaining declarations from individuals who had completed the survey four to five years ago and who may no longer be employed by the same agency, we nonetheless sought to obtain as many declarations as possible. We sent to each of the 21 SELPA directors a large packet containing individual survey responses and form declarations. We provided instructions regarding completion of the declarations, as well as contact information for questions. (See Declaration of Diana McDonough for more details, attached as Amended Exhibit 2A.)

Of the 388 original survey responses, 308 of them were returned accompanied by signed declarations, a 79% return rate. Thus, 79% of survey respondents swore under penalty of perjury that the survey responses were accurate and complete to the best of their ability at the time. One person corrected an error in her survey. We were unable to locate the persons responsible for the remaining 80 survey responses.³

As stated in several filings with the Commission, the survey was developed with the knowledge of Finance as part of negotiations towards an ultimately unsuccessful settlement agreement. Finance received all the survey responses and worked with Co-Claimants' consultants to compile the data, analyze it, and prepare its own spreadsheet analysis. Any inconsistencies between Co-Claimants’ figures and those of Finance were examined and modified until both parties agreed that the figures were as accurate as possible. The agreed-upon figures representing the data in the survey responses were documented in “reconciled spreadsheets.” (See Declarations of R.

² Failing to include the final reconciled spreadsheet summaries was an unintentional omission in our December 16, 2010 filing.

³ Note, this does not necessarily mean 80 persons, as some individuals completed multiple surveys in their multiple professional capacities.

Commission on State Mandates
August 15, 2012
RE: Amended Exhibit 2
Page 3

Michael Lenahan and Linda Grundhoffer, attached as Amended Exhibit 2C.) These were the figures that Co-Claimants used to calculate its proposed RRM.

In short, the actual survey responses and the reconciled spreadsheets (which summarize the survey responses and were agreed upon by Finance) are only new to the Commission. This Amended Exhibit 2 does not introduce any new information that Finance has not already seen, save the accompanying declarations. Co-Claimants are not proposing changes to our revised proposed parameters and guidelines with RRM; we merely provide evidence in support of the same. As a result, we do not anticipate that this amendment should delay the Commission's timelines by necessitating a response and rebuttal period.

Amended Exhibit 2 includes the following:

Amended 2A: Declaration of Diana McDonough with attachments:

- i: Cover letter to SELPA Directors regarding declarations
- ii: Cover letter to survey respondents regarding declarations
- iii: Blank form declaration provided to survey respondents

Amended 2B: Original survey responses and declarations (organized first by SELPA; organized within each SELPA by survey "level": SELPA, District, and BICM. Within each survey level, we first provide the survey responses with declarations, then those without declarations.)

Amended 2C: Declarations of R. Michael Lenahan and Linda Grundhoffer.

Amended 2D: Reconciled Spreadsheets summarizing data in survey responses and agreed upon by Finance (organized by SELPA; organized within each SELPA by "level": SELPA, District, and BICM.)

Based on the foregoing, Co-Claimants respectfully submit Amended Exhibit 2, which replaces former Exhibit 2 of Co-Claimants' December 16, 2010 Revised Proposed Parameters and Guidelines.

Commission on State Mandates
August 15, 2012
RE: Amended Exhibit 2
Page 4

If you have any questions, please do not hesitate to contact us.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP



Diana McDonough



Melanie D. Seymour

DKM/MDS:LMM

Attachments: Amended Exhibit 2

cc: Keith Bray (with attachments via mail)
Elaine Yama-Garcia (with attachments via mail)
Kathy Skeels (with attachments via e-mail)
Andra Donovan (with attachments via e-mail)
Rusty Gordon (with attachments via e-mail)

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AMENDED EXHIBIT 2A

Declaration of Diana K. McDonough with Attachments:

- i:** Cover letter to SELPA Directors regarding declarations
- ii:** Cover letter to survey respondents regarding declarations
- iii:** Blank form declaration provided to survey respondents

DECLARATION OF DIANA K. MCDONOUGH

I, Diana K. McDonough, declare as follows:

I have personal knowledge of the facts stated herein. If called as a witness, I could and would testify competently to these facts under oath:

1. I am an attorney admitted to practice in California in 1978. I am employed by Fagen Friedman & Fulfroost, LLP and am the attorney of record for Co-Claimants San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively, "Co-Claimants") in this matter.

2. In January 2008, our office surveyed 21 SELPAs regarding the costs of implementing the BIP/Hughes Bill mandate during the 2006-07 school year. I was responsible for overseeing that survey. The procedures we followed in writing this survey, identifying the respondents, and compiling the results are described fully in the declarations submitted as part of Co-Claimants' December 16, 2010 Revised Proposed Parameters and Guidelines.

3. In brief, we obtained 388 original individual survey responses from the 21 SELPAs in early 2008 and sent a copy of each of those responses to the Department of Finance ("Finance") at that time. Based on those responses, we compiled spreadsheets summarizing the costs. Ultimately, Co-Claimants and Finance agreed that the figures in the "reconciled spreadsheets" (see Amended Exhibit 2D) represent the figures reported in the survey responses. Co-Claimants' proposed RRM was calculated using the figures from the reconciled spreadsheets.

4. After reviewing the Commission's March 23, 2012 decision in Voter Identification Procedures, which required non-hearsay evidence as the basis for a Reasonable Reimbursement Methodology, this office set out to obtain sworn declarations from the original survey respondents to meet the non-hearsay standard.

5. On April 16, 2012, this office sent packages to the current SELPA directors of each of the 21 SELPAs that participated in the 2007-2008 BIP Survey: Butte, Calaveras, Clovis, Fresno County, Fresno Unified, Glenn, Inyo/Mono, Lodi, Marin, Modoc, Poway, San Joaquin, Solano, Sonoma, South County-San Diego, Tehama, Tri-City, Tuolumne County, West Orange, and Yolo SELPAs. In a cover letter (**Exhibit i**, attached hereto), we asked the SELPA directors to distribute

1 the individual packets to each of the original survey respondents.

2 6. Each individual packet contained a cover letter with instructions (**Exhibit ii**,
 3 attached hereto), the respondent's original survey responses (Amended Exhibit 2B), and a blank
 4 declaration form for each respondent to date and sign (**Exhibit iii**, attached hereto).

5 7. Of the 388 original survey responses, 308 were returned to our office with the
 6 signed declaration. Below we show a table listing each SELPA, the number of declarations sent,
 7 and the number returned signed. One declaration (see pages 1333 – 1334 of Amended Exhibit 2B)
 8 noted a typographical error in the original response.

SELPA	Number of Survey Responses	Number of Declarations
Butte	21	20
Calaveras	4	3
Clovis	10	10
Fresno County	83	63
Fresno Unified	3	3
Glenn	7	7
Inyo	4	3
Lodi	5	3
Marin	44	42
Modoc	3	3
Mono ¹	1	0
Poway	28	26
San Joaquin	31	21
Solano	16	5
Sonoma	21	17
South County-San Diego	48	37
Tehama	20	11
Tri-City	2	2
Tuolumne County	3	3
West Orange	21	18
Yolo	13	13
TOTALS:	388	308

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 24 8. A true and correct copy of 388 original survey responses and the 308 declarations
 25 returned to our office is attached hereto and marked as Amended Exhibit 2B.

26
 27 ¹ In its single survey response provided, Mono reported zero costs.
 28

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct.

3 EXECUTED on 13 August 2012 in Sonoma, California.

4 Diana K. McDonough

5 Diana K. McDonough

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AMENDED EXHIBIT 2A

Declaration of Diana K. McDonough with Attachments:

i: Cover letter to SELPA Directors regarding declarations



Fagen Friedman & Fulfrost LLP

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Oakland, California 94607
Main: 510-550-8200 Fax: 510-550-8211

Diana McDonough
Direct Dial: 510-550-8208
dmcdonough@fagenfriedman.com

MEMORANDUM

TO: SELPA Directors of: Butte, Calaveras, Clovis, Fresno County, Fresno Unified, Glenn, Inyo, Lodi, Marin, Modoc, North Region, Poway, San Joaquin, Solano, Sonoma, South County-San Diego, Tehama, Tri-City, Tuolumne County, West Orange, and Yolo SELPAs

FROM: Diana McDonough, Kate Parnes

DATE: April 16, 2012

RE: Hughes Bill/PBIP Mandate – Declarations from Survey Respondents in your SELPA, 2007-08

As Penny Valentine shared at the most recent State SELPA Directors' meeting, once again we are in need of your assistance. We continue working on obtaining reimbursement for the Hughes Bill/PBIP mandate. This has been a multi-year project as you know and we thank you for your ongoing support.

We have developed a reimbursement formula based on survey data that we collected from your SELPAs in 2007-08. Now, due to a recent ruling, we believe we would have the best chance to succeed if the survey returns were verified, under penalty of perjury, by the **original respondents**. So we would like you to obtain signatures from as many of those educators who completed the surveys as you can find, even if they have since retired or left your SELPA. We recognize that you yourself may be new to your SELPA and you may not have been involved in the survey; if this is the case, we are hoping that you will nonetheless be the "point person" for your current SELPA and assist in distributing the enclosed packets.

The **person who actually completed the survey** should sign the declaration – not the person who may now hold the position. For example, if your predecessor completed a survey, your predecessor should sign the declaration; similarly, if you or your predecessor hired a consultant to complete the survey, the consultant should sign the declaration. However, if you compiled the data and merely directed your assistant to fill out the survey, you should sign the declaration. Another way to think about this is as follows: the person who was responsible for making judgment calls should sign the declaration, even if that person didn't physically write down the data on the survey return.

Memo to SELPA Directors
April 16, 2012
Page 2

To help you in this task, enclosed in this mailing you will find:

- A yellow list of all the persons who completed surveys in your SELPA. In some cases, because the name was difficult to read or no name was filled in, a name may be listed as “x”. We apologize if some names are spelled incorrectly. To the extent you are able, please locate all persons who completed the survey, including those whose names we were not able to identify. Note that some respondents completed more than one survey, and thus will have more than one declaration to sign.
- Individual packets for you to distribute to each survey respondent containing:
 - a green cover letter to survey respondents explaining the declaration,
 - a form declaration for each original respondent to sign in **blue or black ink**, and
 - a copy of the respondent’s survey return.

Please distribute these individual packets to each survey respondent and request that they sign the declaration and return the **complete packet** with **ORIGINAL** signatures back to you not later than **May 10**. Once you collect the packets, please mail them to this office not later than **May 15**. Please also enclose the yellow list of respondents included in this mailing, showing current contact information available for educators no longer in your SELPA and whom you were unable to reach. Mail these items to:

Fagen Friedman & Fulfrost
ATTN: Kate Parnes
70 Washington Street, Suite 205
Oakland, CA 94607-3795

If you have questions, or if you will be unable to return this by May 15, please contact Kate Parnes, consultant with Fagen Friedman, at kparnes@fagenfriedman.com or cell (650) 400-2288.

As ever, thank you so much for your help. We are always so grateful for you “can do” SELPA directors!

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AMENDED EXHIBIT 2A

Declaration of Diana K. McDonough with Attachments:

ii: Cover letter to survey respondents regarding declarations



Fagen Friedman & Fulfroft LLP

Dear PBIP Survey Respondents:

Once again we need your help – but it's only for a signature! We apologize for asking you at this busy end of year time. Please read on!

You may recall completing a Positive Behavioral Intervention Plan (PBIP) survey at some point during the 2007-08 school year. The purpose of the survey was to identify costs associated with the PBIP (or Hughes Bill) mandate. Depending on your job position at the time, we asked you to complete a BICM level, District level, and/or SELPA level survey.

In the years since you completed the survey, we developed a reimbursement formula based on survey data we collected and we have been working to obtain reimbursement from the State. Now, due to a recent ruling, we believe we would have the best chance to succeed if the survey returns were signed, under penalty of perjury, by the **original respondents**. This means you – and we thank you in advance.

We understand that you may not remember your survey responses from four or five years ago. Therefore, we are providing you with a copy of your survey responses for your review. If you completed more than one survey (for example, if you completed both the District level and the BICM level surveys), you will receive more than one of these packets and your signed declaration is required for each survey you completed.

After you review your survey responses, **please review and sign the attached declaration in blue or black ink**. Do not detach the declaration from this packet. You may be wondering what this declaration means, legally. By signing “under penalty of perjury,” you are swearing that you are telling the truth. In other words, you are swearing that you completed the survey in 2007-08 accurately and completely to the best of your ability. Note, you do not need to be able to reconstruct your survey responses in order to truthfully sign the declaration. You are simply swearing that your survey responses were accurate and complete to the best of your ability **at the time you completed the survey**.

After you sign your declaration, please return this complete packet, including this letter, your **ORIGINAL** signed declaration in ink and your survey responses, to your SELPA director not later than **May 10**.

If you have any questions or concerns, please contact your SELPA director for guidance. Thank you again for your continued help in this matter.

FAGEN FRIEDMAN & FULFROST, LLP

Diana McDonough

Kate Parnes

Attachments

00334.00100/347238.1

April 16, 2012

AMENDED EXHIBIT 2A

Declaration of Diana K. McDonough with Attachments:

iii: Blank form declaration provided to survey respondents

DECLARATION

I, _____, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a _____
Title of Position
by _____
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed _____, 2012, at _____, California.
Date *City*

Signature

Print Name

E-mail Address

Phone Number

AMENDED EXHIBIT 2B

Declarations and Survey Responses

Table of Contents

SELPA*	PAGES
Butte	0013-0121
Calaveras	0122-0149
Clovis	0150-0205
Fresno County	0206-0622
Fresno Unified	0623-0640
Glenn	0641-0683
Inyo	0684-0711
Lodi	0712-0747
Marin	0748-0954
Modoc	0955-0979
Mono	0980-0987
Poway	0988-1136
San Joaquin	1137-1291
Solano	1291-1407
Sonoma	1408-1521
South County-San Diego	1522-1759
Tehama	1760-1862
Tri-City	1863-1880
Tuolumne County	1881-1903
West Orange	1904-2019
Yolo	2020-2097

*Notes on Organization:

- Within each SELPA, the surveys are organized by survey “level” as follows: SELPA, District, BICM. While most SELPAs contain all three levels, some contain only one or two levels. This is intentional, accurately reflecting the survey returns.
- When available, each survey is preceded by the corresponding declaration. Within each survey level, we first provide the survey responses with declarations, then those without declarations.

00334.00100/376522.1

Butte

SELPA

DECLARATION

I, Gail Caffera, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Specialist
by Butte Co. SELPA
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-1, 2012, at Chico, California.
Date *City*

Gail Caffera
Signature

Gail Caffera
Print Name

gailcaffera@gmail.com
E-mail Address

530 343-7481
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Butte County SELPA DATE: January 30, 2008

School District (if serving multiple districts, list all): Butte Co. Office of Education, Bangor USD, Biggs USD, Chico USD, Durham USD, Feather Falls USD, Golden Feather USD, Gridley USD, Manzanita USD, Oroville City Elementary SD, Oroville Union High SD, Palermo USD, Paradise USD, Pioneer USD, Thermalito USD
 Name of BICM Completing Survey: Gail Cafferata
 Title: SELPA Program Specialist
 Phone Number(s): (530) 879-7487
 Email Address: gcafferata@hcoe.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	4
How many BICM surveys have been returned to you?	4
If not all BICM surveys have been returned, please indicate reason.	
How many districts are in your SELPA?	15

How many district level surveys have been returned to you?

15

If not all district surveys have been returned, please indicate reason.

Part II: SELPA LEVEL ACTIVITIES

A. PRIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? What year did this occur? June 2002; February 2007 What is the basis for your estimate? Survey- Gail Cafferata, Program Specialist	7. SELPA Director Assistant Program Specialist Coordinators Superintendents	7. 8 Hours
What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? What year did this occur? 2003 What is the basis for your estimate? Agendas for Governance and Coordinating Council meetings	8. Coordinators Superintendents	8. 42.5 Hours 12.5 Hours
What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? What year did this occur? 2007 What is the basis for your estimate? Program Specialist schedules; agendas for Coordinating Council and Governing Board How often does your SELPA do this? As necessary	9. SELPA Director Assistant Program Specialist Coordinators Superintendents	9. 3 Hours 22 Hours 7 Hours 2 Hours 13 Hours

What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?
 What year did this occur?
 What is the basis for your estimate?
 How often does your SELPA do this?

Position	# of Hours
10. *See # 9	10. *See # 9

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? What year did this occur? <u>2006-07</u> What is the basis for your estimate? <u>Survey Program Specialist schedule</u>	11. Program Specialist	11. 20 Hours
How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? What year did this occur? <u>2006-07</u> What is the basis for your estimate? <u>Survey Program Specialist schedule</u> How often does your SELPA do this? <u>One time per year</u>	12. Program Specialist	12. 4 Hours

	<u>Position</u>	<u># of Hours</u>
<p>How much total actual time in hours or portions thereof was spent, by position, <u>to lead the most recent training for initial BICM certification?</u> What year did this occur? 2006-07 What is the basis for your estimate? <u>Program Specialist schedule; survey</u> How often does your SELPA do this? <u>One time per year</u> If provided by independent contractor for SELPA, state the cost and list what is included. \$ ___</p>	13. Program Specialist	13. 24 Hours
<p>How much total actual time in hours or portions thereof was spent, by position, <u>to lead the most recent training update for certified BICMs?</u> What year did this occur? *Scheduled in 2008 What is the basis for your estimate? How often does your SELPA do this? If provided by independent contractor for SELPA, state the cost and list what is included. \$ ___</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	14. Program Specialist	14. 0
<p>How much total actual time in hours or portions thereof was spent, by position, <u>to design training for PBIP implementers (one time only)?</u> What year did this occur? What is the basis for your estimate?</p>	15.	15. 0
<p>How much total actual time in hours or portions thereof was spent, by position, <u>for the most recent update of training for PBIP implementers?</u> What year did this occur? What is the basis for your estimate? How often does your SELPA do this?</p>	16.	16. 0

	Position	# of Hours
<p>How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? What year did this occur? _____ What is the basis for your estimate? _____ How often does your SELPA do this? _____ If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p>	17.	17. 0
<p>How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? What year did this occur? _____ What is the basis for your estimate? _____</p>	18. Program Specialist Assistant	18. 20 Hours 8 Hours
<p>How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? What year did this occur? <u>2006-07</u> What is the basis for your estimate? <u>Program Specialist schedule</u> How often does your SELPA do this? <u>Twice per year</u></p>	19. Program Specialist	19. 2 Hours
<p>How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? What year did this occur? <u>2006-07</u> What is the basis for your estimate? <u>Program Specialist schedule</u> How often does your SELPA do this? <u>Once per year</u> If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p>	20. Program Specialist	20. 43 Hours

If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ 533.13 For: Program Specialist daily salary + benefits Paid By: SELPA
 Cost: \$ 140.00 For: Materials Paid By: School Districts: Chico USD and Oroville City Elementary SD
 Cost: \$ 63.64 For: Program Specialist travel expense Paid By: SELPA
 Cost: \$ For: Paid By:
 Cost: \$ For: Paid By:

	# Attde.	District/Position	# of Hours
If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	22.	22. Chico USD - Psychologist OCESD - Psychologist OCESD - Teacher	22. 3.5 Hours
	23.	23. Chico USD - Psychologist OCESD - Psychologist OCESD - Teacher	23. 3.5 Hours
	24.	24. Chico USD - Psychologist OCESD - Psychologist OCESD - Teacher	24. 1 Hour
If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23.	23. Chico USD - Psychologist OCESD - Psychologist OCESD - Teacher	23. 3.5 Hours
	24.	24. Chico USD - Psychologist OCESD - Psychologist OCESD - Teacher	24. 1 Hour

If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ _____
 Is this figure typical of annual costs and for how long has it been typical?
 If not, what have you typically done?
 What do you intend to do in the future?

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. SELPA Director SELPA Secretary	26. 1 Hour 2 Hours
Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27.	27. 0

For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 2 Hours

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Tom Miller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Butte County Office of Education.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

Tom Miller
Signature

Tom Miller
Print Name

tmiller@bcoe.org
E-mail Address

868-5870 Ext. 202
Phone Number

SELPA: BUTTE COUNTY

Date: 1/15/08

COPY

District: Biggs Unified
 Person Completing Survey: Tom Miller
 Title: School Psychologist
 Phone Number(s): 868-5870
 Email Address: tmiller@bcoe.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. _____	2a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. _____	2b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. _____	2c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. _____	2d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. _____	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. _____	2f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. _____	2g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>School Psychologist</u>	3. <u>45 minutes</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. <u>0</u> 4a. <u>0</u></p>
--	--

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____ _____	5. <u>0</u> _____ _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> a. _____ b. _____ c. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

			d.	d.
			e.	e.
# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0		0		\$ 0
				\$
				\$
				\$
				\$
				\$
				\$

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Tom Miller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Butte County Office of Education.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

Tom Miller
Signature

Tom Miller
Print Name

t.miller@bcoe.org
E-mail Address

968-5870 Ext 282
Phone Number

COPY

SELPA: BUTTE COUNTY

Date: 1/15/08

District: Bangor

Person Completing Survey: Tom Miller

Title: School Psychologist

Phone Number(s): 679-2434

Email Address: tmiller@bcoe.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours	
1.		<u>0</u>	
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	2a. <u>0</u>	
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. <u>0</u>	
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. <u>0</u>	
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. <u>0</u>	
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. <u>0</u>	
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. <u>0</u>	
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. <u>0</u>	
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>School Psychologist</u>	3. <u>15 minutes</u>
		<u>=====</u>	<u>=====</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0
 Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> a. _____ b. _____ c. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0		0		\$ 0
				\$
				\$
				\$
				\$
				\$
				\$

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Tom Miller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Butte County Office of Education
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

Tom Miller

Signature

Tom Miller

Print Name

T.miller@bcoe.org

E-mail Address

868-5870 x282

Phone Number

COPY

SELPA: BUTTE COUNTY Date: 1/15/08

District: Pioneer

Person Completing Survey: Tom Miller

Title: School Psychologist

Phone Number(s): 589-1633

Email Address: tmiller@bcoe.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. _____	2a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. _____	2b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. _____	2c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. _____	2d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. _____	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. _____	2f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. _____	2g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>School Psychologist</u>	3. <u>15 minutes</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____

SELPA 2 Dist

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0
 Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. <u>0</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. <u>0</u>
	a. _____	_____
	b. _____	_____
	c. _____	_____
	d. _____	_____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	e. _____	_____
	7. _____	7. <u>0</u>
	a. _____	_____
	b. _____	_____
	c. _____	_____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	d. _____	_____
	e. _____	_____
	8. _____	8. <u>0</u>
	a. _____	_____
	b. _____	_____
	c. _____	_____

		d. _____	e. _____	d. _____	e. _____
If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.					
# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	
0		0		\$ 0	
				\$	
				\$	
				\$	
				\$	
				\$	
				\$	

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Tom Miller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Butte County Office of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

Tom Miller
Signature

Tom Miller
Print Name

tmiller@bcoe.org
E-mail Address

868-5870 XT282
Phone Number

COPY

SELPA: BUTTE COUNTY Date: 1/15/08

District: Manzanita
 Person Completing Survey: Tom Miller
 Title: School Psychologist
 Phone Number(s): 846-5594
 Email Address: tmiller@bcoe.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	2a. <u>0</u>
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. <u>0</u>
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. <u>0</u>
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. <u>0</u>
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. <u>0</u>
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. <u>0</u>
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>School Psychologist</u>	3. <u>15 minutes</u>
	<u>=====</u>	<u>=====</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4 0

Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: ___ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. <u>0</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. <u>0</u>
	a. _____	a. _____
	b. _____	b. _____
	c. _____	c. _____
	d. _____	d. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	e. _____	e. _____
	7. _____	7. <u>0</u>
	a. _____	a. _____
	b. _____	b. _____
	c. _____	c. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	d. _____	d. _____
	e. _____	e. _____
	8. _____	8. <u>0</u>
	a. _____	a. _____
	b. _____	b. _____

d. _____
 e. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0		0		\$ 0
				\$
				\$
				\$
				\$
				\$
				\$

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Tom Miller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Butte County Office of
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

Tom Miller
Signature

Tom Miller
Print Name

tmiller@bcoe.org
E-mail Address

868-5870 Ext 282
Phone Number

Date: 1/15/08

SELPA: BUTTE COUNTY

District: Golden Feather

Person Completing Survey: Tom Miller

Title: School Psychologist

Phone Number(s): 533-6033

Email Address: tmiller@bcoe.org

COPY

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 1 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. _____	2a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. _____	2b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. _____	2c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. _____	2d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. _____	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. _____	2f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. _____	2g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>School Psychologist</u>	3. <u>15 minutes</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. <u>0</u> 4a. <u>0</u>
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Case #: ___ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. <u>0</u> _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> a. _____ b. _____ c. _____

		d. _____	e. _____	d. _____	e. _____
If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.					
# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	
0		0		\$ 0	
				\$	
				\$	
				\$	
				\$	
				\$	
				\$	

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Tom Miller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Butte County Office of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

Tom Miller
Signature

Tom Miller
Print Name

tmiller@bcoe.org
E-mail Address

868-5870 XT 282
Phone Number

COPY

SELPA: BUTTE COUNTY Date: 1/15/08

District: Feather Falls
 Person Completing Survey: Tom Miller
 Title: School Psychologist
 Phone Number(s): 589-1810
 Email Address: tmiller@hcoe.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 1. 0

	Position	# of Hours	
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2a. _____	2a. 0	
	2b. _____	2b. 0	
	2c. _____	2c. 0	
	2d. _____	2d. 0	
	2e. _____	2e. 0	
	2f. _____	2f. 0	
	2g. _____	2g. 0	
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>School Psychologist</u>	3. <u>30 minutes</u>
		_____	_____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. <u>0</u> 4a. <u>0</u>
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Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. <u>0</u> _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> a. _____ b. _____ c. _____

d. _____
 e. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0		0		\$ 0
				\$
				\$
				\$
				\$
				\$
				\$

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Jamie Batha, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Durham Unified School District.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-24, 2012, at Oroville, California.
Date *City*

Jamie Batha
Signature

Jamie Batha
Print Name

jbatha@durhamunified.org
E-mail Address

530-895-4697 x 246
Phone Number

COPY

SELPA: BUTTE COUNTY

Date: January 15, 2008

District: Durham

Person Completing Survey: Jamie Batha

Title: School Psychologist, Special Education Director

Phone Number(s): 530-895-4697

Email Address: jbatha@durhamunified.org

	Position	# of Hours
<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		1.
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>2a. _____</p> <p>2b. _____</p> <p>2c. _____</p> <p>2d. _____</p> <p>2e. _____</p> <p>2f. _____</p> <p>2g. _____</p>	<p>2a. 0</p> <p>2b. 0</p> <p>2c. 0</p> <p>2d. 0</p> <p>2e. 0</p> <p>2f. 0</p> <p>2g. 0</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. <u>School Psychologist</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>3. <u>1 hour</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. <u>0</u> 4a. <u>0</u>
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Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. <u>0</u> _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> a. _____ b. _____ c. _____

d. _____
 e. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Eric Suedeker, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Principal
Title of Position
by Chico Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 9th, 2012, at Chico, California.
Date *City*

Eric Suedeker

Signature

Eric Suedeker

Print Name

esuedeker@chico USD.org

E-mail Address

530 879-7400

Phone Number

Date: 1/16/08

SELPA: BUTTE COUNTY

District: Chico Unified School district

Person Completing Survey: Eric Snedeker
 Title: Principal

Phone Number(s): 530 879-7400

Email Address: esnedeke@Chicousd.org

COPY

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. _____	2a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. <u>Principal</u>	2b. 1 hour
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. <u>Teacher</u>	2c. 3.5 hours
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. <u>Principal</u> <u>Teacher</u> <u>Psychologist</u>	2d. 7 hours 7 hours 7 hours
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. <u>0</u>	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. _____ <u>Principal</u> <u>Teacher</u>	2f. _____ 3 hours 3 hours
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. <u>Principal</u>	2g. 1 hour
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Principa</u> <u>Teacher</u>	3. <u>3 hours</u> 3 hours

	_____ _____ _____ _____	_____ _____ _____ _____
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4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>0</u> _____ _____ _____ _____	5. <u>0</u> _____ _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____

For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?

For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	7. 0					7. 0										
					a. _____	b. _____	c. _____	d. _____	e. _____	a. _____	b. _____	c. _____	d. _____	e. _____						
1	Functional Behavior Assessment	22.5	Aaron Stable/Behav Consult	\$ 2,892.92																
				\$																
				\$																
				\$																
				\$																
				\$																

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 30 minutes (sources of information include calendars and IEP meetings)

Thank you for taking the time to complete this survey

DECLARATION

I, Katherine Todd, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Coord. Spec Ed/School Psych
by Thermalito Union School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

K Todd
Signature

Katherine Todd
Print Name

Katodd@thermalito.org
E-mail Address

530-538-2900
Phone Number

SELPA: BUTTE COUNTY

Date: 1-31-08

District: Thermalito Union School District

Person Completing Survey: Katie Todd

Title: School Psychologist

Phone Number(s): (530) 538-2900

Email Address: ktodd@thermalito.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. 0	2a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. 0	2b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. 0	2c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. 0	2d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. 0	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. 0	2f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. 0	2g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. 0	3. 0
	0	0
	0	0
	0	0
	0	0

0	0
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4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0
 Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. 0	5. 0
	0	0
	0	0
	0	0
	0	0
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. 0	6. 0
	a. 0	a. 0
	b. 0	b. 0
	c. 0	c. 0
	d. 0	d. 0
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. 0	7. 0
	a. 0	a. 0
	b. 0	b. 0
	c. 0	c. 0
	d. 0	d. 0
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. 0	8. 0
	a. 0	a. 0
	b. 0	b. 0
	c. 0	c. 0
	e. 0	e. 0

		d.	e.	d.	e.
If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.					
# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	
0		0		\$ 0	
0		0		\$ 0	
0		0		\$ 0	
0		0		\$ 0	
0		0		\$ 0	
0		0		\$ 0	
0		0		\$ 0	

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 min

Thank you for taking the time to complete this survey

DECLARATION

I, Anne Michels, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Palermo Union School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2012, at Oraville, California.
Date *City*

Anne Michels
Signature

Anne Michels
Print Name

amichels@ouhsd.org
E-mail Address

(530) 538-2310 x 2205
Phone Number

SELPA: BUTTE COUNTY

Date: 1/24/08

COPY

District

District: Palermo
 Person Completing Survey: Anne Michels
 Title: School Psychologist
 Phone Number(s): 530-533-4708 ext. 253
 Email Address: amichels@palermoschools.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. _____	2a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. _____	2b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. _____	2c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. _____	2d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. _____	2e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. _____	2f. _____
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. _____	2g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ _____ _____ _____ _____	3. 0 _____ _____ _____ _____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0
 Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. <u>0</u> _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> a. _____ b. _____ c. _____

		d. _____	e. _____	d. _____	e. _____
If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.					
# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	
				\$	
				\$	
				\$	
				\$	
				\$	
				\$	
				\$	

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Cindy Hershaw, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Sp Education
Title of Position
by Gardley Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5.5, 2012, at Gardley, California.
Date *City*

Cindy Hershaw
Signature

Cindy Hershaw
Print Name

chershaw@gardley.k12.ca.us
E-mail Address

530 846 4383
Phone Number

COPY

SELPA: BUTTE COUNTY

Date: 01-29-08

District: Gridley Unified

Person Completing Survey: Cindy Kershaw

Title: Director of Special Education

Phone Number(s): 530-846-4721

Email Address: ckershaw@gridley.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.

Position

of Hours

a. Performing emergency behavioral interventions.	2a. 0	2a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. 0	2b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. 0	2c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. 0	2d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. 0	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. 0	2f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. 0	2g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. 0	3. 0
	0	0
	0	0
	0	0
	0	0

	0	0
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4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0
 Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: ___ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. 0	0
	0	0
	0	0
	0	0
	0	0
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. 0	000
	a. 0	0
	b. 0	0
	c. 0	0
	d. 0	0
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	e. 0	0
	7. 0	0
	a. 0	0
	b. 0	0
	c. 0	0
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	d. 0	0
	e. 0	0
	8. 0	0
	a. 0	0
	b. 0	0
	c. 0	0

		d.	e.	d.	e.
		0	0	0	00
If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.					
# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	
0				\$	
				\$	
				\$	
				\$	
				\$	
				\$	
				\$	

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 min

Thank you for taking the time to complete this survey

DECLARATION

I, Mary H. Ficcardi, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Services
by Paradise Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Oroville, California.
Date *City*

Mary H. Ficcardi
Signature

Mary H Ficcardi
Print Name

mficcardi@pusd.k12.org
E-mail Address

(530) 872-6400 x242
Phone Number

COPY

SELPA: BUTTE COUNTY

Date: 1/24/08

District: Paradise Unified School
 Person Completing Survey: Mary H. Ficarelli
 Title: Director of Special Services
 Phone Number(s): (530) 872-6400 X242
 Email Address: mfficardi@pusdk12.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 39

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.
- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
 - e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 - f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 - g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

Position	# of Hours
2a. <u>School Psychologist</u>	2a. 39
<u>School Principal</u>	19.5
<u>Special Ed. Teacher</u>	9.25
2b. <u>School Psychologist</u>	2b. 19.5
<u>School Principal</u>	19.5
<u>Special Ed. Teacher</u>	13
2c. <u>School Psychologist</u>	2c. 19.5
<u>Special Ed. Teacher</u>	13
<u>General Ed Teacher</u>	13
2d. <u>School Psychologist</u>	2d. 19.5
<u>School Principal</u>	9.75
<u>Special Ed. Teacher</u>	9.75
<u>General Ed Teacher</u>	6.5
2e. <u>School</u>	2e. 19.5

<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>Psychologist School Principal Special Ed. Teacher</p> <p>2f. School Psychologist School Principal Special Ed. Teacher</p> <p>2g. Director of Special Services</p> <p>3. School Psychologist School Principal Special Ed. Teacher General Ed. Teacher Instructional Aides Director of Special Services</p>	<p>9.75 6.5</p> <p>2f. 13.0 6.5 6.5</p> <p>2g. 1.0</p> <p>3. 30.50 15.25 15.25 3.75 3.75 25.00</p>
<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. 0 4a. _____</p>	

Case #: _____ (use OAH filing number)

Position	# of Hours
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<p>For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5. _____ _____ _____ _____</p>	<p>5. _____ _____ _____ _____</p>
<p>For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. _____ a. _____ b. _____ c. _____ d. _____ e. _____</p>	<p>6. _____ a. _____ b. _____ c. _____ d. _____ e. _____</p>
<p>For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. _____ a. _____ b. _____ c. _____ d. _____ e. _____</p>	<p>7. _____ a. _____ b. _____ c. _____ d. _____ e. _____</p>
<p>For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. _____ a. _____ b. _____ c. _____ d. _____ e. _____</p>	<p>8. _____ a. _____ b. _____ c. _____ d. _____ e. _____</p>

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PIBPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level. **

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 2.0

Thank you for taking the time to complete this survey

DECLARATION

I, Michelle Zevely, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Principal / Special Ed. Director
by Oroville City Elementary School District
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-7-12, 2012, at Oroville, California.
Date *City*

Michelle Zevely
Signature

Michelle Zevely
Print Name

mzevely@bcoe.org
E-mail Address

530-532-5740
Phone Number

COPY

SELPA: BUTTE COUNTY Date: 1-17-2008
 District: OCESED
 Person Completing Survey: Michelle Zevely
 Title: Director of Special Education
 Phone Number(s): 530-532-3000 *3012
 Email Address: mzevely@ocesd.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. _____	2a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. _____	2b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. _____	2c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. _____	2d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. _____	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. _____	2f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. _____	2g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		
	3. <u>Director of Special Education</u>	3. <u>2 hrs.</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. <u>0</u> 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____ _____	5. _____ _____ _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____	8. _____ a. _____ b. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	c. _____	
					d. _____	e. _____
				\$		
				\$		
				\$		
				\$		
				\$		
				\$		
				\$		

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 20 minutes

Thank you for taking the time to complete this survey

DECLARATION

I, Corin Meester, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director, Special Ed
by Butte County Office of Ed *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-30-12, 2012, at Oroville, California.
Date *City*


Signature

Corin Meester
Print Name

cmeester@bcop
E-mail Address

530-532-5772
Phone Number

COPY

SELPA: BUTTE COUNTY

Date: 1/28/2008

District: BCOE

Person Completing Survey: Corin Meester

Title: Director, Special Ed

Phone Number(s): 530-532-5792

Email Address: cmeester@bcoe.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. <u>Teachers, Parapro</u>	2a. 30,20
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. <u>Secretary, Psych</u>	2b. 5,5
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. <u>Teacher</u>	2c. 10
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. <u>Teacher, Psych, Admin</u>	2d. 4
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. <u>T, P A</u>	2e. 3
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. <u>Secretary</u>	2f. 1
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. _____	2g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Psych</u> _____ _____	3. <u>5</u> _____ _____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4 0
 Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. N/A _____ _____ _____	5. _____ _____ _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____	6. _____ a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____ d. _____	8. _____ a. _____ b. _____ c. _____ d. _____

e. _____ e. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 2 hr

Thank you for taking the time to complete this survey

DECLARATION

I, Eric Suedeker, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Principal
by Chico Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 9th, 2012, at Chico, California.
Date *City*

Eric Suedeker

Signature

Eric Suedeker

Print Name

esuedeker@chico.usd.org

E-mail Address

530 879-7400

Phone Number

Date: 1/16/08

SELPA: BUTTE COUNTY

District: Chico Unified School district

Person Completing Survey: Eric Snedeker

Title: Principal

Phone Number(s): 530-879-7400

Email Address: esnedeker@chicosd.org

COPY

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2a. _____	2a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2b. <u>Principal</u>	2b. 1 hour
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	2c. <u>Teacher</u>	2c. 3.5 hours
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	2d. <u>Principal</u> <u>Teacher</u> <u>Psychologist</u>	2d. 7 hours 7 hours 7 hours
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2e. <u>0</u>	2e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	2f. _____	2f. _____
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2g. <u>Principal</u> <u>Teacher</u>	2g. 3 hours 3 hours
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Principal</u> <u>Teacher</u>	3. 3 hours 3 hours

--	--

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. 0
 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>0</u>	5. <u>0</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>0</u>	6. <u>0</u>
	a. _____	a. _____
	b. _____	b. _____
	c. _____	c. _____
	d. _____	d. _____
	e. _____	e. _____

For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?

For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities — such as developing FAAs, PBIPs or attending IEP team meetings — please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	7. 0					7. 0										
					a. _____	b. _____	c. _____	d. _____	e. _____	a. _____	b. _____	c. _____	d. _____	e. _____						
1	Functional Behavior Assessment	22.5	Aaron Stable/Behav Consult	\$ 2,892.92																
				\$																
				\$																
				\$																
				\$																
				\$																

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 30 minutes (sources of information include calendars and IRP meetings)

Thank you for taking the time to complete this survey

SEIPAS

00334.00100/5828.1

BICM

DECLARATION

I, Gail Cafferata, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Specialist
by Bulle W. Selva
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 01, 2012, at Chico, California.
Date *City*

Gail Cafferata
Signature
Gail Cafferata
Print Name
gailcafferata@gmail.com
E-mail Address
530 343-7481
Phone Number

COPY

BICM

0095

SELPA: BUTTE COUNTY
 School District (if serving multiple districts, list all): Butte County SELPA
 Name of BICM Completing Survey: Gail Cafferata
 Title: SELPA Program Specialist
 Phone Number(s): 530-879-7487
 Email Address: gcafferata@bcoe.org

Date: 1/28/2008

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 0 4b. 0 4c. 0 4d. 0 4e. 0 4f. 0 4g. 0 4h. 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 0 6d. 0 6e. 0 6f. 0 6g. 0 6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	/	—	—
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	/	—	—
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	/	—	—

# of Hours	
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
11a. 0	a. Performing emergency behavioral interventions.
11b. 0	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
11c. 0	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
11d. 0	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
11e. 0	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
11f. 0	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey

DECLARATION

I, Lily Terstegge, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Butte County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/8, 2012, at Oroville, California.
Date *City*

L Terstegge
Signature

Lily J. Terstegge
Print Name McCreary

ltersteg@bcoe.org
E-mail Address

530-532-5740
Phone Number

SELPA: BUTTE COUNTY
 School District (if serving multiple districts, list all): Butte Co. Office of Education
 Name of BICM Completing Survey: Lily Terstege
 Title: Psych
 Date: 1/28/2008
 Phone Number(s): 530-532-5792
 Email Address: cmeester@bcoe.org

COPY

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>2</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>2</u> 3b. <u>60</u> 3c. <u>20</u> 3d. <u>82</u> 3e. <u>41</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>6</u> 4b. <u>10</u> 4c. <u>20</u> 4d. <u>4</u> 4e. <u>4</u> 4f. <u>10</u> 4g. <u>44</u> 4h. <u>22</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>1</u> 6b. <u>2</u> 6c. <u>1</u> 6d. <u>2</u> 6e. <u>1</u> 6f. <u>2</u> 6g. <u>9</u> 6h. <u>9</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

- a. Number of students requiring 1 IEP team meeting:
- b. Number of students requiring 2 IEP team meetings:
- c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 7
 7b. 2
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
	BCOE / Teacher	4	2
	BCOE / Nurse	1	1
	BCOE / Principal	4	2
	/		
	/		
	/		
	BCOE / Teacher	1	1
	BCOE / Nurse	1	1
	BCOE / Principal	1	1
	/		
	/		
	/		
	BCOE / Teacher	20	
	BCOE / Nurse	2	
	BCOE / Principal	4	
	/		
	/		
	/		

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	11a. 2
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	11b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	11c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	11d. 1
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	11e. 2
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11f. 2
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 2 Hour

Thank you very much for taking the time to complete this survey

DECLARATION

I, Dawn Stalter, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Oroville City Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-24, 2012, at Oroville, California.
Date *City*

Dawn Stalter
Signature

Dawn Stalter
Print Name

dstalter@ocesd.org
E-mail Address

(530) 532-5690 x 106
Phone Number

SELPA: BUTTE COUNTY

Date: 1-18-08

COPY

0109

School District (if serving multiple districts, list all):

Name of BICM Completing Survey: Dawn Stalker

Title: School Psychologist

Phone Number(s): 532-3007 x 107

Email Address: dstalker@ocesa.org

532-5690 x 106, 532-3005 x 108

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>2.</p>	<p>2.</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following Initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	11b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	11c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	11d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	11e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Database - NO incident reports
recall re: VMMS cases
computer records - NO FAA's completed, no PBIPs

Please indicate the time it took for you to complete this survey: 45 min

Thank you very much for taking the time to complete this survey

DECLARATION

I, Sharon Bolden-Schleh, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Cluco Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Cluco, California.
Date *City*

Sharon Bolden-Schleh
Signature

Sharon Bolden-Schleh
Print Name

Sboldens@clucousd.org
E-mail Address

(530) 87-7400
Phone Number

SELPA: BUTTE COUNTY
 School District (if serving multiple districts, list all): Chico USD
 Name of BICM Completing Survey: Sharon Bolden-Schleh
 Title: School Psychologist
 Phone Number(s): (530) 879-7400
 Email Address: sboldens@chicousd.org

Date: January 23, 2008

COPY

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>1</u> 3b. <u>30</u> 3c. <u>3</u> 3d. <u>34</u> 3e. <u>34</u></p>

SELPA-2

BICM

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. <u>5</u> 4b. <u>2</u> 4c. <u>NA</u> 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b). Student moved out of District and training and implementation on PBIP did not begin.</p> <p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p>	<p>5a. <u>0</u> 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p> <p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p>	<p>6a. <u>0</u> 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	11a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	11b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	11c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	11d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	11e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use. Student moved out of District.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Review of Student file
- Review of Calendar
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey

Deceased

DECLARATION

I, _____, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a _____
Title of Position
by _____
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed _____, 2012, at _____, California.
Date *City*

Signature

Print Name

E-mail Address

Phone Number

SELPA: BUTTE COUNTY Date: 1/25/08

District: OUHSD

Person Completing Survey: Douglas Pryor

Title: Director of Special Ed

Phone Number(s): (530)538-2320

Email Address: dpryor@ouhbsd.org

COPY

	Position	# of Hours
<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		1.
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>2a. _____</p> <p>2b. _____</p> <p>2c. _____</p> <p>2d. _____</p> <p>2e. _____</p> <p>2f. _____</p> <p>2g. _____</p>	<p>2a. 0</p> <p>2b. 0</p> <p>2c. 0</p> <p>2d. 0</p> <p>2e. 0</p> <p>2f. 0</p> <p>2g. 0</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>3. 0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p>

	0
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4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. <u>0</u> 4a. <u>0</u>
---	-----------------------------

Case #: ___ (use OAH filing number)

	Position	# of Hours
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>0</u> _____ _____ _____	5. <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>0</u> _____ _____ _____ _____ _____	6. <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____ d. _____ e. _____	7. <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>
For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> <u>0</u> <u>0</u> <u>0</u>

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees	d.	e.
					_____	_____
0		0		\$		0
0		0		\$		
0		0		\$		
0		0		\$		
0		0		\$		
0		0		\$		

For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 hour

Thank you for taking the time to complete this survey

Calaveras

SELPA

DECLARATION

I, KATHY NORTHINGTON, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA DIRECTOR
by Calaveras County Office of Ed.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/16, 2012, at Angels Camp, California.
Date *City*

Kathy Northington
Signature

KATHY NORTHINGTON
Print Name

knorthington@ccoe.k12.ca.us
E-mail Address

209-736-6008
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Calaveras County

Person Completing Survey: Kathy Northington

Date: 2/2/08

Title: Associate Supt. Curriculum/Instruction/Special Ed

Phone Number(s): 209-736-6012

Email Address: knorthing@cco.k12.ca.us

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	3
2. How many BICM surveys have been returned to you?	3
3. If not all BICM surveys have been returned, please indicate reason.	
4. How many districts are in your SELPA?	4
5. How many district level surveys have been returned to you?	0
6. If not all district surveys have been returned, please indicate reason.	

SELPA

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>agenda & daily planner</u>	7. <u>SELPA Dir.</u> <u>Prog Manager</u> <u>Prog Manager</u>	7. <u>2</u> <u>2</u> <u>2</u>
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>6/2007</u> b. What is the basis for your estimate? _____	8. <u>SELPA DIR.</u> <u>PROG MANAGER</u> <u>PSYCHOLOGIST</u> <u>PSYCHOLOGIST</u> <u>PSYCHOLOGIST</u>	8. <u>2</u> <u>2</u> <u>2</u> <u>2</u>
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? <u>approximately every 3 years</u>	9. <u>SELPA DIR</u> _____ _____	9. <u>3</u> _____ _____

10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? <u>2006</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	Position 10. _____ <u>SELPA DIR.</u>	# of Hours 10. _____ <u>1</u>
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B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? <u>2005 & 2006</u> b. What is the basis for your estimate? _____	11. _____ <u>PROG MANAGER</u> <u>PSYCHOLOGIST</u>	11. _____ <u>16 hrs.</u> <u>16 hrs.</u>
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? <u>Hasn't occurred</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	12. _____ _____ _____	12. _____ _____ _____

	Position	# of Hours
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>13. _____</p> <p>N/A</p> <p>_____</p> <p>_____</p>	<p>13. _____</p> <p>0</p> <p>_____</p> <p>_____</p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? <u>06-07</u></p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14. <u>Psychologists (5)</u> <u>Program Managers (2)</u></p>	<p>14. _____</p> <p><u>4 x 5 = 20</u> <u>4 x 2 = 8</u></p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? <u>06-07</u></p> <p>b. What is the basis for your estimate? _____</p>	<p>15. <u>Behavior Specialist</u></p> <p>_____</p> <p>_____</p>	<p>15. _____</p> <p><u>5</u></p> <p>_____</p> <p>_____</p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? <u>06-07</u></p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>16. <u>Behavior Specialist</u></p> <p>_____</p> <p>_____</p>	<p>16. _____</p> <p><u>5</u></p> <p>_____</p> <p>_____</p>

SELPA 4

00334.00100/5274.1

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>07-08</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>\$100 p. hour</u>	17. <u>Behavior Analyst</u> _____ _____	17. <u>4</u> _____ _____
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? _____	18. <u>Behavior Specialist Psychologist (BCH)</u> _____ _____	18. <u>3</u> <u>3</u> _____ _____
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	19. <u>Behavior Specialist Psychologist</u> _____ _____	19. <u>16</u> <u>16</u> _____ _____
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included.	20. <u>Behavior Specialist Psychologists</u> _____ _____	20. <u>48</u> <u>48</u> _____ _____

SELPA 5

00334.00100/SS274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above — i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs — i.e., individuals, district, county office, SELPA.

Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

# Attdg.	District/Position	# of Hours
22.		22.
0		

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

# Attdg.	District/Position	# of Hours
23.		23.
0		

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

# Attdg.	District/Position	# of Hours
24.		24.

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 0

a. Is this figure typical of annual costs and for how long has it been typical? _____
 b. If not, what have you typically done? _____
 c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. SELPA DIR. PSYCHOLOGIST INFORMATIONAL ANALYST BEHAVIOR SPECIALIST	26. 51 1 1 1
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. 0	27. 0

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 1 hr.

Thank you very much for taking the time to complete this survey.

District

District

SELPA: Calaveras County DE SELPA
 District: Calaveras Unified School District
 Person completing survey: ~~Sharon Knick~~
 Title: Director of Special Education
 Phone Number(s): 209 754-7524
 Email Address: sknick@calaveras.k12.ca.us

Date: 2/25/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	1. <u>0</u>																
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	<table border="1"> <thead> <tr> <th data-bbox="1063 1260 1096 1575">Position</th> <th data-bbox="1063 1575 1096 1911"># of Hours</th> </tr> </thead> <tbody> <tr> <td>a. _____</td> <td>a. <u>0</u></td> </tr> <tr> <td>b. _____</td> <td>b. <u>0</u></td> </tr> <tr> <td>c. _____</td> <td>c. <u>0</u></td> </tr> <tr> <td>d. _____</td> <td>d. <u>0</u></td> </tr> <tr> <td>e. _____</td> <td>e. <u>0</u></td> </tr> <tr> <td>f. _____</td> <td>f. <u>0</u></td> </tr> <tr> <td>g. _____</td> <td>g. <u>0</u></td> </tr> </tbody> </table>	Position	# of Hours	a. _____	a. <u>0</u>	b. _____	b. <u>0</u>	c. _____	c. <u>0</u>	d. _____	d. <u>0</u>	e. _____	e. <u>0</u>	f. _____	f. <u>0</u>	g. _____	g. <u>0</u>
Position	# of Hours																
a. _____	a. <u>0</u>																
b. _____	b. <u>0</u>																
c. _____	c. <u>0</u>																
d. _____	d. <u>0</u>																
e. _____	e. <u>0</u>																
f. _____	f. <u>0</u>																
g. _____	g. <u>0</u>																
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3.	3. <u>0</u>																
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_____	_____																
_____	_____																

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. _____
	_____	_____
	_____	_____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
	a. _____	_____
	b. _____	_____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
	a. _____	a. _____
	b. _____	b. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____	8. _____
	a. _____	a. _____
	b. _____	b. _____
	c. _____	c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PPIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 min

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, ANDRIA RYUE, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
by CHANDLER COUNTY OFFICE OF EDUCATION
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24, 2012, at ANGEAS CAMP, California.
Date *City*

Andria Ryue
Signature

ANDRIA R. RYUE
Print Name

aryue@coe.k12.ca.us
E-mail Address

(209) 768-2569
Phone Number

BICM
 0141

SELPA: CHANDLER COUNTY
 School District (if serving multiple districts, list all): NAVARINO UNION SCHOOL DISTRICT
 Date: 2/13/08

Name of BICM Completing Survey: ANDREA RIVE
 Title: SCHOOL PSYCHOLOGIST / COUNSELOR
 Phone Number(s): (202) 730-6021 / (602) 705-8524
 Email Address: arive@ccoe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>1</p> <p>4a. _____ 0</p> <p>4b. _____ 0</p> <p>4c. _____ 0</p> <p>4d. _____ 0</p> <p>4e. _____ 0</p> <p>4f. _____ 0</p> <p>4g. _____ 0</p> <p>4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____ 0</p> <p>5c. _____ 0</p> <p>5d. _____ 0</p> <p>5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____ 0</p> <p>6c. _____ 0</p> <p>6d. _____ 0</p> <p>6e. _____ 0</p> <p>6f. _____ 0</p> <p>6g. _____ 0</p> <p>6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 0

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	_____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	_____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planner

Please indicate the time it took for you to complete this survey: 5 MINUTES

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Michael Harrison, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist/Program Spec.
Title of Position
by Calaveras County Office of Ed.
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4.24.12, 2012, at Angeles Camp, California.
Date *City*

Michael Harrison
Signature

Michael Harrison
Print Name

mharrison@ccoe.k12.ca.us
E-mail Address

(209) 736-6079
Phone Number

BICM
 0146

SELPA: Calaveras County
 School District (if serving multiple districts, list all): Vallejo Union Elementary; Brent Hills Unified; High School District; Mark Tappan Union Elementary; Calaveras Unified Sch Dist.
 Name of BICM Completing Survey: Mark Tappan
 Title: Specialist / Program Manager
 Phone Number(s): 209-736-6067
 Email Address: mtappan@cat.k12.ca.us

Date: 2-12-08

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0</p> <p>4b. _____ 0</p> <p>4c. _____ 0</p> <p>4d. _____ 0</p> <p>4e. _____ 0</p> <p>4f. _____ 0</p> <p>4g. _____ 0</p> <p>4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____ 0</p> <p>5c. _____ 0</p> <p>5d. _____ 0</p> <p>5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____ 0</p> <p>6c. _____ 0</p> <p>6d. _____ 0</p> <p>6e. _____ 0</p> <p>6f. _____ 0</p> <p>6g. _____ 0</p> <p>6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ 0

7b. _____ 0

7c. _____ 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>3 hrs.</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>2 hrs.</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0 <u>24 hrs</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>2 hrs.</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planner

Please indicate the time it took for you to complete this survey: 20 minutes

Thank you very much for taking the time to complete this survey.

Clovis

SELPA

DECLARATION

I, Kay McClure, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA Director
by Clovis United School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 7, 2012, at _____, California.
Date

San Antonio, TX
City

Kay McClure
Signature

Kay McClure
Print Name

Kmcclure@ssisd.net
E-mail Address

903-885-6230
Phone Number

I am currently employed
in Sulphur Springs, Texas.
I moved to Texas in July,
2009.

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Clovis Unified School District Date: 2-1-08
 Person Completing Survey: Katy Lenahan
 Title: SELPA Director
 Phone Number(s): 559-327-9410
 Email Address: _____

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	30
2. How many BICM surveys have been returned to you?	8
3. If not all BICM surveys have been returned, please indicate reason.	22 BICMs did not
4. How many districts are in your SELPA?	Complete PBIP/FAAs
5. How many district level surveys have been returned to you?	during 06-07
6. If not all district surveys have been returned, please indicate reason.	

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? _____	7. SELPA Dir. Program Spec. School Psy	7. 1 24 4.5
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? _____	8. SELPA Dir Area Supt.	8. 1 1
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>07-08</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	9. SELPA Dir Prog. Spec.	9. 4 times a year

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?		10. _____
a. What year did this occur? <u>not done yet</u>		_____
b. What is the basis for your estimate? _____		_____
c. How often does your SELPA do this? _____		_____

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?	11. <u>Asst. Dir.</u>	11. <u>12</u>
a. What year did this occur? <u>06-07</u>		_____
b. What is the basis for your estimate? <u>calendar estimation</u>		_____
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?	12. _____	12. _____
a. What year did this occur? <u>06-07</u>		_____
b. What is the basis for your estimate? <u>staff dev. documents</u>	<u>Psychologists</u>	_____
c. How often does your SELPA do this? <u>BICM training as needed individually</u>		_____
<u>Full staff training done in 07-08 16+ hours</u>		_____

		Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers?	a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? <u>as needed individually</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	17. _____ _____ _____	17. _____ _____ _____
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?	a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? _____	18. <u>Asst Dir</u> <u>Prog Spec</u> <u>classified support</u>	18. <u>4</u> <u>10</u> <u>8</u>
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?	a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? <u>past history</u> c. How often does your SELPA do this? <u>annually</u>	19. <u>10 Prog. Spec</u>	19. <u>2 hrs. each</u>
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?	a. What year did this occur? <u>06-07</u> b. What is the basis for your estimate? <u>staff development</u> c. How often does your SELPA do this? <u>2x year</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>MANDT trainers of trainers</u> <u>initial cost, \$3200.00</u>	20. <u>3 MANDT trainers</u>	20. <u>32 hours each</u>

SELPA 5

00334.00100/55274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ 750.00
 Cost: \$ _____
 Cost: \$ _____
 Cost: \$ _____
 For: Registration
 For: Daily Rate
 For: _____
 For: _____
 For: _____
 Paid By: District
 Paid By: _____
 Paid By: _____
 Paid By: _____
 Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

# Att'dg.	District/Position	# of Hours
22. <u>7</u>	22. <u>Psychologists</u>	22. <u>hrs. 16a each</u>
_____	_____	_____
_____	_____	_____

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

# Att'dg.	District/Position	# of Hours
23. _____	23. <u>Not held</u>	23. _____
_____	_____	_____
_____	_____	_____

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

# Att'dg.	District/Position	# of Hours
24. <u>44</u>	24. <u>Teachers</u>	24. <u>hrs each</u>
_____	_____	_____
_____	_____	_____

MANDT training

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 750.00

a. Is this figure typical of annual costs and for how long has it been typical? Yes

b. If not, what have you typically done?

c. What do you intend to do in the future? Hold district - provided BICM training, refreshers
every other year (initial training as needed)

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. SELPA Dir.	26. 2
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27.	27. 0

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document 3 hrs.

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Kay McClure, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA Director
by Clovis Unified School District
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 7, 2012, at _____, California.
Date *City San Antonio, TX*

Kay McClure
Signature

Kay McClure
Print Name

Kmcclure@ssisd.net
E-mail Address

903-885-6230
Phone Number

I am currently employed
in Sulphur Springs, Texas.
I moved to Texas in July,
2009.

District

SELPA: Clovis Unified School District

Date: 2-1-08

District: _____
 Person completing survey: Kay Lenheim
 Title: SELPA Director
 Phone Number(s): 559-327-9410
 Email Address: _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 14

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.
- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
 - e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 - f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 - g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

	Position	# of Hours
2.		
a.	<u>BICM</u>	<u>181</u>
b.	<u>BICM</u>	<u>16</u>
c.	<u>BICM</u>	<u>24</u>
d.	<u>BICM</u>	<u>49</u>
e.	<u>BICM</u>	<u>9</u>
f.	<u>BICM</u>	<u>20</u>
g.	<u>Director</u>	<u>1</u>
3.		
	<u>Psy Director</u>	<u>4</u>
	<u>BICM</u>	<u>10</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 2

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9.

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 2 hrs

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Kathy Wandler, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Analyst
by Clavis Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1, 2012, at Clavis, California.
Date *City*

Kathy Wandler
Signature

Kathy Wandler
Print Name

Kathywandler@cusd.com
E-mail Address

559-327-9396
Phone Number

BICM ✓

SELPA:

School District (if serving multiple districts, list all): Covina Unified School District Date: 1/10/08

Name of BICM Completing Survey: Kathy Wandler
 Title: Behavior Specialist
 Phone Number(s): 559-327-4346
 Email Address: Kathywandler@cvusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>6</u></p> <p>1b. <u>6</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>3</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>100 hrs</u></p> <p>3b. <u>100 hrs</u></p> <p>3c. <u>10.0 hrs</u></p> <p>3d. <u>10.0 hrs</u></p> <p>3e. <u>1.0 hrs.</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>12.0 hrs</u> 4b. <u>10.0 hrs</u> 4c. <u>90.0 hrs</u> 4d. <u>10.0 hrs</u> 4e. <u>10.0 hrs</u> 4f. <u>5.0 hrs</u> 4g. <u>129.0 hrs</u> 4h. <u>22.0 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>0</u> 6c. <u>0</u> 6d. <u>0</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>0</u> 6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 23
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Clavis Program Spec II / SPED Teacher	5 30	5 30

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>2 hrs</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>2 hrs</u>
d. Scheduling and holding IEP team meetings for students <u>without a PBIP</u> solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>15 hrs.</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>1 hr.</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planner

Please indicate the time it took for you to complete this survey: 20 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Shelly McCabe Galleano hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Clavis Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-1-2012, 2012, at Clavis, California.
Date *City*

Shelly McCabe Galleano
Signature

Shelly McCabe Galleano
Print Name

shellymccabegalleano@cvsd.com
E-mail Address

559-706-7334
Phone Number

OK
 01/2

SELPA: _____
 School District (if serving multiple districts, list all): Leaves United

Date: 1-15-08

Name of BICM Completing Survey: Shelly M. Wheeler
 Title: Assistant Superintendent
 Phone Number(s): 927-9400
 Email Address: Shellygalland@cusd.com

1.	
a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.	1a. <u>2</u> 1b. <u>2</u> 1c. <u>0</u>
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?	
2. <u>1</u>	
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:	
a. Providing parent notice and obtaining consent for assessment	3a. <u>1 hr.</u>
b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)	3b. <u>58 hrs.</u>
c. Writing FAA	3c. <u>16 hrs.</u>
d. Total of answers to 3a, 3b, and 3c.	3d. <u>75</u>
e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?	3e. <u>37.5</u>
Note: This question addresses only the students who were new cases in 2006-07 (line 1b).	

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>16</u> 4b. <u>11</u> 4c. <u>14</u> 4d. <u>4</u> 4e. <u>2</u> 4f. <u>4</u> 4g. <u>51</u> 4h. <u>25.5</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>2</u> 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>2</u> 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM 3

00334.00100/5274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. 2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<p><i>04428</i></p> <p>District/Position</p> <p>Program Specialist Learning Specialist ESL Teacher Special Ed Teacher Instructional Aide</p>	<p>16 2 5 6 1.5</p>	<p>5 1 3 4 2</p>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<p><i>04428</i></p> <p>District/Position</p> <p>Program Specialist Special Ed Teacher Instructional Aide</p>	<p>6 20 2 245</p>	<p>1 1 1 1</p>

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	<table border="1"> <tr> <td>11.</td> <td># of Hours</td> </tr> <tr> <td>a.</td> <td>119</td> </tr> <tr> <td>b.</td> <td>4</td> </tr> <tr> <td>c.</td> <td>4</td> </tr> <tr> <td>d.</td> <td>22</td> </tr> <tr> <td>e.</td> <td>1</td> </tr> <tr> <td>f.</td> <td>0</td> </tr> </table>	11.	# of Hours	a.	119	b.	4	c.	4	d.	22	e.	1	f.	0
11.	# of Hours														
a.	119														
b.	4														
c.	4														
d.	22														
e.	1														
f.	0														

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

DIS Logs of Students
Calendar
Daily Log
Medical Logs
Confidential Files
Phone Records
IEP's, FAAs, PBIP's

Please indicate the time it took for you to complete this survey: 3 hours +

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Karin Kawagoe, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Clavis Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 05-02-2012, 2012, at Clavis, California.
Date *City*

Karin Kawagoe
Signature

Karin Kawagoe
Print Name

KarinKawagoe@cusd.com
E-mail Address

327-8913
Phone Number

SCLPA: Clavis Unified
School District (if serving multiple districts, list all): Clavis Unified School District Date: 01-18-2008

Name of BICM Completing Survey: Karin Kawagoe
Title: School Psychology SE
Phone Number(s): (951) 327-1817 (951) 327-0138
Email Address: KARIN.KAWAGOE@CUSD.COM

<p>1. How many students did you serve in 2006-07 who had PIPs? Of this total, please specify the number of: b. new cases (PIIP for first time), and c. preexisting cases (entered 2006-07 with PIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>3</u> 1c. <u>2</u></p>
<p>2. How many students with PIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>3</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1 hr.</u> 3b. <u>8 hrs.</u> 3c. <u>1 hr.</u> 3d. <u>10 hrs.</u> 3e. <u>10 hrs.</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 1 hr. 4b. 8 hrs. 4c. 3 hrs. 4d. 2 hrs. 4e. 4 hrs. 2 hrs. 4f. 4 hrs. 4g. 20 hrs. 4h. 20 hrs. 20 hrs.</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 1 hr. 5b. 2 hrs. 5c. 5 hrs. 5d. 8 hrs. 5e. 4 hrs.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 4 hrs. 6b. 6 hrs. 6c. 2 hrs. 6d. 2 hrs. 6e. 1 hr. 6f. 2 hrs. 6g. 14 hrs. 6h. 9.5 hrs.</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	Program Specialist Special Ed Teacher _____ _____ _____	2 4 _____ _____ _____	2 2 _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Program Specialist Special Ed Teacher _____ _____ _____	2 2 _____ _____ _____	1 1 _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position. <i>Including data collection, PBIP training, implementing the techniques.</i>	Special Ed Teacher Instructional Assistants _____ _____ _____	6 6 _____ _____ _____	_____ _____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. <u>100 hrs 71</u> b. <u>12 hrs</u> c. <u>18 hrs</u> d. <u>12 hrs</u> e. <u>8 hrs</u> f. <u>18 hrs</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Conference Summary
Calendar
EBI Meeting - wps

Please indicate the time it took for you to complete this survey: 1 hr

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Jill Hernandez, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Clovis Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/2/, 2012, at Fresno/Clovis, California.
Date *City*

Jill Hernandez
Signature

Jill Hernandez
Print Name

JillHernandez@cUSD.com
E-mail Address

327-9000
Phone Number

SELPA: Chavis

School District (if serving multiple districts, list all): Chavis Unified

Date: 1/17/08

Name of BICM Completing Survey: Chris Almander
 Title: School Psychologist
 Phone Number(s): 327-1465 327-4800
 Email Address: mlhermander@casd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>1</u></p> <p>3a. <u>2</u></p> <p>3b. <u>20</u></p> <p>3c. <u>3</u></p> <p>3d. <u>25</u></p> <p>3e. <u>25</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. <u>5</u></p> <p>4c. <u>8</u></p> <p>4d. <u>10</u></p> <p>4e. <u>5</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>28</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. <u>14</u></p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. <u>N/A</u></p> <p>6e. <u>N/A</u></p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____

7b. _____

7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	CIN/SL/ML/Ed. Special Education Teacher	<u>2</u>	<u>1</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Cousins/Unfild - Special Education Teacher	<u>20</u>	

BICM 4

00334.00100/5274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Calendars
Day planners
6-7-11-12

Sources of Information
File reviews

Please indicate the time it took for you to complete this survey: 2 hrs.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Ann Locke Anderson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psych.
by Clovis Unified School District *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Clovis, California.
Date *City*

Ann L. Anderson
Signature

Ann L. Anderson
Print Name

AnnAnderson@cusd.com
E-mail Address

559-3279400
Phone Number

SELPA: CVSD

School District (if serving multiple districts, list all): CLONS UNITED School DISTRICT Date: 1-15-08

Name of BICM Completing Survey: Ann Anderson
 Title: School Psychologist
 Phone Number(s): 377-9400
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u></p> <p>1b. <u>1</u></p> <p>1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>2</u></p> <p>3b. <u>40</u></p> <p>3c. <u>20</u></p> <p>3d. <u>60</u></p> <p>3e. <u>20</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>20 hrs</u> 4b. <u>10 hrs</u> 4c. <u>2 hrs</u> 4d. <u>4 hrs</u> 4e. <u>2 hrs</u> 4f. <u>0</u> 4g. <u>38</u> 4h. <u>38</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>1 student moved -</p> <p>5a. <u>0</u> 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Louise Buckley Elizabeth Kirkley	4	2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Louise Buckley Elizabeth Kirkley Functional Skills Teacher	3	

BICM 4

00334.00100/5274.1

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<table border="1"> <thead> <tr> <th data-bbox="1347 1617 1396 1680">11.</th> <th data-bbox="1347 1680 1396 1932"># of Hours</th> </tr> </thead> <tbody> <tr> <td data-bbox="1218 1617 1266 1680">a.</td> <td data-bbox="1218 1680 1266 1932"><u>0</u></td> </tr> <tr> <td data-bbox="1153 1617 1201 1680">b.</td> <td data-bbox="1153 1680 1201 1932"><u>0</u></td> </tr> <tr> <td data-bbox="1088 1617 1136 1680">c.</td> <td data-bbox="1088 1680 1136 1932"><u>0</u></td> </tr> <tr> <td data-bbox="1023 1617 1071 1680">d.</td> <td data-bbox="1023 1680 1071 1932"><u>0</u></td> </tr> <tr> <td data-bbox="958 1617 1006 1680">e.</td> <td data-bbox="958 1680 1006 1932"><u>0</u></td> </tr> <tr> <td data-bbox="893 1617 941 1680">f.</td> <td data-bbox="893 1680 941 1932"><u>0</u></td> </tr> </tbody> </table>	11.	# of Hours	a.	<u>0</u>	b.	<u>0</u>	c.	<u>0</u>	d.	<u>0</u>	e.	<u>0</u>	f.	<u>0</u>
11.	# of Hours														
a.	<u>0</u>														
b.	<u>0</u>														
c.	<u>0</u>														
d.	<u>0</u>														
e.	<u>0</u>														
f.	<u>0</u>														
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>															

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

<u>estimate of time</u>	<u>calendars, etc. no longer</u>
<u>needed to document</u>	<u>available.</u>
<u>Daily Behavior levels.</u>	

Please indicate the time it took for you to complete this survey: one hour

Thank you very much for taking the time to complete this survey.

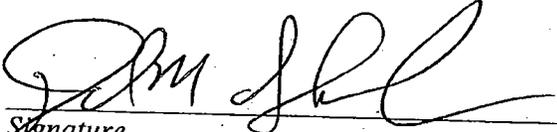
DECLARATION

I, DAVID M. SHOEMAKER, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
Title of Position
by CLOVIS UNIFIED SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-4-12, 2012, at CLOVIS, California.
Date *City*


Signature

DAVID M. SHOEMAKER
Print Name

dauidshoemaker@cusd.com
E-mail Address

559-347-8721
Phone Number

SELPA: _____

School District (if serving multiple districts, list all): CLOVIS UNIFIED SCHOOL DISTRICT

Date: 1.25.08

Name of BICM Completing Survey: DAVID M. SUENMAYER
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): 559.347.8721
 Email Address: david.suenmayer@csd.usd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	SDC TEACHERS	1 1/2	3
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	SDC TEACHER PARAPROFESSIONALS	40 240	

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

ANDREA SMITH

Please indicate the time it took for you to complete this survey: 1 HOUR

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Tamara Soernali, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by CUSD
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4, 2012, at Fresno, California.
Date *City*

Tamara Soernali
Signature

Tamara Soernali
Print Name

tamara.soernali@cUSD.com
E-mail Address

327-8687
Phone Number

SELPA: WUSD

School District (if serving multiple districts, list all): WUSD

Date: 1-10-08

Name of BICM Completing Survey: Tamara Soemali

Title: Psychologist

Phone Number(s): 327-8689

Email Address: tamara.soemali@wusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: b. new cases (PBIIP for first time), and c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>		<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>		<p>3a. <u>1.5</u> 3b. <u>50</u> 3c. <u>4.5</u> 3d. <u>55</u> 3e. <u>55</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p> <p style="text-align: right;">4.5 2 1 2 2 13.5 13.5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	CUSD/Teacher	2 hours	1 time represents on-going data collection, review, and modification

8 hours per day, 5 days per week for one month

BICM 4

00334.00100/55274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions? b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. <u>0</u> a. _____ b. _____ c. _____ d. _____ e. _____ f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>N/A</u> Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 30 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kristine Lachs, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Clovis Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Clovis, California.
Date *City*

Kristine Lachs
Signature

Kristine Lachs
Print Name

kristinelachs@cUSD.com
E-mail Address

559-327-3525
Phone Number

SELPA: Fresno Co.
 School District (if serving multiple districts, list all): Clavis Unified

Date: 1/17/08

Name of BICM Completing Survey: Kristine Locks
 Title: School Psychologist
 Phone Number(s): (559) 327-8300
 Email Address: kristinelocks@cusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>2. <u>0</u></p> <p>3a. <u>1</u></p> <p>3b. <u>10</u></p> <p>3c. <u>2</u></p> <p>3d. <u>13</u></p> <p>3e. <u>13</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b). (BSP)</p> <p><i>Student moved to new school placement after plan written</i></p>	<p>4a. _____</p> <p>4b. <u>1</u></p> <p>4c. <u>1</u></p> <p>4d. <u>1</u></p> <p>4e. <u>1</u></p> <p>4f. <u>0</u></p> <p>4g. <u>8</u></p> <p>4h. <u>8</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. <u>NA</u></p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. <u>NA</u></p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 1

7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent. a. BSP in IEP meeting (no PBIP determined necessary).	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Jeanne Cox, BSP Ray Lozano, Princ. Pat Plusheaga, Teacher Debbie Talbot, Pres. Spec.	2.5 1.25 1.25 1.25	2 1 1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	NA		
Student moved after plan (BSP) put in place			

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. <input type="radio"/> _____ b. <input type="radio"/> _____ c. <input type="radio"/> _____ d. <input type="radio"/> _____ e. <input type="radio"/> _____ f. <input type="radio"/> _____
12. Please provide three (3) <u>FAAs/PBIPs</u> (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar
PBIP documents

Please indicate the time it took for you to complete this survey: 20 min.

Thank you very much for taking the time to complete this survey.

Fresno County

SELPA

DECLARATION

I, Steve Gonzalez, hereby declare as follows:
Print Name

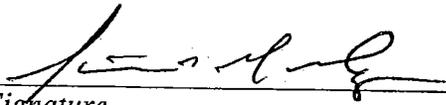
1. In the 2007-2008 school year, I was employed as a Coordinator II
Title of Position
by Fresno County SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 04/20 / , 2012, at Fresno, California.
Date *City*


Signature

Steve Gonzalez
Print Name

sgonzalez@fcoe.org
E-mail Address

(559) 265-4027
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

SEPA
Frederick Cook

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Fresno County SELPA
 Person Completing Survey: Steve Gonzalez
 Title: Coordinator II
 Phone Number(s): (559) 265-3098 x3509
 Email Address: sgonzalez@fcoe.k12.ca.us
 Date: 02-01-08

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	SELPA Certificated: 37 District/FCOE County Programs: 19 Total: 56
2. How many BICM surveys have been returned to you?	51
3. If not all BICM surveys have been returned, please indicate reason.	Time and clarification of BICM procedures and policy.

4. How many districts are in your SELPA? 32

5. How many district level surveys have been returned to you?

6. If not all district surveys have been returned, please indicate reason.
19
 Some rural districts do not have a Director-the county may provide services.

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan. [See Attached]

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>April 1994</u> b. What is the basis for your estimate? <u>Policy No: 94-18: Committee Meeting Minutes</u>	7. <u>Psychologist</u> <u>Psychologist</u> <u>Directors' x 15</u>	7. <u>1 hour</u> <u>1 hour</u> <u>15 hours</u>
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>June 1994</u> b. What is the basis for your estimate? <u>Policy documentation</u>	8. <u>Psychologist</u> <u>Psychologist</u> <u>Director x 15</u>	8. <u>15 minutes</u> <u>15 minutes</u> <u>15 minutes</u>
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006-2007</u>	9. <u>Coordinator</u>	9. <u>2 hours</u>

b. What is the basis for your estimate? Policy Review and Update (not approved as of today)
 c. How often does your SELPA do this? 2-5 years

10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?
 a. What year did this occur? N/A
 b. What is the basis for your estimate? _____
 c. How often does your SELPA do this? _____

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?	Position	# of Hours
a. What year did this occur? <u>2006-2007</u>	<u>Coordinator</u>	<u>88 Hours</u>
b. What is the basis for your estimate? <u>OMS & Calendar</u>	<u>Secretary</u>	<u>74 Hours</u>
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?		
a. What year did this occur? <u>2007-2008</u>	<u>Coordinator</u>	<u>80 hours</u>
b. What is the basis for your estimate? <u>Calendar and OMS, staff interview</u>	<u>SELPA Sec.</u>	<u>24 hours</u>
c. How often does your SELPA do this? <u>Annual beginning in 2006-2007</u>	<u>Psychologist</u>	<u>50 hours</u>
	<u>Psychologist</u>	<u>40 hours</u>

	Position	# of Hours
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? <u>2006-2007</u></p> <p>b. What is the basis for your estimate? <u>Calendar and OMS</u></p> <p>c. How often does your SELPA do this? <u>Annually</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>2006-2007: \$9,893.60; independent contractor for three days, cost for site, food, materials.</u></p>	<p>13.</p> <p>Coordinator _____</p> <p>Psychologist <u>24</u></p> <p>Psychologist <u>24</u></p> <p>Psychologist <u>24</u></p> <p>Secretary <u>2</u></p>	<p>13.</p> <p><u>24</u></p> <p><u>24</u></p> <p><u>24</u></p> <p><u>2</u></p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? <u>Anticipated for 02/09</u></p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? <u>Every 2 years</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14.</p> <p>N/A</p>	<p>14.</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? <u>Incorporated in BICM Training</u></p> <p>b. What is the basis for your estimate? _____</p>	<p>15.</p> <p>N/A</p>	<p>15.</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? <u>Incorporated in BICM Training</u></p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>16.</p> <p>N/A</p>	<p>16.</p> <p>_____</p> <p>_____</p> <p>_____</p>

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>Incorporated in BICM Training</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	17. N/A _____ _____ _____	17. _____ _____ _____
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>Record review, NCI certification</u>	18. Coordinator Teacher Psychologist	18. 32 32 32
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>Calendar</u> c. How often does your SELPA do this? <u>4 x's annually</u>	19. Coordinator Teacher Psychologist	19. 4 8 4
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>Calendar</u> c. How often does your SELPA do this? <u>Annually</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	20. Coordinator Teacher Psychologist Psychologist	20. 40 40 40 40

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ 350.00 For: Outside registration
 Cost: \$ 300.00 For: In SELPA
 Cost: \$ 400.00 For: Sub's
 Cost: \$ For:
 Cost: \$ For:

Paid By: Districts
 Paid By: Districts/County office
 Paid By: County Office
 Paid By:

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	# Attdg.	District/Position	# of Hours
3	3	Central/Psychologist	24
3	14	Coalinga-Huron/2 Psychologist and 1 Teacher	24
3	2	Firebaugh/Psychologist	24
2	2	Fowler/Psychologist	24
5	5	FCOE/Teachers	24
2	2	Kerman/Psychologist	24
6	6	Kings	24
1	1	Canyon/Psychologist	24
1	1	Kingsburg	24
1	1	H.S/Psychologist	24
3	3	Mendota/Psychologist	24
3	3	Sanger/Psychologist	24
3	3	Sierra/Psychologist	24
23.	23.	N/A	23.

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours. [N/A-Incorporated within the BICM Training]

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.			
	24.	24.	24.
	1	Central/Para	8
	8	Firebaugh/(1)	8
		teacher/(2) Psych./(5)	
		Admin.	
	33	FCOE/(7) Teachers/(17)	8
		Para/(9) Psych./(2)	
		admin.	
	1	Kerman/para	8
	1	Kings Canyon/Teacher	8
	2	Kingsburg elem./(1)	8
		teacher/(1) Para	
	1	Kingsburg HS/para	8
	1	Parlier/Teacher	8
	1	Riverdale/Admin	8
	8	Sanger/(2) Teacher/(1)	8
		Para/(5) Psych.	
	3	Washington Colony	8
		Elem/(1) teacher/(1)	
		Para/(1) admin.	
	1	Washington Union	8
		High/psych	

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 1753,61+
 a. Is this figure typical of annual costs and for how long has it been typical? Yes, from 2005 when the SELPA decided to hire a Behavior Consultant/BICM.
 b. If not, what have you typically done?
 c. What do you intend to do in the future? Hold consistent BICM refreshers, update NCI training material for behavior emergency training, and attend workshops associated with behavior.

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities: Cost for materials associated with the BICM-\$5,322.04

26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	Position	26. # of Hours
	<u>Coordinator II</u>	<u>10 hours</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. N/A	27.

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 14 hours

Thank you very much for taking the time to complete this survey.

Data Collection Spreadsheet

District

DECLARATION

I, DAVE HALPERN, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a PROGRAM MANAGER
Title of Position
by FRESNO COE
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/30/12, 2012, at FRESNO, California.
Date *City*

Dave Halpern
Signature

Dave Halpern
Print Name

dhalpern@coe.org
E-mail Address

dhalpern@coe.org
Phone Number

Date: January 29, 2008

SELPA: Fresno County
 District: Fresno COE, Special Education
 Persons completing survey: Charlene Samuelian, Tannon Pafford, Cinde Abbate, Lisa Knott, Dave Halpern, Patricia Deroian. Salary spreadsheet completed by Robin Vandyke
 Title: Administrator and Program managers, Accountant
 Phone Number(s): 559 265-3040 (department number)
 Email Address: csamuelian@fcoe.k12.ca.us

	Hours by Positions					Total Hours by Question
	Teacher	Paraeducator	Psychologist	Nurse	Program Administrator	
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	40					
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.						
a. Performing emergency behavioral interventions.	9.5	9	6.5	1.5	3	29.5
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	8.25	4	2	0	0	14.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	9.5	0	20	0	0	29.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	8.25	0	10	0	8	26.25
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	17	0	28	1	12	58
f. Reporting data in "Behavioral Emergency Reports" to administrator or annual report to CDE.	3.25	0	25	0	2	30.25
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	0	0	18	0	19.75	37.75
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	10.75	0	5.5	0	3.5	19.75

DECLARATION

I, Lisa Knott, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed _____, 2012, at _____, California.
Date City

Lisa M. Knott
Signature

Lisa M. Knott
Print Name

lknott@score.org
E-mail Address

(559) 846-7391
Phone Number

SELPA: Fresno County

District: Fresno COE, Special Education

Persons completing survey: Charlene Samuelian, Tannon Pafford, Cinde Abbate, Lisa Knott, Dave Halpern, Patricia Deroian. Salary spreadsheet completed by Robin VanDyke

Date: January 29, 2008

Title: Administrator and Program managers, Accountant

Phone Number(s): 559 265-3040 (department number)

Email Address: csamuelian@fcoe.k12.ca.us

	Hours by Positions					Total Hours by Question
	Teacher	Pareducator	Psychologist	Nurse	Program Administrator	
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	40					
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.						
a. Performing emergency behavioral interventions.	9.5	9	6.5	1.5	3	29.5
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	8.25	4	2	0	0	14.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	9.5	0	20	0	0	29.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	8.25	0	10	0	8	26.25
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	17	0	28	1	12	58
f. Reporting data in "Behavioral Emergency Reports" to administrator or annual report to CDE.	3.25	0	25	0	2	30.25
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	0	0	18	0	19.75	37.75
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	10.75	0	5.5	0	3.5	19.75

4. How many due process requests were filed against your district in 2006□07 where Hughes Bill matters were at issue?
 _____ 4 None _____

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer 4a. questions 5□8 below. Use a separate sheet for each case.

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to file a written response?		
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to convene, prepare for, and attend a resolution session?		
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and attend mediation?		
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and participate in the due process hearing?		

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hours

Thank you for taking the time to complete this survey.

DECLARATION

I, Cinde Abbate, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
by Fresno County Office of Ed. *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/20/12, 2012, at Fresno, California.
Date *City*

Cinde Abbate
Signature

Cinde Abbate
Print Name

cabbate@fcoe.org
E-mail Address

(559) 4973807
Phone Number

SELPA: Fresno County
 District: Fresno COE, Special Education

Persons completing survey: Charlene Samuelian, Tannon Pafford, Cinde Abbate, Lisa Knott, Dave Halpern, Patricia Deroian. Salary spreadsheet completed by Robin VanDyke

Date: January 29, 2008

Title: Administrator and Program managers, Accountant
 Phone Number(s): 559 265-3040 (department number)
 Email Address: csamuelian@fcoe.k12.ca.us

	Hours by Positions					Total Hours by Question
	Teacher	Paraeducator	Psychologist	Nurse	Program Administrator	
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	40					
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.						
a. Performing emergency behavioral interventions.	9.5	9	6.5	1.5	3	29.5
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	8.25	4	2	0	0	14.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	9.5	0	20	0	0	29.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for Interim PBIP.	8.25	0	10	0	8	26.25
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	17	0	28	1	12	58
f. Reporting data in "Behavioral Emergency Reports" to administrator or annual report to CDE.	3.25	0	25	0	2	30.25
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	0	0	18	0	19.75	37.75
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	10.75	0	5.5	0	3.5	19.75

4. How many due process requests were filed against your district in 2006□07 where Hughes Bill matters were at issue?	4 None _____
a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer 4a. questions 5□8 below. Use a separate sheet for each case.	_____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to file a written response?		
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to convene, prepare for, and attend a resolution session?		
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and attend mediation?		
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and participate in the due process hearing?		

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hours

Thank you for taking the time to complete this survey.

DECLARATION

I, Tannon Pafford, hereby declare as follows:
Print Name

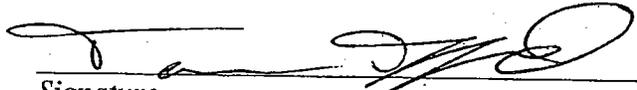
1. In the 2007-2008 school year, I was employed as a Program Manager II
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 04/23, 2012, at Fresno, California.
Date *City*


Signature

Tannon Pafford
Print Name

tpafford@fcoe.org
E-mail Address

(559) 265-4070
Phone Number

Date: January 29, 2008

SELPA: Fresno County
District: Fresno COE, Special Education
Persons completing survey: Charlene Samuelian, Tannon Pafford, Cinde Abbate, Lisa Knott, Dave Halpern, Patricia Deroian. Salary spreadsheet completed by Robin VanDyke

Title: Administrator and Program managers, Accountant
Phone Number(s): 559 265-3040 (department number)
Email Address: csamuelian@fcoe.k12.ca.us

	Hours by Positions					Total Hours by Question
	Teacher	Paraeducator	Psychologist	Nurse	Program Administrator	
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		40				
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.						
a. Performing emergency behavioral interventions.	9.5	9	6.5	1.5	3	29.5
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	8.25	4	2	0	0	14.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	9.5	0	20	0	0	29.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	8.25	0	10	0	8	26.25
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	17	0	28	1	12	58
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	3.25	0	25	0	2	30.25
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	0	0	18	0	19.75	37.75
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	10.75	0	5.5	0	3.5	19.75

4. How many due process requests were filed against your district in 2006□07 where Hughes Bill matters were at issue?
 4 None _____

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer 4a. questions 5□8 below. Use a separate sheet for each case.
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to file a written response?		
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to convene, prepare for, and attend a resolution session?		
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and attend mediation?		
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and participate in the due process hearing?		

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PRIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hours

Thank you for taking the time to complete this survey.

DECLARATION

I, Robin Van Dyke, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Accountant
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-1, 2012, at Fresno, California.
Date *City*

Robin Van Dyke
Signature

Robin Van Dyke
Print Name

r.vandyke@FCE.org
E-mail Address

(559) 265-3000 ext 4147
Phone Number

SELPA: Fresno County

Date: January 29, 2008

District: Fresno COE, Special Education

Persons completing survey: Charlene Samuelian, Tannon Pafford, Cinde Abbate, Lisa Knott, Dave Halpern, Patricia Deroian. Salary spreadsheet completed by Robin VanDyke

Title: Administrator and Program managers, Accountant

Phone Number(s): 559 265-3040 (department number)

Email Address: csamuelian@fcoe.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	40
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	Hours by Positions					Total Hours by Question
	Teacher	Paraeducator	Psychologist	Nurse	Program Administrator	
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.						
a. Performing emergency behavioral interventions.	9.5	9	6.5	1.5	3	29.5
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	8.25	4	2	0	0	14.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	9.5	0	20	0	0	29.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	8.25	0	10	0	8	26.25
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	17	0	28	1	12	58
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	3.25	0	25	0	2	30.25
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	0	0	18	0	19.75	37.75
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	10.75	0	5.5	0	3.5	19.75

4. How many due process requests were filed against your district in 2006□07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer 4a. questions 5□8 below. Use a separate sheet for each case.	4 None _____
--	--------------

Case #: _____ (use OAH filing number)

Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to file a written response?	
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to convene, prepare for, and attend a resolution session?	
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and attend mediation?	
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and participate in the due process hearing?	

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hours

Thank you for taking the time to complete this survey.

DECLARATION

I, Victoria R. Stotts, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/30, 2012, at Fresno, California.
Date *City*

Victoria R. Stotts
Signature

Victoria R. Stotts
Print Name

vsstotts@fcoe.org
E-mail Address

559 4322310
Phone Number

RECEIVED
 JAN 23 2008
 SELPA OFFICE
 Date: 1-15-08

SELPA: FCOE
 District: FCOE
 Person completing survey: Victoria R. S. Tatta
 Title: School Psychologist
 Phone Number(s): 559 184 5933 x 242
 Email Address: 1570773@fcoe.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.		2. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.		a. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.		b. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.		c. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.		d. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.		e. <u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.		f. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		g. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. 2 (merge re the)
 4a. 0

Case #: 0 (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, W.R. "Bill" Mannlein, hereby declare as follows:
Print Name

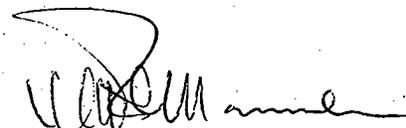
1. In the 2007-2008 school year, I was employed as a Principal / Supt
Title of Position
by Clay Joint Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at Kingsburg, California.
Date City


Signature

W.R. "Bill" Mannlein
Print Name

bmannlein@fcoe.net
E-mail Address

559 897-4185
Phone Number

SELPA: FRESNO COUNTY OFFICE OF EDUCATION Date: 1/17/08
 District: CLAY JOINT ELEMENTARY SCHOOL DISTRICT
 Person completing survey: W.R. "BILL" MANNLEIN
 Title: SVP.T. / PRINCIPAL
 Phone Number(s): (559) 897-4185
 Email Address: (559) 897-2280

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
1. _____		1. <u>NONE</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		2. _____
a. Performing emergency behavioral interventions.	a. <u>N/A</u>	a. <u>N/A</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>N/A</u>	b. <u>N/A</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>N/A</u>	c. <u>N/A</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>N/A</u>	d. <u>N/A</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>N/A</u>	e. <u>N/A</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>N/A</u>	f. <u>N/A</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>N/A</u>	g. <u>N/A</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>N/A</u>	3. <u>N/A</u>

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. <u>NONE</u> 4a. <u>N/A</u></p>
--	--

Case #: N/A (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>N/A</u>	5. <u>N/A</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>N/A</u> a. <u>N/A</u> b. <u>N/A</u> c. <u>N/A</u>	6. <u>N/A</u> <u>N/A</u> <u>N/A</u> <u>N/A</u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>N/A</u> a. <u>N/A</u> b. <u>N/A</u> c. <u>N/A</u>	7. <u>N/A</u> <u>N/A</u> <u>N/A</u> <u>N/A</u>
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>N/A</u> a. <u>N/A</u> b. <u>N/A</u> c. <u>N/A</u>	8. <u>N/A</u> <u>N/A</u> <u>N/A</u> <u>N/A</u>

DECLARATION

I, Antonio Rodriguez, hereby declare as follows:
Print Name.

1. In the 2007-2008 school year, I was employed as a Director of SPED
Title of Position
by Coalinga - Huron Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/2, 2012, at Fresno, California.
Date *City*

Antonio Rodriguez
Signature

Antonio P. Rodriguez
Print Name

trodriguez@chusd.k12.ca.us
E-mail Address

935-7512
Phone Number

SELPA: Fresno County Date: 1-25-08
 District: Coalinga-Huron Unified School District
 Person completing survey: Tony Rodriguez
 Title: Director of SPER
 Phone Number(s): 935-7512
 Email Address: trdriguez@CHUSD.K12.Ca.US

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. <u>0</u>	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>	f. <u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>0</u>	g. <u>0</u>
5. How much total actual time was spent by which positions in LVOB-VI informing school personnel of prohibited behavioral interventions?	5. <u>0</u>	5. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ _____ _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ _____ _____	7. _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ _____ _____	8. _____ _____ _____

District 3

00334.00100/55274.1

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
2				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 Hr.

Thank you for taking the time to complete this survey.

2006-07 Data Collection for Certificated Positions

Coalition

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	HRly SR Benefits	HRly H & W	Total Hourly Rate
SAMPLE: Teacher Position	60,000.00	9,900.00	9,000.00	183	6.5	50.44	8.32	7.57	66.33
This will be for any certificated position, management and non-management that participated in any of the attached processes This comes from the salary schedule for the position This includes employer paid medical, dental, vision and life insurance These are the work days associated with the position These are hours per day for the position (possibly contractual) This column is automatically calculated and is protected This column is automatically calculated and is protected This column is automatically calculated and is protected This column is automatically calculated and is protected									
- SDC-SH	72,302.00	8,789.39	10,000.00	183	7	56.44	6.86	7.81	71.11
- SDC	73,802.00	8,971.74	10,000.00	183	7	57.61	7.00	7.81	72.42
- SDC-SH	47,768.00	5,806.92	10,000.00	183	7	37.29	4.53	7.81	49.63
- SDC	62,886.00	7,620.42	10,000.00	183	7	48.94	5.95	7.81	62.69
- SDC	55,628.00	6,762.42	10,000.00	183	7	43.43	5.28	7.81	56.51
- SDC	36,343.00	4,418.04	10,000.00	183	7	28.37	3.45	7.81	39.63
- SDC	68,597.00	8,338.99	10,000.00	183	7	53.55	6.51	7.81	67.87
- SDC-SH	43,680.00	5,309.96	10,000.00	183	7	34.10	4.15	7.81	46.05
- SDC	66,246.00	8,296.32	10,000.00	183	7	53.28	6.48	7.81	67.56
- SDC	70,097.00	8,521.34	10,000.00	183	7	54.72	6.65	7.81	69.18
- RSP	72,302.00	8,789.39	10,000.00	183	7	56.44	6.86	7.81	71.11
- RSP	74,302.00	9,032.52	10,000.00	183	7	58.00	7.05	7.81	72.86
- RSP	56,843.82	6,910.22	10,000.00	183	7	44.37	5.39	7.81	57.58
- RSP	51,478.00	6,257.92	10,000.00	183	7	40.19	4.89	7.81	52.88
- RSP	68,597.00	8,338.99	10,000.00	183	7	53.55	6.51	7.81	67.87
- RSP	66,746.00	8,113.98	10,000.00	183	7	52.10	6.33	7.81	66.25
- RSP	74,302.00	9,032.52	10,000.00	183	7	58.00	7.05	7.81	72.86
- RSP	66,746.00	8,113.98	10,000.00	183	7	52.10	6.33	7.81	66.25
- RSP	66,746.00	8,113.98	10,000.00	183	7	52.10	6.33	7.81	66.25

2006-07 Data Collection for Certificated Positions

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	Hrly SR Benefits	Hrly H & W	Total Hourly Rate
SAMPLE: Teacher Position	60,000.00	9,900.00	9,000.00	183	6.5	50.44	8.32	7.57	66.33
This will be for any certificated position, management and non-management that participated in any of the attached processes									
[REDACTED] - RSP	61,186.00	7,438.08	10,000.00	183	7	47.76	5.81	7.81	61.38
[REDACTED] - RSP	[REDACTED]	[REDACTED]	10,000.00	183	7	0.00	0.00	7.81	7.81
[REDACTED] - RSP	36,343.00	4,418.04	10,000.00	183	7	28.37	3.45	7.81	39.63
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
SPEECH [REDACTED] - Coalinga	75,802.00	9,214.87	10,000.00	183	7	59.17	7.19	7.81	74.17
[REDACTED] - OPEN Pluron	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED] (contracted 2 days per week)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED] (contracted 2-1/2 days per week with SELPA???)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
JOBT PSYCHOLOGIST	64,425.00	7,831.83	10,000.00	195	8	41.30	5.02	6.41	52.73
[REDACTED] (contracted 2 days per week)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED] - Intern - 4 days per week	24,000.00	2,917.56	[REDACTED]	183	7	18.74	2.28	0.00	21.01
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
DIRECTOR [REDACTED]	84,576.00	10,281.48	10,000.00	210	8	50.34	6.12	5.95	62.42
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

2006-07 Data Collection for Classified Positions

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	Hrly SR Benefits	Hrly H & W	Total Hourly Rate
Sample: Special Ed Aide/Asst. Position	22,000.00	10,800.00 STRS, PERS, PARS, FICA, Medicare, SUR, Workers Comp and any other employer paid benefit other than Column G	5,000.00	207	6	17.71	8.70	4.03	30.43
This will be for any classified position, management and non-management, that participated in any of the attached processes	This comes from the salary schedule for the position		This includes: employer paid medical, dental, vision and life insurance	These are the work days associated with the position, including holidays & vacation	These are hours per day for the position (possibly contractual)	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected
- SDC-SH	13,179.00	2,466.98	1,646.30	192	5	13.73	2.57	1.71	18.01
RSP	11,714.70	2,192.87	5,695.20	192	5	12.20	2.28	5.93	20.42
- SDC	13,974.40	2,615.87	1,646.30	192	5	14.56	2.72	1.71	19.00
RSP	12,114.70	2,267.75	1,646.30	192	5	12.62	2.36	1.71	16.70
- SDC	14,180.65	2,664.48	5,695.20	192	5	14.77	2.77	5.93	23.47
- SDC	11,326.40	2,120.19	1,646.30	192	5	11.80	2.21	1.71	15.72
SDC	14,171.10	2,652.69	5,695.20	192	5	14.76	2.76	5.93	23.46
RSP	13,780.65	2,579.60	1,646.30	192	5	14.35	2.69	1.71	18.76
SDC-SH	13,774.53	2,578.45	5,695.20	192	5	14.35	2.69	5.93	22.97
- SDC	11,918.83	2,231.09	1,646.30	192	5	12.42	2.32	1.71	16.45
- SDC	12,087.14	2,262.59	1,646.30	192	5	12.59	2.36	1.71	16.66
- SDC	7,206.80	1,349.04	1,646.30	192	5	7.51	1.41	1.71	10.63
OPEN (Eilers-Aide) - SDC	3,431.58	642.36	493.89	53	5	12.95	2.42	1.86	17.24
RSP 04/01/07	12,715.00	2,380.12	1,646.30	192	5	13.24	2.48	1.71	17.44
- SDC	13,780.65	2,579.60	1,646.30	192	5	14.35	2.69	1.71	18.76
Speech - Swallinga	14,524.45	2,718.83	5,695.20	192	5	15.13	2.83	5.93	23.89
Speech - Huron	9,455.04	1,769.89	0.00	192	3.5	14.07	2.63	0.00	16.70

2006-07 Data Collection for Classified Positions

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	Hrly SR Benefits	Hrly H & W	Total Hourly Rate
EXAMPLE: Special Ed Aide/Asst. Position	22,000.00	10,800.00	5,000.00	207	6	17.71	8.70	4.03	30.43
This will be for any classified position, management and non-management, that participated in any of the attached processes	This comes from the salary schedule for the position.	STRS, PERKS, PARS, FICA, Medicare, SUR, Workers Comp and any other employer paid benefit other than Column G	This includes employer paid medical, dental, vision and life insurance	These are the work days associated with the position, including holidays & vacation	These are hours per day for the position (possibly contractual)	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected
[REDACTED] - RSP	8,794.40	1,646.22	0.00	192	3.5	13.09	2.45	0.00	15.54
[REDACTED] - SDC-SH	7,679.36	1,437.50	0.00	192	3.5	11.43	2.14	0.00	13.57
[REDACTED] - RSP	7,453.60	1,395.24	0.00	192	3.5	11.09	2.08	0.00	13.17
OPEN (Yager's Aide) - RSP				192	3.5	0.00	0.00	0.00	0.00
[REDACTED] - SDC-SH Regional	13,847.40	2,592.09	1,646.30	192	6	12.02	2.25	1.43	15.70
[REDACTED] - SDC-SH Regional	13,400.64	2,508.47	0.00	192	6	11.63	2.18	0.00	13.81
OPEN (Bennett's Aide) SDC-SH Regional				192	6	0.00	0.00	0.00	0.00
[REDACTED] - Speech	8,460.58	1,583.74	0.00	192	3	14.69	2.75	0.00	17.44
[REDACTED] - SDC-SH	7,651.84	1,432.35	0.00	192	3	13.28	2.49	0.00	15.77
Amy Garcia - SDC	9,936.00	1,859.92	0.00	192	3.75	13.80	2.58	0.00	16.38
OPEN (Cardenas 1-on-1) - SDC				192	2.25	0.00	0.00	0.00	0.00
[REDACTED] - SDC	6,788.80	1,270.80	0.00	192	3	11.79	2.21	0.00	13.99
[REDACTED] - SDC	6,700.32	1,254.23	0.00	192	3	11.63	2.18	0.00	13.81
[REDACTED] - SDC-SH	9,225.30	1,726.88	0.00	192	3.5	13.73	2.57	0.00	16.30
[REDACTED] - SDC-SH	1,875.76	351.12	0.00	192	3	3.26	0.61	0.00	3.87
[REDACTED] - SDC-SH	6,700.32	1,254.23	0.00	192	3	11.63	2.18	0.00	13.81
OPEN (Bedene 1-on-1) - SDC-SH				192	3	0.00	0.00	0.00	0.00
OPEN (Aguillar 1-on-1) - SDC-SH				192	6	0.00	0.00	0.00	0.00

2006-07 Data Collection for Classified Positions

DECLARATION

I, Gary EISLEY, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a DIRECTOR OF SUPPORT SERVICES
Title of Position
by Caruthers Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at FRESNO, California.
Date *City*


Signature

GARY EISLEY
Print Name

garyeisley@sacglobal.net
E-mail Address

539-289-3191
Phone Number

Executive Handout # VI. *Carly Eisey*

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

50,78

District Level Survey – Special Education Director

District Level Survey – Special Education Director. The purpose is to identify costs associated with the mandates generated from the Hughes Bill at the District level. BICMs and the SELPA director are also completing surveys. This information will be used to further negotiations on possible Hughes Bill mandate reimbursement for all SELPAs, districts, and County offices. For purposes of the survey, we are focusing on the 2006-07 school year.

We need your help in determining the costs of Hughes Bill implementation by answering this survey. Your district superintendent will be receiving a letter from the California School Boards Association explaining the purpose of the survey and the time commitment involved. We recognize that the survey will require effort on your part. Your district superintendent will be receiving a letter from the California School Boards Association explaining the purpose of the survey and the time commitment involved.

- Please remember:
- to black out any personally identifiable student information that exists on any documents attached to the survey;
 - to identify personnel by position, not name; and
 - to record time required in hours, or portions thereof, not in days or weeks.

Note that a critical part of this survey is to provide the hourly rate of each district position that you list or that one of your BICMs has listed. Your district BICMs should provide you a copy of their completed surveys to allow you or your business office to do this.

When complete, return this survey, along with those completed by your BICMs, to the SELPA office by January 1, 2008. If you have any questions, please contact Kate Parnes, a retired SELPA director now working with the law firm Fagen, Friedman & Fulfro. Kate can be reached at Fagen Friedman's Oakland office, 510-550-8200, by cell at 650-400-2288 or by email at kparnes@fagenfriedman.com. For questions on the calculation of hourly rate, please contact Mike Lenahan at milenahan@gmail.com.

Thank you so much for your help in this important endeavor.

DECLARATION

I, Jennifer Litz, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at Fresno, California.
Date *City*

JLitz
Signature

Jennifer Litz
Print Name

jlitz@fcoe.org
E-mail Address

(559) 392-4500
Phone Number

SELPA: Fresno County Office of Education Date: 1-30-08
 District: Big Oak
 Person completing survey: Jennifer Litz (for Judy Satton)
 Title: School Psychologist
 Phone Number(s): 558 392 4500
 Email Address: jllitz@fcoe.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	1. # of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. <u>n/a</u>	a. <u>n/a</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____	f. _____
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____	g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>✓</u>	3. <u>✓</u>

District 2

00334.00100055274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. n/a

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>n/a</u>	5. <u>0 hrs</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>n/a</u>	8. <u>0 hrs</u>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing EAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
n/a	n/a	n/a	n/a	n/a
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Valerie Johnson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director
by Central Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/25/12, 2012, at Fresno, California.
Date *City*

Valerie Johnson
Signature

Valerie Johnson
Print Name

vjohnson2@centralusd.k12.ca.us
Email Address

559 278-4700 x137
Phone Number

SELPA: Fresno County
 District: Central San Joaquin Watershed Johnson
 Person completing survey: Valerie Johnson
 Title: Director
 Phone Number(s): 571-274-4700 x137
 Email Address: valjohnson2@centralusd.k12.ca.us

Date: 1/25/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. _____	a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____	f. _____
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____	g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. Director 2x Psychologists 1x Behavior program spec	3. 1.5 6.0 6.0 1.5

District 2

00334.00100/5274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. 0
 4a. N/A

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities - such as developing FAAs, PBIPs or attending IEP team meetings - please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level. **\$ 79,761.00**

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 2.0

Thank you for taking the time to complete this survey.

Hughes Bill
 CPI / BICM Training

Name School	Hours CPI Training	Hours BICM Training	Total Hours	Hours X Rate
Psychologist				
[REDACTED]	0	22	22	\$1242.34
[REDACTED]	0	22	22	\$1142.68
[REDACTED]				
[REDACTED]	12	22	34	\$2147.10
[REDACTED]	0	0	0	\$0
[REDACTED]				
[REDACTED]	0	22	22	\$1310.54
[REDACTED]				
[REDACTED]	12	32	44	\$2778.6
[REDACTED]				
[REDACTED]	48 (train and Participate)	22	70	\$3413.20
[REDACTED]				
[REDACTED]	0	22	22	\$2147.10
[REDACTED]				
[REDACTED]	12	22	34	\$1310.54
[REDACTED]	0	22	22	\$1389.30
[REDACTED]				
[REDACTED]	0	22	22	\$1389.30
[REDACTED]	24	22	46	\$2906.90
[REDACTED]	24	22	46	\$2906.90
[REDACTED]	0	22	22	\$1365.54
[REDACTED]				
				\$25,450.04

DECLARATION

I, Denise M. Kourafas, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Resource Specialist
Title of Position
by American Union Elementary
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-30, 2012, at Fresno, California.
Date *City*

Denise M. Kourafas
Signature

Denise M. Kourafas
Print Name

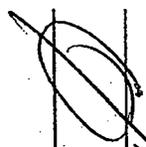
dkourafas@fcoe.net
E-mail Address

(559) 268-1213
Phone Number

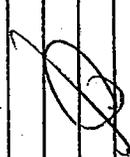
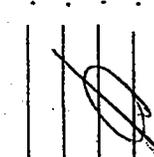
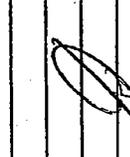
Date: 2-01-08

SELPA: Fresno County SELPA
 District: American Union
 Person completing survey: D. Kourafas
 Title: Teacher (59.5d)
 Phone Number(s): 268-1213
 Email Address: dkourafas@scce.net

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>	<p>1. <u>0</u></p>	<p>1. _____</p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>2. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p> <p>g. _____</p>	<p>2. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p> <p>g. _____</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>3. _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. _____ 4a. </p>
---	--

Case #: _____ (use OAH filing number)

	Position	# of Hours
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5. _____ </p>	<p>5. _____ </p>
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. _____ </p>	<p>6. _____ </p>
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. _____ </p>	<p>7. _____ </p>
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. _____ </p>	<p>8. _____ </p>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: P M's

Thank you for taking the time to complete this survey.

DECLARATION

I, Denise M. Kourafas, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Resource Specialist
Title of Position
by American Union
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-30, 2012, at Fresno, California.
Date *City*

Denise M. Kourafas
Signature

Denise M. Kourafas
Print Name

dkourafas@fcoe.net
E-mail Address

(559) 268-1213
Phone Number

~~District~~ District level

District

Date: 1-31-08

SELPA: American Union
 District: _____
 Person completing survey: Denise M. Lomas
 Title: Special ed. teacher
 Phone Number(s): (559) 368-1213
 Email Address: dkourakis@fcoe.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	n/a	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.		
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.		
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.		
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.		
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.		
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.		
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		0

District 2

00334.D0100/55274.1



4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____	5. _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Jeanette Pankratz, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 27, 2012, at Fresno, California.
Date *City*

Jeanette Pankratz
Signature

Jeanette Pankratz
Print Name

jpankratz@fcoe.org
E-mail Address

448-6412
Phone Number

RECEIVED
JAN 18 2008
SELPA OFFICE

SELPA: Fresno County
 District: Fresno County
 Person completing survey: JEANETTE PARKWATZ
 Title: School Psychologist
 Phone Number(s): 497-3754
 Email Address: jparkwatz@fcoe.k12.ca.us

Date: JAN. 15, 2008

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 3

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	a. <u>Teachers</u>	a. <u>45 min</u>
	b. <u>Teachers</u>	b. <u>15 min</u>
	c. <u>Teachers</u>	c. <u>30 min</u>
	d. <u>Teachers</u>	d. <u>15 min</u>
	e. <u>Teachers</u>	e. <u>2 hrs.</u>
	f. <u>Teachers</u>	f. <u>15 min</u>
	g. <u>Teacher/Ps-Mgr.</u>	g. <u>15 min</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Teachers on special assignment</u>	3. <u>30 min</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. 0
 4a. N/A

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 20 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Norma Barajas-Ruiz hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Pupil Services
Title of Position
by Selma Unified
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27/12, 2012, at Selma, California.
Date *City*

Norma B Ruiz
Signature

Norma B. Ruiz
Print Name

nbarajas-ruiz@selma.k12.ca.us
E-mail Address

559-898-6500
Phone Number

SELPA: Tresno
 District: Selma
 Person completing survey: Norma Barajas-Ruiz
 Title: Director of Pupil Services
 Phone Number(s): 559-898-6560
 Email Address: norma@selma.k12.ca.us

Date: 1-25-08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.	2.
a. Performing emergency behavioral interventions.	a.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g.	0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	0

District 2

00334.00100/5574.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> _____ _____ _____

District 3

00334.00100/5274.1

9. If the district employed attorneys or other independent contractors for the process of Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 min

Thank you for taking the time to complete this survey.

RECEIVED FEB 01 2008 SELPA OFFICE 0297

SELPA: _____
 District: _____
 Person completing survey: SUE R T E. CRAFT
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): (559) 917-2751
 Email Address: _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 6

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.
- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for HAA and determine necessity for interim PBIP.
 - e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 - f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 - g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

Position	# of Hours
2.	2.
a.	<u>1</u>
b.	<u>1</u>
c.	<u>1</u>
d.	<u>1</u>
e.	<u>1</u>
f.	<u>1</u>
g.	<u>1</u>
3.	3.
	<u>1</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 2

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	<u>3</u>	<u>3</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	<u>6</u>	<u>6</u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	<u>7</u>	<u>7</u>
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	<u>8</u>	<u>8</u>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as deves FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of st for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0		1		\$
0		1		\$
0		1		\$
0		1		\$
0		1		\$
0		1		\$
0		1		\$
0		1		\$
0		1		\$
0		1		\$

10. For each district employee listed on this survey, for all district RICMs, and for every district position listed on district] surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each pc listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebook planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claime process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Sheela Dawn Figueroa hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Psychologist
Title of Position
by Fresno County Office of Education.
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4.30.12, 2012, at Fresno, California.
Date *City*

Sheela Dawn Figueroa
Signature
Sheela Dawn Figueroa
Print Name
shigueroa@fcoe.org
E-mail Address
265.3001
Phone Number

Jan. 17 2008 01:09PM

FAX NO. :

FROM :

SELPA: FL02
 District: LDHHS

Date: 1.15.08

Person completing survey: Sheela Dunn Figueroa
 Title: Psychologist
 Phone Number(s): 48810485
 Email Address: sdfigueroa@washingtonuniv.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?
 1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	2. <u>0</u>
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	a. <u>0</u>
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	b. <u>0</u>
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for Interim PBIP.	c. <u>0</u>
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	d. <u>0</u>
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	e. <u>0</u>
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	f. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		g. <u>0</u>
		f. <u>0</u>
		e. <u>0</u>

District 2

00334.0010055274.1

Jan. 17 2008 01:09PM

FAX NO. :

FROM :

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ _____ _____ _____

District 3

00334.0010NS5774.1

Jan. 17 2008 01:10PM

FAX NO. :

FROM :

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BCM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

n/a

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Antonio Aguilar, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director Student Support Services
Title of Position
by Parlier Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at Parlier, California.
Date *City*

Antonio Aguilar
Signature

Antonio Aguilar
Print Name

aaquilar@parlierunified.org
E-mail Address

(559) 646-2123
Phone Number

SELPA: Fresno County
Date: January 29, 2008
District: Parlier Unified
Person completing survey: Antonio Aguilar
Title: Director, Student Support Services
Phone Number(s): (559)646-2123
Email Address: aaguilar@parlier.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 0

	<u>Position</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.
a. Performing emergency behavioral interventions.	a. <u>n/a</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>n/a</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>n/a</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>n/a</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>n/a</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>n/a</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>n/a</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.
	<u>1 hr</u>
	<u>School Psychologist</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matter were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each c listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

Case #: _____ (use OAH filing number)

Position

5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>n/a</u> _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>n/a</u> a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>n/a</u> a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>n/a</u> a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible re for whom the activity was performed, the activity performed, the hours of work and by whom, and th

# of Students	Activity Performed	# of Hrs	Provider Name/Pr

10. For each district employee listed on this survey, for all district BICMs, and for every district po surveys, please provide compensation data for 2006-07 on the attached certificated and classified s listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Rodney Smith, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Sp Ed
Title of Position
by Mendota Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at Mendota, California.
Date *City*

Rodney Smith
Signature

Rodney Smith
Print Name

rsmith@mendotausd.net
E-mail Address

(559) 655-4262
Phone Number

SELPA: Fresno County SELPA Date: 02/05/08
 District: Mendota High School
 Person completing survey: Rodney Smith
 Title: Director of Special Education/District School Psychologist
 Phone Number(s): (559) 655-1993 Ext. 157
 Email Address: rsmith@mendotausd.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____	2. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ Psychologist Principal Resource Teacher Special Ed Teacher	3. _____ 24 8 8 8

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? _____ 4. _____

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. _____
	_____	_____
	_____	_____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
	a. _____	_____
	b. _____	_____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
	a. _____	_____
	b. _____	_____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to participate in the due process hearing?	8. _____	8. _____
	a. _____	_____
	b. _____	_____
	c. _____	_____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 2 hours

Thank you for taking the time to complete this survey.

DECLARATION

I, Cindy Schreiner, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Assistant Principal
Title of Position
by Kingsburg Joint Union High School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-27, 2012, at Kingsburg, California.
Date *City*

Cindy Schreiner
Signature

Cindy Schreiner
Print Name

cschreiner@kjhsd.k12.ca.us
E-mail Address

559-897-5156 ex. 29
Phone Number

SELPA: Fresno
 District: Kingsburg Joint Union High School District
 Person completing survey: Cindy Schreiner
 Title: Assistant Principal, oversee Special Education
 Phone Number(s): 559-847-5156 ext. 29
 Email Address: cschreiner@kjhsd.k12.ca.us

Date: 1-14-09

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	2. <u>0</u>
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>0</u>	

District 2

00334.0010655274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

DECLARATION

I, Darla Beeson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Ed.
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24, 2012, at Fresno, California.
Date *City*

Darla Beeson
Signature

Darla Beeson
Print Name

dbeeson@fcoe.org
E-mail Address

559-265-3001
Phone Number

SELPA: Fresno County Office of Ed Date: 1/12/08
 District: Golden Plains
 Person completing survey: Dark Reason
 Title: School Psychologist
 Phone Number(s): 265-3000
 Email Address: dark@reason.org Page 112 of 45

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	Position # of Hours
a. Performing emergency behavioral interventions.	2. a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

4a. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey.

RECEIVED
JAN 18 2008
0322

SELPA OFFICE

SELPA: Fresno Co.
 District: West Park
 Person completing survey: Mary McCall
 Title: School Psychologist
 Phone Number(s): 999-8826
 Email Address: _____

Date: 1/16/08

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. <u>0</u></p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2.</p> <p>a. <u>0</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>0</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p> <p>g. <u>0</u></p>	<p># of Hours</p> <p>2.</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p> <p>g. _____</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3.</p> <p><u>0</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>3.</p> <p>_____</p> <p>_____</p> <p>_____</p>

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 JAN 18 2008
 SELPA OFFICE
 0323

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ _____ _____ _____

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 JAN 18 2008

0324

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 min.

Thank you for taking the time to complete this survey.

Jan. 17 2008 01:09PM

FAX NO. :

FROM :

SELPA: FCOE
 District: WUHS

Date: 1.15.08

Person completing survey: Shacala Dawn Figueroa
 Title: Psychologist
 Phone Number(s): 486.0485
 Email Address: SFigueroa@washingtontribuna.com

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.
- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
 - e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 - f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 - g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

Position

of Hours

Position	# of Hours
2.	2.
a.	<u>0</u>
b.	<u>0</u>
c.	<u>0</u>
d.	<u>0</u>
e.	<u>0</u>
f.	<u>0</u>
g.	<u>0</u>
3.	3.
	<u>0</u>

Jan. 17 2008 01:09 PM

FAX NO. :

FROM :

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

Jan. 17 2008 01:10 PM

FAX NO. :

FROM :

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

n/a

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 minutes

Thank you for taking the time to complete this survey.

SELPA: Ereño County Office of Education Date: 1-29-08
 District: Pine Ridge
 Person completing survey: ERIC BITTER
 Title: Principal / Superintendent
 Phone Number(s): (559) 841-2444 FAX (559) 841-2771
 Email Address: ebitter@fcoe.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?
 1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	a. <u>na</u>	a. <u>na</u>
	b. _____	b. _____
	c. _____	c. _____
	d. _____	d. _____
	e. _____	e. _____
	f. _____	f. _____
	g. _____	g. _____
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Principal / Superintendant</u>

District 2

00334.00100.55274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.
 4a. n/a

Case #: n/a (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>n/a</u>	5. <u>n/a</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____	8. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
n/a	n/a	n/a	n/a	n/a

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey.

Date: 1-25-08 FEB 04 2008
 RECEIVED
 SELPA OFFICE

SELPA:
 District: Monroe Elementary School
 Person completing survey: Shelley Manser
 Title: Superintendent
 Phone Number(s): 559-534-2595
 Email Address: smanser@monroe.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>																								
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	<table border="1"> <thead> <tr> <th data-bbox="950 367 1185 399">2.</th> <th data-bbox="950 399 1185 430">Position</th> <th data-bbox="950 430 1185 462"># of Hours</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td>_____</td> <td>a. _____</td> </tr> <tr> <td>b.</td> <td>_____</td> <td>b. _____</td> </tr> <tr> <td>c.</td> <td>_____</td> <td>c. _____</td> </tr> <tr> <td>d.</td> <td>_____</td> <td>d. _____</td> </tr> <tr> <td>e.</td> <td>_____</td> <td>e. _____</td> </tr> <tr> <td>f.</td> <td>_____</td> <td>f. _____</td> </tr> <tr> <td>g.</td> <td>_____</td> <td>g. _____</td> </tr> </tbody> </table>	2.	Position	# of Hours	a.	_____	a. _____	b.	_____	b. _____	c.	_____	c. _____	d.	_____	d. _____	e.	_____	e. _____	f.	_____	f. _____	g.	_____	g. _____	
2.	Position	# of Hours																								
a.	_____	a. _____																								
b.	_____	b. _____																								
c.	_____	c. _____																								
d.	_____	d. _____																								
e.	_____	e. _____																								
f.	_____	f. _____																								
g.	_____	g. _____																								
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	3.																								

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. _____ 4a. _____
--	-----------------------

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

District 3

00334.00100/55274.1

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey.

2/4

SELPA: FPSAD Date: Jan 14 2008
 District: Latom Unified School District
 Person completing survey: Sharon Plain
 Title: Learning Director
 Phone Number(s): (539) 922-4439
 Email Address: S.Plain@Latom.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.	2.
a. Performing emergency behavioral interventions.	a.	a.
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	b.
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	c.
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	d.
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	e.
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	f.
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g.	g.
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	3.
	<u>HS Learning Director</u>	<u>12 hrs</u>
	<u>HS Learning Director</u>	<u>12 hrs</u>
	<u>HS Principal</u>	<u>12 hrs</u>
	<u>HS Resource Tech</u>	<u>12 hrs</u>
	<u>HS Construction Tech</u>	<u>22 hrs</u>

3/4

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?	4. _____
a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

4/4

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIDs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 minutes

Thank you for taking the time to complete this survey.

Date: January 29, 2008

SELPA: Fresno County SELPA
 District: Kings Canyon Unified
 Person completing survey: Patti Olson
 Title: Lead Program Specialist
 Phone Number(s): (559) 305-7185
 Email Address: olson-p@kcsud.com

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>	<p>Position</p>	<p># of Hours</p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>2. Psychologist</p> <p>a. Psychologist</p> <p>b. Psychologist</p> <p>c. Psychologist</p> <p>d. Psychologist</p> <p>e. Psychologist</p> <p>f. Psychologist</p> <p>g. Psychologist</p>	<p>1. _____</p> <p>2.</p> <p>a. 20 minutes</p> <p>b. -0-</p> <p>c. 30 minutes</p> <p>d. N/A</p> <p>e. N/A</p> <p>f. 15 minutes</p> <p>g. 15 minutes</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. Psychologist</p>	<p>3. 10 minutes</p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. None _____
 4a. None _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. N/A _____ _____ _____	5. N/A _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. N/A _____ _____ _____	6. N/A _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. N/A _____ a. _____ b. _____ c. _____	7. N/A _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. N/A _____ a. _____ b. _____ c. _____	8. N/A _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
None				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 20 minutes

Thank you for taking the time to complete this survey.

SELPA: Fresno County Date: 1/22/08
 District: Kerman Unified
 Person completing survey: Janet Safrenj
 Title: Coordinator Special Education Services
 Phone Number(s): 559 842-2163
 Email Address: janet.safrenj@kermanusd.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
1. _____		1. _____
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. _____	a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____	f. _____
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____	g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____	3. _____
	<p><u>3. _____</u> <u>Supervisor SA/SA</u> <u>SA</u></p>	<p><u>3. 24</u> <u>24</u></p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. _____ _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 15 min.

Thank you for taking the time to complete this survey.

SELPA: Fresno County
 District: Fresno COE, Special Education

Persons completing survey: Charlene Samuelian, Tannon Pafford, Cinde Abbate, Lisa Knott, Dave Halpern, Patricia Derolian. Salary spreadsheet completed by Robin VanDyke

Date: January 29, 2008

Title: Administrator and Program managers, Accountant
 Phone Number(s): 559 265-3040 (department number)
 Email Address: csamuelian@fcoe.k12.ca.us

	Hours by Positions					Total Hours by Question
	Teacher	Paraeducator	Psychologist	Nurse	Program Administrator	
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	40					
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.						
a. Performing emergency behavioral interventions.	9.5	9	6.5	1.5	3	29.5
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	8.25	4	2	0	0	14.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	9.5	0	20	0	0	29.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	8.25	0	10	0	8	26.25
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	17	0	28	1	12	58
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	3.25	0	25	0	2	30.25
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	0	0	18	0	19.75	37.75
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	10.75	0	5.5	0	3.5	19.75

4. How many due process requests were filed against your district in 2006□07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer 4a. questions 5□8 below. Use a separate sheet for each case.

4 None _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to file a written response?		
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to convene, prepare for, and attend a resolution session?		
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and attend mediation?		
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and participate in the due process hearing?		

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PRIPs or attending team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hours

Thank you for taking the time to complete this survey.

Date: January 29, 2008

SELPA: Fresno County
District: Fresno COE, Special Education
Persons completing survey: Charlene Samuelian, Tannon Rafford, Cinde Abbate, Lisa Knott, Dave Halpern, Patricia Deroian. Salary spreadsheet completed by Robin VanDyke
Title: Administrator and Program managers, Accountant
Phone Number(s): 559 265-3040 (department number)
Email Address: csamuelian@fcoe.k12.ca.us

	Hours by Positions					Total Hours by Question
	Teacher	Paraeducator	Psychologist	Nurse	Program Administrator	
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	40					
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.						
a. Performing emergency behavioral interventions.	9.5	9	6.5	1.5	3	29.5
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	8.25	4	2	0	0	14.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	9.5	0	20	0	0	29.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	8.25	0	10	0	8	26.25
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	17	0	28	1	12	58
f. Reporting data in "Behavioral Emergency Reports" to administrator or annual report to CDE.	3.25	0	25	0	2	30.25
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	0	0	18	0	19.75	37.75
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	10.75	0	5.5	0	3.5	19.75

4. How many due process requests were filed against your district in 2006□07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer 4a. questions 5□8 below. Use a separate sheet for each case.	4 None _____
--	--------------

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to file a written response?		
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to convene, prepare for, and attend a resolution session?		
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and attend mediation?		
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006□07, per position, to prepare for and participate in the due process hearing?		

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBDs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hours

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Alfredo Ponce, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27/12, 2012, at Fresno, California.
Date *City*


Signature

Alfredo Ponce
Print Name

aponce@fcoe.org
E-mail Address

(559) 451-1394
Phone Number

Not employed by ECOS DURING OLBOP school year

11/18/08

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): ADWENIAN UNIV, SULLMAN CHS SCHOOL

Name of BICM Completing Survey: ALFONSO PARES
 Title: School Psychologist
 Phone Number(s): 579 381-5657
 Email Address: apares@Fae.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	0 0 0 0 0
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	0 0 0 0 0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	

# of Hours	
11.	<p>How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>0</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u></p>
	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, ROD WILLIS, hereby declare as follows:
Print Name

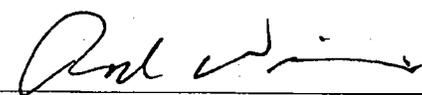
1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
Title of Position
by FRESNO CO. OFFICE OF EDUCATION
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-30, 2012, at FRESNO, California.
Date *City*


Signature

ROD WILLIS
Print Name

rwillis@fcoe.org
E-mail Address

(559) 304-0715
Phone Number

RECEIVED
FEB 01 2008
SELPA OFFICE

0368

SELPA: FRESNO CO Date: 1-22-08
 School District (if serving multiple districts, list all): PACIFIC UNION, FCOE INTERMOUNTAIN REG
2 HERNDON-BARSTON AND EL CAJON
 Name of BICM Completing Survey: LEO WILKINS
 Title: SCHOOL PSYC #20615T
 Phone Number(s): 559-304-0715
 Email Address: WILLIS@Fcoe.k12-ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

NOT SELPA CERTIFIED BICM

BICM 2

00334.00100/55274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 1
 7c. 1

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	 	<u>0</u> 	<u>0</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	 	<u>0</u> 	<u>1</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	 	<u>0</u> 	<u>0</u>

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a.	Performing emergency behavioral interventions.
b.	Notifying parent and/or residential care providers within one school day of use of emergency interventions.
c.	Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
d.	Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
e.	Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
f.	Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.
	Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Darla Beeson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24, 2012, at Fresno, California.
Date *City*

Darla Beeson
Signature

Darla Beeson
Print Name

dbeeson@fcoe.org
E-mail Address

559-265-3001
Phone Number

Date: 01/31/08

SELPA: Fresno County Office of Education
 School District (if serving multiple districts, list all): _____

Golden Plains Unified

Name of BICM Completing Survey: Darla Beeson

Title: School Psychologist

Phone Number(s): 265-3001

Email Address: dbeeson@fcoe.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. _____ 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____ 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____ 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____ 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____ 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____ 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Brett Bollinger, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Kerman Unified
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-26, 2012, at Kerman, California.
Date *City*

X Brett Bollinger
Signature

Brett Bollinger
Print Name

E-mail Address

Phone Number

SELPA: Fresno County

Date: 01/30/2008

School District (if serving multiple districts, list all): Kerman USD

Name of BICM Completing Survey: Brett Bollinger

Title: School Psychologist

Phone Number(s): (559)842-2164

Email Address: brett.bollinger@kernanUSD.k12.ca.us

1.	
a. How many students did you serve in 2006-07 who had PBIPs?	
Of this total, please specify the number of:	
	b. new cases (PBIP for first time), and
	c. preexisting cases (entered 2006-07 with PBIP).
Please ensure that the total is an unduplicated count.	
	1a. <u>0</u>
	1b. <u>0</u>
	1c. <u>0</u>
2.	How many students with PBIPs also received AB3632 mental health services in 2006-07? <u>0</u>

<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>
---	---

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. 0
 4b. 0
 4c. 0
 4d. 0
 4e. 0
 4f. 0
 4g. 0
 4h. 0

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. 0
 5b. 0
 5c. 0
 5d. 0
 5e. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. 0
 6b. 0
 6c. 0
 6d. 0
 6e. 0
 6f. 0
 6g. 0
 6h. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 7a. 0

b. Number of students requiring 2 IEP team meetings: 7b. 0

c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	0	
		0	
		0	
		0	
		0	
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	0	
		0	
		0	
		0	
		0	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	N/A	0	
		0	
		0	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	0 _____
b.	0 _____
c.	0 _____
d.	0 _____
e.	0 _____
f.	0 _____
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Patti Olson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Lead Program Specialist
by Kings Canyon Unified
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed Apr. 24, 2012, at Reedley, California.
Date *City*

Patti Olson
Signature

Patti Olson
Print Name

olson-p@kcsd.com
E-mail Address

305-7185
Phone Number

RECEIVED

FEB 04 2008

SELPA OFFICE

Fresno County SELPA

School District (if serving multiple districts, list all): Kings Canyon Unified School District

Date: January 28, 2008

Name of BICM Completing Survey: Patti Olson
 Title: Lead Program Specialist
 Phone Number(s): (559) 305-7185
 Email Address: olson-p@kcsud.com

<p>1. a. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: b. new cases (PBIIP for first time), and c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 1 1b. _____ 1 1c. _____ 0</p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ 0
 7b. _____ 0
 7c. _____ 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	N/A _____ _____ _____ _____ _____	0 _____ _____ _____ _____ _____	0 _____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A _____ _____ _____ _____ _____	0 _____ _____ _____ _____ _____	0 _____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	N/A _____ _____ _____ _____ _____	0 _____ _____ _____ _____ _____	0 _____ _____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3652 services with all attachments. None	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: ~~20 minutes~~ 5 hours (including salary info)

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Patti Olson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Lead Program Specialist
Title of Position
by Kings Canyon Unified Schools
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed Apr. 24, 2012, at Redley, California.
Date *City*

Patti Olson
Signature

Patti Olson
Print Name

olson-p@kcsd.com
E-mail Address

305-7185
Phone Number

SELPA: Fresno County SELPA Date: January 28 2008
 School District (if serving multiple districts, list all): Kings Canyon Unified School District

Name of BICM Completing Survey: Patti Olson
 Title: Lead Program Specialist
 Phone Number(s): (559) 305-7195
 Email Address: olson-p@kcausd.com

<p>1. How many students did you serve in 2006-07 who had PBI's?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBI for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBI). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBI's also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings. 4a. _____ 0
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. 4b. _____ 0
- c. Training for and monitoring PBIPs across settings. 4c. _____ 0
- d. Evaluating PBIP effectiveness. 4d. _____ 0
- e. Making modifications to PBIPs in subsequent IEP team meetings. 4e. _____ 0
- f. Making modifications to PBIPs outside of IEP team meetings. 4f. _____ 0
- g. Total of answers to 4a through 4f. 4g. _____ 0
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 4h. _____ 0

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

- 5a. _____ 0
- 5b. _____ 0
- 5c. _____ 0
- 5d. _____ 0
- 5e. _____ 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

- 6a. _____ 0
- 6b. _____ 0
- 6c. _____ 0
- 6d. _____ 0
- 6e. _____ 0
- 6f. _____ 0
- 6g. _____ 0
- 6h. _____ 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs.	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	N/A	0	0

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. None	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: ~~20 minutes~~ 5 hours (including salary info)

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Lupe Vaughn, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Kings Canyon Unified
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24, 2012, at Reedley, California.
Date *City*

Lupe Vaughn
Signature

Lupe Vaughn
Print Name

Vaughn-1@kcusd.com
E-mail Address

(559) 305-7177
Phone Number

SELPA: Fresno County Date: 1/23/08
 School District (if serving multiple districts, list all): Kings Canyon Unified
 Name of BICM Completing Survey: Lupe Wughn
 Title: School Psychologist
 Phone Number(s): 305-41170
 Email Address: Wughn-1@Kcusa.com

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- a. Number of students requiring 1 IEP team meeting:
- b. Number of students requiring 2 IEP team meetings:
- c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mts
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

BICM 4

00334.00160/5274.1

DECLARATION

I, Cheryl Vieira, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 27, 2012, at Fresno, California.
Date *City*


Signature

Cheryl Vieira
Print Name

cvieira@fcoe.org
E-mail Address

(559)265-3001
Phone Number

SELPA: Fresno Co. Date: 1/18/08
 School District (if serving multiple districts, list all): Laton

Name of BICM Completing Survey: Cheny Viera
 Title: School Psychologist
 Phone Number(s): 559 245-3001
 Email Address: cviera@fcoe.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings; where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 0

7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Rodney Smith, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of SEL
Title of Position
by Mendota Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at Mendota, California.
Date *City*

Rodney Smith
Signature

Rodney Smith
Print Name

rsmith@mendotausd.k12.ca.us
E-mail Address

599 655 4262
Phone Number

SELPA: Fresno County SELPA Date: 1-21-2008
 School District (if serving multiple districts, list all): Mendota Unified School District

Name of BICM Completing Survey: Rodney Smith, Psychologist
 Title: Director of Special Education
 Phone Number(s): 559-855-1993 ext 157
 Email Address: rsmith@mendotausd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. _____</p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

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<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u>	_____ _____ _____	_____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u>	_____ _____ _____	_____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>0</u>	_____ _____ _____	_____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>2</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP.	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Sybil Kolbert, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Fresno County Office of Educ.
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/30, 2012, at Fresno, California.
Date *City*

Sybil Kolbert
Signature

Sybil Kolbert
Print Name

skolbert@fcoe.org
E-mail Address

559-441-3128
Phone Number

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SELPA OFFICE
Date: 1/22/08

SELPA: Fresno County
 School District (if serving multiple districts, list all): Orange Center School District,
Fresno County Office of Education
 Name of BICM Completing Survey: Sylvia Kolbert
 Title: School Psychologist
 Phone Number(s): 44-3128
 Email Address: skolbert@oe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____</p> <p>3b. <u>NA</u></p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p> <p style="text-align: center;">NA</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p> <p style="text-align: center;">NA</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p> <p style="text-align: center;">NA</p>

BICM 3

00334.0010055274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. NA
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____ _____

BICM 4

00334.00100/55274.1

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>0</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>NA</u></p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

None needed

Please indicate the time it took for you to complete this survey: 5 MINUTES

Thank you very much for taking the time to complete this survey.

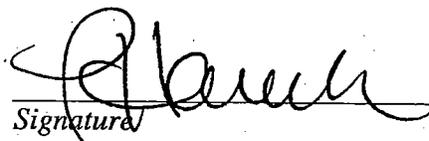
DECLARATION

I, Pamela Hancock, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education (American Union)
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at Fresno, California.
Date *City*


Signature

Pamela Hancock
Print Name

phancock@fcoe.org
E-mail Address

559.265.4003
Phone Number

SELPA: Fresno Co. Date: 1/18/08
 School District (if serving multiple districts, list all): Big Creek, Pine Ridge

Name of BICM Completing Survey: Pamela Hinceck
 Title: School Psychologist
 Phone Number(s): (559) 269-3001
 Email Address: phinceck@fcoe.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting: _____
 b. Number of students requiring 2 IEP team meetings: _____
 c. Number of students requiring 3 or more IEP team meetings: _____
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time</u> ? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when the student had a preexisting PBIP</u> ? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Janelle Martin, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Fresno County Office of Ed.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed Apr-30, 2012, at Fresno, California.
Date *City*

Janelle Martin
Signature
Janelle Martin
Print Name
jmartin@fcoe.org
E-mail Address
559-779-1506
Phone Number

SELPA: Fresno County
 School District (if serving multiple districts, list all): Rowland Joint Unified

Date: 01/23/08 SELPA OFFICE

RECEIVED
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Name of BICM Completing Survey: Janelle Martin
 Title: School Psych.
 Phone Number(s): 559-779-1806
 Email Address: jmartin@rowe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ <input type="text" value="0"/></p> <p>4b. _____ <input type="text" value="0"/></p> <p>4c. _____ <input type="text" value="0"/></p> <p>4d. _____ <input type="text" value="0"/></p> <p>4e. _____ <input type="text" value="0"/></p> <p>4f. _____ <input type="text" value="0"/></p> <p>4g. _____ <input type="text" value="0"/></p> <p>4h. _____ <input type="text" value="0"/></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <input type="text" value="0"/></p> <p>5b. _____ <input type="text" value="0"/></p> <p>5c. _____ <input type="text" value="0"/></p> <p>5d. _____ <input type="text" value="0"/></p> <p>5e. _____ <input type="text" value="0"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <input type="text" value="0"/></p> <p>6b. _____ <input type="text" value="0"/></p> <p>6c. _____ <input type="text" value="0"/></p> <p>6d. _____ <input type="text" value="0"/></p> <p>6e. _____ <input type="text" value="0"/></p> <p>6f. _____ <input type="text" value="0"/></p> <p>6g. _____ <input type="text" value="0"/></p> <p>6h. _____ <input type="text" value="0"/></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>0</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 3 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Mike Thornton, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a RSP teacher
by Sanger Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/23/, 2012, at Sanger, California.
Date *City*

Mike Thornton
Signature

Mike Thornton
Print Name

mike-thornton@sanger.k12.ca.us
E-mail Address

359-875-5561
Phone Number

SELPA: Firestone County Date: 1/25/08
 School District (if serving multiple districts, list all): Sanger Unified
 Name of BICM Completing Survey: Teacher Thompson
 Title: RS
 Phone Number(s): 875-5501
 Email Address: mlke@thompson.sanger.k12.us.ca

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1 hr</u> 3b. <u>2 hrs</u> 3c. <u>1 hrs</u> 3d. <u>4</u> 3e. <u>4</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. <u>1 hrs</u> 4c. <u>1 hrs</u> 4d. <u>1 hrs</u> 4e. _____ 4f. _____ 4g. <u>5 hrs</u> 4h. <u>5 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. <u>0</u> 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. <u>0</u> 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM 3

00334.00100/5274.1

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: _____</p> <p>b. Number of students requiring 2 IEP team meetings: _____</p> <p>c. Number of students requiring 3 or more IEP team meetings: _____</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. <u>0</u></p> <p>7b. <u>0</u></p> <p>7c. <u>0</u></p>
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p> <p><u>Psychologist</u> <u>3</u> # of Hrs</p> <p><u>Paraprofessional</u> <u>1</u> # IEP Mtes</p> <p><u>PAROSE</u> <u>1</u></p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p><u>0</u> # of Hrs</p> <p><u>1</u> # IEP Mtes</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p><u>10</u> # of Hrs</p> <p><u>1</u> # IEP Mtes</p>

BICM 4

00334.0010015274.1

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>22</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>22</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FA and determine necessity for interim PBIP. <u>2</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>2</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>1</u>
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

IEP File exited Called D.O. Casemanager Estimation

Please indicate the time it took for you to complete this survey: 20 minutes

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00100/55274.1

DECLARATION

I, David Figueroa, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Psychologist
by Sanger Unified
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at Sanger, California.
Date *City*

David Figueroa
Signature

David Figueroa
Print Name

dave.figueroa@sanger.k12.ca.us
E-mail Address

559-524-6953
Phone Number

SELPA: Fresno County
School District (if serving multiple districts, list all): Sanger Unified

Date: 1/25/08

Name of BICM Completing Survey: David Fournel
Title: Psychologist
Phone Number(s): 0559-875-6521
Email Address: dave_fournel@sanger.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u></p> <p>1b. <u>0</u></p> <p>1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>30'</u></p> <p>3b. <u>360'</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>390</u></p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. <u>390</u></p> <p>5e. <u>195</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. _____</p>

BICM 3

00334.0010055274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
7b. 2
7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Migs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		<u>0</u>	

DECLARATION

I, Amy Williams, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Sanger Unified
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/26, 2012, at Sanger, California.
Date City

[Signature]
Signature

Amy Williams
Print Name

Amy.Williams@sanger.k12.ca.us
E-mail Address

534.6586
Phone Number

SELPA: Fresno County
 School District (if serving multiple districts, list all): Sanger

Date: 1/25/08

Name of BICM Completing Survey: Amy Williams
 Title: School Psychologist
 Phone Number(s): 875-1521 ext. 211
 Email Address: amy-williams@sanger.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>2</u> 3b. <u>13</u> 3c. <u>5</u> 3d. <u>20</u> 3e. <u>20</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>1</u></p> <p>4b. <u>4</u></p> <p>4c. <u>3</u></p> <p>4d. <u>3</u></p> <p>4e. <u>0</u></p> <p>4f. <u>2</u></p> <p>4g. <u>13</u></p> <p>4h. <u>13</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 1

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>Sanct / Nurse</u> <u>Sanct / Speech RTR</u>	<u>2</u> <u>3</u>	<u>1</u> <u>2</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>Sanct / Speech RTR</u>	<u>15</u>	

BICM 4

00334.00100/55274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	2
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Confidential file

day planner

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

Student was attending a local HeadStart. Many non-district personnel spent time talking with me. Time not reflected in survey

BICM 5

00334.00100/5274.1

DECLARATION

I, Kimberly Salomanson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Sanger Unified School District (FCOE)
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 24, 2012, at Sanger, California.
Date *City*


Signature

Kimberly Salomanson
Print Name

Kimberly_Salomanson@sanger.k12.ca.us
E-mail Address

(559) 524-6571
Phone Number

SELPA: Fresno County
 School District (if serving multiple districts, list all): _____

Date: 1/25/08

Name of BICM Completing Survey: K. Palermo
 Title: School Psychologist
 Phone Number(s): _____
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1.0</u> 1b. <u>1.0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1.0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1.0</u> 3b. <u>30.0</u> 3c. <u>15.0</u> 3d. <u>46.0</u> 3e. <u>46</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, <u>reviewing FAAs and finalizing PBIPs.</u> c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>4.0</u> 4b. <u>5.5</u> 4c. <u>36.0</u> 4d. <u>0</u> 4e. <u>0</u> 4f. <u>7.0</u> 4g. <u>52.5</u> 4h. <u>62.5</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>0</u> 6c. <u>0</u> 6d. <u>0</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>0</u> 6h. <u>0</u></p>

BICM 3

00334.001 00/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>[Signature]</u>	<u>[Signature]</u>	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use. <i>BLEM Trainings</i>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planners
Identical Counseling Notes

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Anna Quintanilla, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Sanger Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24/2012, 2012, at Sanger, California.
Date *City*

Anna Quintanilla
Signature

Anna Quintanilla
Print Name

anna-quintanilla@sanger.k12.ca.us
E-mail Address

(559) 260-8513
Phone Number

SELPA: Fresno County
School District (if serving multiple districts, list all): Sanger Unified

Date: 1/25/08

Name of BICM Completing Survey: Angie Quintanilla
Title: School Psychologist, BICM
Phone Number(s): 268-8884
Email Address: angiequintanilla@sanger.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>75 hours</u></p> <p>3b. <u>35 hours</u></p> <p>3c. <u>4.5 hours</u></p> <p>3d. <u>40.25</u></p> <p>3e. <u>40.25</u></p>

BICM 2

00334.0010055274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. <u>4.5</u> 4c. <u>9.0</u> 4d. <u>10.0</u> 4e. <u>4.0</u> 4f. <u>0</u> 4g. <u>27.5</u> 4h. <u>27.5</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>0</u> 6c. <u>0</u> 6d. <u>0</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>0</u> 6h. <u>0</u></p>

BICM 3

00334 001 000/5274.1

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. <u>0</u> 7b. <u>0</u> 7c. <u>1</u></p>
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position <u>Cinder Texas 51</u> <u>Parent Personnel</u> <u>Director</u></p> <p># of Hrs <u>2</u> # IEP Mtgs <u>1</u></p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p># of Hrs <u>0</u> # IEP Mtgs <u>0</u></p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p># of Hrs <u>0</u> # IEP Mtgs <u>0</u></p>

BICM 4

00334.00100/55274.1

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. _____</p> <p>a. <u>16</u></p> <p>b. <u>1.5</u></p> <p>c. <u>1.0</u></p> <p>d. _____</p> <p>e. <u>1.0</u></p> <p>f. <u>0.5</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p><i>I only have 1 student</i></p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	<p>_____</p> <p>_____</p> <p>_____</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendars / planner

FAA paperwork

Please indicate the time it took for you to complete this survey: 75 hours

Thank you very much for taking the time to complete this survey.

BICM 5

00334 00100/5274.1

DECLARATION

I, Leslie Farlow, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Sanger Unified SD
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/28, 2012, at Sanger, California.
Date City

Leslie Farlow
Signature

Leslie Farlow
Print Name

leslie.farlow@sanger.k12
E-mail Address ca.us

559-524-7430
Phone Number

SEIPA: Fresno County
School District (if serving multiple districts, list all): Sanger

Date: 1/25/08

Name of BICM Completing Survey: Leslie Farlow
Title: School Psychologist
Phone Number(s): 559-875-6521
Email Address: leslie.farlow@sanger.k12.ca.us

1.	
a. How many students did you serve in 2006-07 who had PBIPs?	
Of this total, please specify the number of:	
b. new cases (PBIP for first time), and	1a. <u>2</u>
c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.	1b. <u>3</u>
	1c. <u>5</u>
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?	
2. <u>0</u>	
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:	
a. Providing parent notice and obtaining consent for assessment.	3a. <u>1</u>
b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)	3b. <u>3</u>
c. Writing FAA.	3c. <u>7</u>
d. Total of answers to 3a, 3b, and 3c.	3d. <u>3</u>
e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?	3e. <u>3.5</u>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2

00334.001005274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 4b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2</u> 4b. <u>1</u> 4c. <u>1</u> 4d. <u>4</u> 4e. <u>0</u> 4f. <u>0</u> 4g. <u>8</u> 4h. <u>4</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>2.5</u> 5b. <u>4</u> 5c. <u>2</u> 5d. <u>8.5</u> 5e. <u>2.4</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>5</u> 6b. <u>5</u> 6c. <u>7</u> 6d. <u>27.5</u> 6e. <u>4</u> 6f. <u>2.5</u> 6g. <u>30.5</u> 6h. <u>10.1</u></p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 10
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Migs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Principal	2	3
	RSP	2	3
	Classroom Tutor	2	3
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	SLP	0	2
	Principal	4	7
	RSP	4	7
	Classroom Tchr	1	2
	SLP	4	7
	Principal	4	7
	RSP	10	
	Classroom Tchr	95	
	SLP	1	

BICM 4

00334.00100/5274.1

		# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?		
a.	Performing emergency behavioral interventions.	0
b.	Notifying parent and/or residential care providers within one school day of use of emergency interventions.	0
c.	Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	0
d.	Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e.	Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	0
f.	Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.		

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

calendars
planner reports
IEP minutes
behavior plan
memory

Please indicate the time it took for you to complete this survey: 25 hr

Thank you very much for taking the time to complete this survey.

BICM 5

00334.001(DM)/SS274.1

DECLARATION

I, Kathleen Kuczler, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Education Specialist
Title of Position
by Sanger Unified Fresno County
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-24, 2012, at Sanger, California.
Date *City*

K. Kuczler
Signature

Kathleen Kuczler
Print Name

Kathleen.Kuczler@sanger.k12.ca.us
E-mail Address

559-875-5561
Phone Number

SELPA: Fr 2502 County Date: 1/25/08
 School District (if serving multiple districts, list all): Sanger Unified

Name of BICM Completing Survey: Kathleen Kuczler
 Title: PS Teacher
 Phone Number(s): _____
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>30 min</u> 3b. <u>3 hr</u> 3c. <u>2.30</u> 3d. <u>5 hrs</u> 3e. <u>5 hrs</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 1.0 4b. 2.5 4c. 1.0 4d. 2.0 4e. 1.0 4f. 1.0 4g. 8.5 4h. 8.5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 2 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 2 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 1
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Counselor Psychologist	1 1	1 2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	∅	15	

BICM 4

00334.00100/55274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>2 1/2</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 20 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Julie Errotabere, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Sanger Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at Sanger, California.
Date *City*

Julie Errotabere
Signature

Julie Errotabere
Print Name

julie_barrett@sanger.k12.ca.us
E-mail Address

524-6180
Phone Number

Date: Jan, 25, 2008

SELPA: _____
 School District (if serving multiple districts, list all): Sanger Unified, Clovis Unified
 Name of BICM Completing Survey: Julie Escobar
 Title: School Psychologist
 Phone Number(s): 875-5549
 Email Address: JulieEscobar@Sanger.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>6</u></p> <p>1b. <u>4</u></p> <p>1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>2</u></p> <p>3a. <u>3</u></p> <p>3b. <u>60</u></p> <p>3c. <u>10</u></p> <p>3d. <u>55</u></p> <p>3e. <u>8</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. <u>6</u></p> <p>4c. <u>5</u></p> <p>4d. <u>12</u></p> <p>4e. <u>8</u></p> <p>4f. <u>7</u></p> <p>4g. <u>14</u></p> <p>4h. <u>52</u></p> <p>4i. <u>13</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>5</u></p> <p>5b. <u>4</u></p> <p>5c. <u>3</u></p> <p>5d. <u>7.5</u></p> <p>5e. <u>3.75</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>3</u></p> <p>6b. <u>5</u></p> <p>6c. <u>5</u></p> <p>6d. <u>3</u></p> <p>6e. <u>6</u></p> <p>6f. <u>10</u></p> <p>6g. <u>32</u></p> <p>6h. <u>16</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mts
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Special Education Teacher	5	4
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Gen Ed Teacher Speech Therapist Administrator	5 5 5	4 4 4
	Special Ed Teacher Gen Ed Teacher Speech Therapist Administrator	3.5 3.5 3.5 3.5	6 6 6 6
	Special Ed Teacher Gen Ed Teacher Speech Therapist Administrator	100 30 30 5	(Gen Spec. ed teacher) 4 different teacher teachers (different)

Three different
Speech Therapists
over 30 hrs.

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. _____ b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. _____ c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. _____ d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. _____ e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. _____ f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. _____
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

2006-2007 calendar

Please indicate the time it took for you to complete this survey: 30 min.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Ada Wolff, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Sanger Unified
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/26, 2012, at Fresno, California.
Date *City*

Ada Wolff
Signature

Ada Wolff
Print Name

ada_wolff@sanger.k12.ca.us
E-mail Address

260 6939
Phone Number

SELPA: Fresno County Date: 1/25/08
 School District (if serving multiple districts, list all): Sanger

Name of BICM Completing Survey: Ada Wolff
 Title: School Psychologist
 Phone Number(s): 559 875-6521 ext 261
 Email Address: ada_wolff@sanger.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>2</u> 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1</u> 3b. <u>10</u> 3c. <u>2</u> 3d. <u>13</u> 3e. <u>6.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>4.5</u></p> <p>4b. <u>3</u></p> <p>4c. <u>5</u></p> <p>4d. <u>5</u></p> <p>4e. <u>1</u></p> <p>4f. <u>3</u></p> <p>4g. <u>17.5</u></p> <p>4h. <u>8.75</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Assessment logs

IEP paperwork dates

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey.

DECLARATION

Sheela Dunn Figueroa hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Psychologist
Title of Position
by Hresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4.3, 2012, at Hresno, California.
Date City

Sheela Dunn Figueroa
Signature
Sheela Dunn Figueroa
Print Name
dfigueroa@kcc.org
E-mail Address
265.3001
Phone Number

No Hughes Bill PBIP's

RECEIVED
 JAN 29 2008
 SELPA OFFICE

0467

SELPA: Yuba County Date: 1-22-08
 School District (if serving multiple districts, list all): Washington Union High School

Name of BICM Completing Survey: Sheila Dunn Square

Title: Psychologists

Phone Number(s): 485-8155

Email Address: sheila.dunn@washunion.net

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position

of Hrs

IEP Mtgs

0

0

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

0

0

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

0

0

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>0</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Renee Welch, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Fresno County Office of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27/12, 2012, at Fresno, California.
Date *City*

Renee Welch
Signature

Renee Welch
Print Name

rwelch@fcoe.org
E-mail Address

559 265 3001
Phone Number

RECEIVED
FEB 01 2008

Date: 1/24/08

SELPA OFFICE

SELPA: Fresno County Office of Education
 School District (if serving multiple districts, list all): CD Program (American Union & Alvin)
Washington Colony
 Name of BICM Completing Survey: Renee Friga
 Title: School Psychologist
 Phone Number(s): (579) 233 0706 (Washington Colony)
 Email Address: rfriga@washingtoncolony.k12.ca.us / or rfriga@fcoe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>0</u></p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a. _____	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.
b. _____	
c. _____	
d. _____	
e. _____	
f. _____	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kim Herron, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Selma Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 1-25-08, 2012, at Selma, California.
Date *City*

Kimberly Herron
Signature

Kimberly Herron
Print Name

kherron@selma.k12.ca.us
E-mail Address

(559) 898-6500
Phone Number

SELPA: FRESNO
 School District (if serving multiple districts, list all): Selma

Date: 1-25-08

Name of BICM Completing Survey: Kim Herron
 Title: Psychologist
 Phone Number(s): 559-898-6600
 Email Address: kherron@selma.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2

00334.001.0055274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 1.5 4b. 5.0 4c. 16.0 4d. 15.0 4e. 2.0 4f. 0 4g. _____ 4h. 29.5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BIGK 3

00334-0010085274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Migs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Salma / Psychologist Salma / Resource Spec. Salma Carty / Psychologist	1 1 1 1	1 1 1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Salma / Psychologist Salma / Resource Spec. Salma / Principal	7 7 7	

BICM 4

00334.001.00:55274 1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 30 min

Thank you very much for taking the time to complete this survey.

BICKS

00534.0016055274 1

DECLARATION

I, Deborah Norman, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School psychologist
Title of Position
by Selma Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4/2012, 2012, at Selma, California.
Date *City*

Deborah Norman
Signature

Deborah Norman
Print Name

dnorman@selma.k12.ca.us
E-mail Address

898-6680
Phone Number

SELPA: Fresno
 School District (if serving multiple districts, list all): Salina Unified

Date: 1-25-08

Name of BICM Completing Survey: Delda Norman
 Title: Psychologist
 Phone Number(s): 898-6500
 Email Address: dnorman@salina.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3532 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 4h)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM13

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Migs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	

BICM 4

00334-0010065274

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Susanna Amezquita hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-23, 2012, at Fresno, California.
Date *City*

Susanna Amezquita
Signature

Susanna Amezquita
Print Name

@samezquita@fcoe.org
E-mail Address

265-3001
Phone Number

BICM Survey

RECEIVED
 FEB 01 2008

0487

SELPA: Fresno County Office of Education
 School District (if serving multiple districts, list all): West Fresno

Date: _____
 SELPA OFFICE

Name of BICM Completing Survey: Susannah Arnezquita (non BICM)
 Title: School Psychologist
 Phone Number(s): 559 495 5715 ext 679
 Email Address: sarnequita@fcoe.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>		<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p>		
<p>a. Providing parent notice and obtaining consent for assessment.</p>		<p>3a. <u>0</u></p>
<p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p>		<p>3b. <u>0</u></p>
<p>c. Writing FAA</p>		<p>3c. <u>0</u></p>
<p>d. Total of answers to 3a, 3b, and 3c.</p>		<p>3d. <u>0</u></p>
<p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>		<p>3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 75 4d. _____ 25 4e. _____ 10 4f. _____ 30 4g. _____ 140 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 10 6e. _____ 30 6f. _____ 40 6g. _____ 40 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ / _____
 7b. _____ 0
 7c. _____ 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Ede / Teacher Ede / Schl. Psych	2 2	1 1

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Ede / Teacher Ede / Schl Psych Ede / Aide Ede / Aide Ede / Aide	900 100 800 800 800	
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# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Information provided are estimates of time.

Please indicate the time it took for you to complete this survey: 45 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Karla Spain, hereby declare as follows:
Print Name

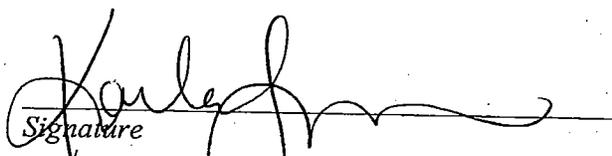
1. In the 2007-2008 school year, I was employed as a School Psychologist
by Fresno Co. Office of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2012, at Fresno, California.
Date *City*


Signature
Karla Spain
Print Name

kspain@fcoe.org
E-mail Address

559-284-2836
Phone Number

SELPA: FECO2 Date: 1/24/08
 School District (if serving multiple districts, list all): FECO2/Count & Community Schools
 SELPA OFFICE

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 FEB 01 2008

0492

Name of BICM Completing Survey: Parla Spain
 Title: School Psychologist
 Phone Number(s): 495-3778 ext 0120
 Email Address: kspain@feco2.org

<p>1. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: a. new cases (PBIIP for first time), and b. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ <input type="text" value="0"/></p> <p>4b. _____ <input type="text" value="0"/></p> <p>4c. _____ <input type="text" value="0"/></p> <p>4d. _____ <input type="text" value="0"/></p> <p>4e. _____ <input type="text" value="0"/></p> <p>4f. _____ <input type="text" value="0"/></p> <p>4g. _____ <input type="text" value="0"/></p> <p>4h. _____ <input type="text" value="0"/></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <input type="text" value="0"/></p> <p>5b. _____ <input type="text" value="0"/></p> <p>5c. _____ <input type="text" value="0"/></p> <p>5d. _____ <input type="text" value="0"/></p> <p>5e. _____ <input type="text" value="0"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <input type="text" value="0"/></p> <p>6b. _____ <input type="text" value="0"/></p> <p>6c. _____ <input type="text" value="0"/></p> <p>6d. _____ <input type="text" value="0"/></p> <p>6e. _____ <input type="text" value="0"/></p> <p>6f. _____ <input type="text" value="0"/></p> <p>6g. _____ <input type="text" value="0"/></p> <p>6h. _____ <input type="text" value="0"/></p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: _____</p> <p>b. Number of students requiring 2 IEP team meetings: _____</p> <p>c. Number of students requiring 3 or more IEP team meetings: _____</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. _____</p> <p>7b. _____</p> <p>7c. _____</p>		
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p># of Hrs</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p># IEP Mtgs</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

BICM 4

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# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	0
b.	0
c.	0
d.	0
e.	0
f.	0
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, TERRI BARBER, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
by FCOE
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-27, 2012, at Fresno, California.
Date *City*


Signature

TERRI BARBER
Print Name

tbarber@fcoe.org
E-mail Address

559 579-8101
Phone Number

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FEB 01 2008

SELPA OFFICE

SELPA: FCOE Date: 1/28/08
School District (if serving multiple districts, list all): Sutterland Center, Placerville

Name of BICM Completing Survey: TERRI BARBER
Title: School Psych
Phone Number(s): 529 81010
Email Address: barber@fcoe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. <u>0</u>
7b. _____
7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in <u>2006-07</u> on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>Ø</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>15 mins</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>Ø</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>Ø</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>Ø</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>Ø</u></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 mins

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Aryn Jorgensen, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Fresno County Office of Education (Central Unified)
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 22, 2012, at Fresno, California.
Date *City*

Aryn Jorgensen
Signature

Aryn Jorgensen
Print Name

ajorgensen@fccoe.org
E-mail Address

(559) 916-8161
Phone Number

Date: 1/21/08

SELPA: Fresno County Office of Education
 School District (if serving in multiple districts, list all): Central Unified; Kernan; Lancaster SD Charter + Central High West ED intervention class.
 Name of BICM Completing Survey: Arya Jorgensen
 Title: School Psychologist
 Phone Number(s): (559) 276-2104 (559) 268-0313
 Email Address: ajorgensen@fcoe.k12.ca.us

1. a. How many students did you serve in 2006-07 who had PBIPs? RECEIVED
 Of this total, please specify the number of: JAN 29 2008
 b. new cases (PBIP for first time), and SELPA OFFICE
 c. preexisting cases (entered 2006-07 with PBIP).
 Please ensure that the total is an unduplicated count.

2. How many students with PBIPs also received AB3632 mental health services in 2006-07?
 2. 2

3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:
 a. Providing parent notice and obtaining consent for assessment. 3a. 0
 b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) 3b. 0
 c. Writing FAA. 3c. 0
 d. Total of answers to 3a, 3b, and 3c. 3d. 0
 e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)? 3e. 0

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
7b. _____
7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtrs
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>2</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>1</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>1</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>2</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>2</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>2</u>
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use. <u>2</u>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Continuing care needs

Please indicate the time it took for you to complete this survey: 15 min.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Jeanette Panfritz, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 27, 2012, at Fresno, California.
Date *City*

Jeanette Panfritz
Signature

Jeanette Panfritz
Print Name

jpantfritz@fcoe.org
E-mail Address

448-6612
Phone Number

SELPA: Fresno County
 School District (if serving multiple districts, list all): Fresno - Palmdale

Date: Jan 10 8

RECEIVED
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 SELPA OFFICE

Name of BICM Completing Survey: Jeanette Pauley
 Title: SLMOY Psychologist
 Phone Number(s): 497-3955
 Email Address: jpauley@fcoe.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 MVA _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Victoria R. Stotts, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/30/, 2012, at Fresno, California.
Date *City*

Victoria R. Stotts
Signature

Victoria R. Stotts
Print Name

vstotts@fcoe.org
E-mail Address

559-432-2310
Phone Number

SELPA: FCOE
 School District (if serving multiple districts, list all): FCOE

Date: 1-17-08

Name of BICM Completing Survey: Victoria R Sports
 Title: School Psychologist
 Phone Number(s): 559 864 5933 5243
 Email Address: vstotts@fcoe.k12.ca.us

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JAN 29 2008

SELPA OFFICE

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>16</u> 1b. <u>0</u> 1c. <u>16</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ <input type="checkbox"/></p> <p>4b. _____ <input type="checkbox"/></p> <p>4c. _____ <input type="checkbox"/></p> <p>4d. _____ <input type="checkbox"/></p> <p>4e. _____ <input type="checkbox"/></p> <p>4f. _____ <input type="checkbox"/></p> <p>4g. _____ <input type="checkbox"/></p> <p>4h. _____ <input type="checkbox"/></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <input type="checkbox"/></p> <p>5b. _____ <input type="checkbox"/></p> <p>5c. _____ <input type="checkbox"/></p> <p>5d. _____ <input type="checkbox"/></p> <p>5e. _____ <input type="checkbox"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <input type="checkbox"/></p> <p>6b. _____ <input type="checkbox"/></p> <p>6c. _____ <input type="checkbox"/></p> <p>6d. _____ <input type="checkbox"/></p> <p>6e. _____ <input type="checkbox"/></p> <p>6f. _____ <input type="checkbox"/></p> <p>6g. _____ <input type="checkbox"/></p> <p>6h. _____ <input type="checkbox"/></p>

BICM 3

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
ECOE/TL	0	0
ECOE/TL	3	
ECOE/TL	3	

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

ECOE/RSP/TL	2.50	2
ECOE/TL	50	2
ECOE/TL		
ECOE/TL		

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

ECOE/Para	3	
ECOE/Para		
ECOE/Para		
ECOE/Para		

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <input checked="" type="checkbox"/> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <input checked="" type="checkbox"/> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <input checked="" type="checkbox"/> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <input checked="" type="checkbox"/> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <input checked="" type="checkbox"/> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <input checked="" type="checkbox"/>
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for <u>FAAs and PBIPs</u> that you use. <i>* only implement at this site</i> No AB 3632 to me 2006/2007

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Marilyn Wilson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by FCOE (Clay Joint Elementary).
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-27-12, 2012, at Fresno, California.
Date *City*

Marilyn Wilson
Signature

Marilyn Wilson
Print Name

Marilyn@csufresno.edu
E-mail Address

559-278-5129
Phone Number

RECEIVED

JAN 29 2008

SELPA OFFICE

Date: 1-24-08

SELPA: Fresno County
 School District (if serving multiple districts, list all): Clay

Name of BICM Completing Survey: Marilyn Wilton
 Title: Psychologist
 Phone Number(s): 554-278-5129
 Email Address: mawilg@csu.fresno.edu

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ <input type="radio"/></p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <input type="radio"/></p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <input type="radio"/></p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	0	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	0	_____	_____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	0
b.	0
c.	0
d.	0
e.	0
f.	0
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Vickie Seymour, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/23/2012, 2012, at Fresno, California.
Date *City*

Vickie Seymour
Signature

Vickie Seymour
Print Name

vseymour@fcoe.org
E-mail Address

(559) 260-1208 (cell)
Phone Number

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 FEB 01 2008

SELPA OFFICE

SELPA: Fresno County
 School District (if serving multiple districts, list all): FCOE

Date: _____

Name of BICM Completing Survey: Nickie Seymour
 Title: School Psychologist
 Phone Number(s): (559) 265-3001
 Email Address: ns Seymour @ fcoe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PIPs? Of this total, please specify the number of: b. new cases (PIBP for first time), and c. preexisting cases (entered 2006-07 with PIBP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>6</u> 1b. <u>4</u> 1c. <u>2</u></p>
<p>2. How many students with PIBPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>.5</u> 3b. <u>57.75</u> 3c. <u>19.25</u> 3d. <u>77.5</u> 3e. <u>19.375</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>7.5</u> 4b. <u>8.0</u> 4c. <u>10.0</u> 4d. <u>6.5</u> 4e. <u>2.25</u> 4f. <u>5.25</u> 4g. <u>39.5</u> 4h. <u>9.875</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>4.5</u> 6b. <u>10.5</u> 6c. <u>12.25</u> 6d. <u>7.5</u> 6e. <u>2.5</u> 6f. <u>5.5</u> 6g. <u>42.5</u> 6h. <u>21.25</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. One student moved before IEP could be held to discuss FAA

a. Number of students requiring 1 IEP team meeting: 2

b. Number of students requiring 2 IEP team meetings: 2

c. Number of students requiring 3 or more IEP team meetings: 1

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2

7b. 2

7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
<u>ECDE teachers</u>	<u>1.5</u>	<u>3</u>
<u>" DIS</u>	<u>1.5</u>	<u>3</u>
<u>" Admin</u>	<u>1.5</u>	<u>3</u>
<u>Central teacher</u>	<u>.75</u>	<u>1</u>
<u>" DIS</u>	<u>.75</u>	<u>1</u>
<u>" Admin</u>	<u>.75</u>	<u>1</u>

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

<u>ECDE teachers</u>	<u>2.0</u>	<u>5</u>
<u>" DIS</u>	<u>2.0</u>	<u>5</u>
<u>" admin.</u>	<u>2.0</u>	<u>5</u>

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

District/Position	# of Hrs	# IEP Mtgs
<u>Teachers</u>	<u>9.0</u>	<u>9</u>
<u>DIS</u>	<u>15 hours</u>	<u>3</u>
<u>Admin</u>	<u>15 hours</u>	<u>3</u>

I have not a clue on how to calculate this ...

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>1.5</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>.5</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>1.0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>4.5</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>4.0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	<u>only one included. Other student was Central Unified. I did not receive copy of IEP.</u>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

P-BIPs _____ File info. _____ calendar _____
memory _____

Please indicate the time it took for you to complete this survey: 4 hours
 Thank you very much for taking the time to complete this survey.

I time taken to gather reports - block out info
NOT sure info is accurate. etc
would have been easier to keep data for this year had we been asked to.

DECLARATION

I, Maria Puopolo , hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Kings Canyon Unified School District
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25 , 2012, at Reedley , California.
Date *City*

 Maria Puopolo
Signature

 Maria Puopolo
Print Name

E-mail Address puopolo-m@kcusd.com

 559 305-7184
Phone Number

SELPA: Fresno Date: 1-11-08

School District (if serving multiple districts, list all): Kings Canyon Unified

Name of BICM Completing Survey: Maria Puopolo
 Title: District Psychologist
 Phone Number(s): 205-7184
 Email Address: puopolo-m@kausd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>3</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ <input type="text" value="0"/></p> <p>4b. _____ <input type="text" value="0"/></p> <p>4c. _____ <input type="text" value="0"/></p> <p>4d. _____ <input type="text" value="0"/></p> <p>4e. _____ <input type="text" value="0"/></p> <p>4f. _____ <input type="text" value="0"/></p> <p>4g. _____ <input type="text" value="0"/></p> <p>4h. _____ <input type="text" value="0"/></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <input type="text" value="0"/></p> <p>5b. _____ <input type="text" value="0"/></p> <p>5c. _____ <input type="text" value="0"/></p> <p>5d. _____ <input type="text" value="0"/></p> <p>5e. _____ <input type="text" value="0"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <input type="text" value="0"/></p> <p>6b. _____ <input type="text" value="0"/></p> <p>6c. _____ <input type="text" value="0"/></p> <p>6d. _____ <input type="text" value="0"/></p> <p>6e. _____ <input type="text" value="0"/></p> <p>6f. _____ <input type="text" value="0"/></p> <p>6g. _____ <input type="text" value="0"/></p> <p>6h. _____ <input type="text" value="0"/></p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. _____ 7b. _____ 7c. _____</p> <p style="text-align: right;">① ② ①</p>		
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p># of Hrs</p> <p>①</p> <p>_____</p> <p>_____</p>	<p># IEP Mtes</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>_____</p> <p>_____</p> <p>_____</p>	<p>①</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>_____</p> <p>_____</p> <p>_____</p>	<p>①</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	<u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	<u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	<u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	<u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	<u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	<u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Steve Gonzalez, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Coordinator II
Title of Position
by Fresno County SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/20, 2012, at Fresno, California.
Date *City*

[Signature]
Signature

Steve Gonzalez
Print Name

Sgonzalez@FCOE.org
E-mail Address

(559) 265-4027
Phone Number

SELPA: Fresno County SELPA Date: 01-28-08
 School District (if serving multiple districts, list all): Alvina Elem, American Union Elem, Big Creek Elem, Burrel Elem, Caruthers Unified, Central Unified, Clay Joint Elem, Coalinga-Huron Jr. Unified, Firebaugh-Las Deltas Unified, Fowler Unified, Fresno County Office of Education, Golden Plains Unified, Kernan Unified, Kings Canyon Unified, Kingsburg Elem Comm, Charter, Kingsburg Jr Union High, Laton Unified, Mendota Unified, Monroe Elem, Orange Center Elem, Pacific Union Elem, Parlier Unified, Pine Ridge Elem, Raisin City Elem, Riverdale Jr Unified, Sanger Unified, Selma Unified, Sierra Unified, Washington Colony Elem, Washington Union High, West Fresno Elem, West Park Elem, Westside Elem.
 Name of BICM Completing Survey: Steve Gonzalez
 Title: SELPA Coordinator, Comprehensive and Positive Behavioral Supports
 Phone Number(s): (559) 265-3098 x 3509
 Email Address: sgonzalez@fcoe.k12.ca.us

1.	
a. How many students did you serve in 2006-07 who had PBIPs?	1a. <u>3</u>
Of this total, please specify the number of:	
b. new cases (PBIP for first time), and	1b. <u>2</u>
c. preexisting cases (entered 2006-07 with PBIP).	1c. <u>1</u>
Please ensure that the total is an unduplicated count.	
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?	2. <u>0</u>

*32 District
 + COE*

<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <ul style="list-style-type: none"> a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>30 minutes</u></p> <p>3b. <u>15 Hours</u></p> <p>3c. <u>7 Hours</u></p> <p>3d. <u>52 Hours</u></p> <p>3e. <u>15 Hours</u></p>
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4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

4a.	2 Hours
4b.	4 Hours
4c.	1 Hour
4d.	1 Hour
4e.	1 Hour
4f.	1 Hour
4g.	10 Hours
4h.	5 Hours
5a.	0
5b.	1 Hour
5c.	0
5d.	1 Hour
5e.	1
6a.	0
6b.	0
6c.	1 Hour
6d.	1 Hour
6e.	0
6f.	30 Minutes
6g.	2.5
6h.	2.5

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2

7b. 1

7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	FCOE/Administrator FCOE/Teacher FCOE/Psychologist Kingsburg Elem./Administrator Kingsburg/Administrat or Kingsburg/Spec. Ed Teacher Kingsburg/GE Teacher Kingsburg/Speech Kingsburg/Administrat or Kingsburg/Psych	2 2 2 4 4 4 4 4 4 4 4	2 2 2 2 2 2 2 2 2 2 2
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	FCOE/Adminin FCOE/Psych FCOE/Teacher	1 1 1	1 1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	FCOE/Teacher FCOE/Para FCOE/Psych	100000 100000 40+	2 2 2

	Kingsburg/Para Kingsburg/Teacher Kingsburg/Admin	100000 100000 80	2 2 2
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11.	# of Hours	
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.			

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Office Management System Database

Phone Interview

Review of Records (IEP, FAA, BIP)

Please indicate the time it took for you to complete this survey: 4 Hrs.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Christine Licata, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Fresno County Office of Education (American Union)
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2012, at Fresno, California.
Date *City*

Christine M. Licata
Signature

Christine Licata
Print Name

clicata@fcoe.org
E-mail Address

(559) 301-6673
Phone Number

RECEIVED

FEB 01 2008

0539

SELPA: ECOE

Date: 1/22/08

SELPA 0111

School District (if serving multiple districts, list all): American Union Elementary School,
Adrian Charter Elementary School,
 Name of BICM Completing Survey: Christina Garcia
 Title: Behavioral Services Coordinator
 Phone Number(s): 465-3009
 Email Address: clicata@ecoe.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u>	<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>0</u>	<u>0</u>	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	0
b.	0
c.	0
d.	0
e.	0
f.	0
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 MIN

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Mary Oates, hereby declare as follows:
Print Name

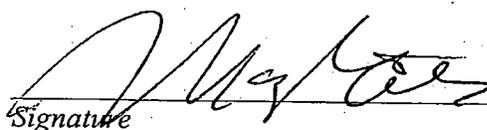
1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Central Unified
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 27, 2012, at Fresno, California.
Date *City*


Signature

Mary Oates
Print Name

moates@centralusd.k12.ca.us
E-mail Address

(559) 681-5093
Phone Number

Date: 1-22-08

SELPA: Fresno County
 School District (if serving multiple districts, list all): Central Unified
 Name of BICM Completing Survey: Mary Dates
 Title: School Psychologist
 Phone Number(s): 274-4700
 Email Address: mdates@centralusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

- a. Number of students requiring 1 IEP team meeting: _____
- b. Number of students requiring 2 IEP team meetings: _____
- c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>Ø</u>	<u>Ø</u>	<u>Ø</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>Ø</u>	<u>Ø</u>	

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>0</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 30 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Gayle Norris, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Central Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/2, 2012, at Fresno, California.
Date City

Gayle Norris
Signature

Gayle Norris
Print Name

gnorris@centralusd.k12.ca.us
E-mail Address

276-3105 ext. 3651
Phone Number

SELPA: WISNO Date: 1/24/08
 School District (if serving multiple districts, list all): Central

Name of BICM Completing Survey: GAULE NORRIS
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): 376-5376
 Email Address: gnorris@centralisd.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: b. new cases (PBIIP for first time), and c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. <u>✓</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

00334.00100/55274.1

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. _____ 7b. _____ 7c. _____</p> <p style="text-align: center;">0 0</p>																																				
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<table border="1"> <thead> <tr> <th data-bbox="1096 1207 1161 1522">District/Position</th> <th data-bbox="1096 1522 1161 1669"># of Hrs</th> <th data-bbox="1096 1669 1161 1831"># IEP Mtgs</th> </tr> </thead> <tbody> <tr><td>_____</td><td>_____</td><td>_____</td></tr> </tbody> </table>	District/Position	# of Hrs	# IEP Mtgs	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
District/Position	# of Hrs	# IEP Mtgs																																			
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11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.	0
a. Performing emergency behavioral interventions.	a.	_____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	_____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	_____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	_____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	_____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	_____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.		
Please provide the sample template for FAAs and PBIPs that you use.		

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

personal records _____

Please indicate the time it took for you to complete this survey: 15 min.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Lori DeNevi (aka White), hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Central Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-27, 2012, at Fresno, California.
Date *City*

[Signature]
Signature

Lori J. DeNevi (maiden name White)
Print Name

ldenevi@centralusd.k12.ca.us
E-mail Address

(559) 276-4700
Phone Number

SELPA: Fresno Date: 1.23.08
 School District (if serving multiple districts, list all): Central Unified

Name of BICM Completing Survey: Lois White
 Title: School Psychologist
 Phone Number(s): 559-2476-6001
 Email Address: lwhite@centralusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>1</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u> 3b. <u>1</u> 3c. <u>1</u> 3d. <u>1</u> 3e. <u>1</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. _____ 7b. _____ 7c. _____</p>																																	
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<table border="1"> <thead> <tr> <th data-bbox="1088 1207 1128 1512">District/Position</th> <th data-bbox="1088 1512 1128 1659"># of Hrs</th> <th data-bbox="1088 1659 1128 1822"># IEP Migs</th> </tr> </thead> <tbody> <tr><td>_____</td><td>_____</td><td>_____</td></tr> </tbody> </table>	District/Position	# of Hrs	# IEP Migs	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
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11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendars
Student Files

Please indicate the time it took for you to complete this survey: 2 Minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Jessica Dabrayan Yergat, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Central Unified.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/8/12, 2012, at Fresno, California.
Date *City*

Jessica Dabrayan Yergat
Signature
Jessica Dabrayan Yergat
Print Name
Jyergat@centralusd.k12.ca.us
E-mail Address
559-273-7747
Phone Number

SELPA: Fresno / Central Unified, Date: 1/23/08
 School District (if serving multiple districts, list all):

Name of BICM Completing Survey: Jessica Diaborange
 Title: School Psychology
 Phone Number(s): 559-273-3727
 Email Address: ~~jd@centralusd.k12.ca.us~~ jdiaborange@centralusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? a. Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>1</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

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BICM 4

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# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
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PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Christina Borges, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Central Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24, 2012, at Fresno, California.
Date *City*

Christina Borges
Signature

Christina Borges
Print Name

cborges@centralusd.k12.ca.us
E-mail Address

(559) 274.4700 x211
Phone Number

SELPA: Frasno Date: 1/14/08
 School District (if serving multiple districts, list all): Central

Name of BICM Completing Survey: Christina Borges
 Title: School Psychologist
 Phone Number(s): 979-4700 x 211
 Email Address: cborges@centralusd.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following Initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p> <p style="text-align: center;">0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p> <p style="text-align: center;">0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p> <p style="text-align: center;">0</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ 0
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	0 _____ _____ _____	_____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	0 _____ _____ _____	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____	0 _____ _____ _____	_____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendar
- Day Planner
- Hand Done Search
- _____
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

A complete many FBAs + level II plans in an effort to avoid complex PBIPs.

BICM 5

00334.00100/55274.1

DECLARATION

I, Patrick Lewis, hereby declare as follows:
Print Name

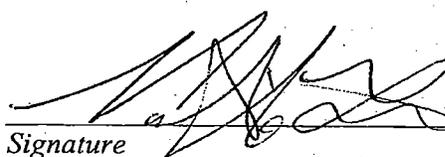
1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1/12, 2012, at Fresno, California.
Date *City*


Signature

Patrick Lewis
Print Name

pkewis@fcoe.org
E-mail Address

(559) 313-9709
Phone Number

SELPA: Fresno County Office of Education
School District (if serving multiple districts, list all): _____

Date: 1-18-08

Name of BICM Completing Survey: NA
Title: School Psychologist
Phone Number(s): (555) 313-5709
Email Address: plewis@edoffice.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p> <p style="text-align: center;">○</p> <p style="text-align: center;">↓</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p> <p style="text-align: center;">○</p> <p style="text-align: center;">↓</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p> <p style="text-align: center;">○</p> <p style="text-align: center;">↓</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	7a. _____ 7b. _____ 7c. _____ 0 ↓		
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position _____ _____ _____ _____ _____	# of Hrs _____ _____ _____ _____ _____	# IEP Mfgs _____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	0
b.	
c.	
d.	
e.	
f.	
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

Date: _____

RECEIVED
 FEB 04 2008

SELPA: Fresno County
 School District (if serving multiple districts, list all):

Golden Plains Unified, Fresno County Office of Education

Name of BICM Completing Survey: Bob White

Title: School Behavioral Specialist

Phone Number(s): 978-0166

Email Address: bobwhite@fcoe.k12.ca.us OR bobwhite@fcoe.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. <u>0</u> 4c. <u>0</u> 4d. <u>0</u> 4e. <u>0</u> 4f. <u>0</u> 4g. <u>0</u> 4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. <u>0</u> 5c. _____ 5d. <u>0</u> 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. <u>0</u> 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. <u>0</u> 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	0
b.	0
c.	0
d.	0
e.	0
f.	0
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, LORI WRAY, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SDC 7-8th teacher
Title of Position
by Sanger Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed _____, 2012, at _____, California.
Date City

I did not fill out anything except Selpa Info & boxes
1a-3a on page 2.
Lori A. Wray
4/30/12

Signature

Print Name

E-mail Address

Phone Number

SELPA: _____
 School District (if serving multiple districts, list all): Sanger Unified

Date: Jan. 25, 2008

Name of BICM Completing Survey: Dr. Lorey
 Title: SDC Teacher
 Phone Number(s): 559-875-5511
 Email Address: loray@SangerK12.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>4</u> 1b. <u>1</u> 1c. <u>3</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>7</u> 3b. <u>5</u> 3c. <u>4</u> 3d. <u>10</u> 3e. <u>10</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. <u>23</u></p> <p>4c. <u>1</u></p> <p>4d. <u>10</u></p> <p>4e. <u>2</u></p> <p>4f. <u>20</u></p> <p>4g. <u>20</u></p> <p>4h. <u>2.0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM3

00334.00 100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	PSYCHOLOGIST INSTRUCTOR/NA Aide Vice principal	2 10 2	2 10 2

* in classroom 3 hrs. a day w/ student, from Nov. to June

BICM 4

00334.00100/55274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	<u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	<u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	<u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	<u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	<u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	<u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>N/A</u>	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- School Calendar
- School Phone Logs
- Student dated newsletters

Please indicate the time it took for you to complete this survey: 45 minutes

Thank you very much for taking the time to complete this survey.

Date: 1/25/08

SELPA: _____
 School District (if serving multiple districts, list all): Sanger USD

Name of BICM Completing Survey: Kendra Borth
 Title: School Psychologist
 Phone Number(s): (539) 575-2711
 Email Address: Linda_borth@sanger.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>6</u> 1b. <u>4</u> 1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>2</u></p> <p>3a. <u>0</u> 3b. <u>2</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>4 hrs</u> 4b. <u>4 hrs</u> 4c. <u>2 hrs</u> 4d. <u>8 hrs</u> 4e. <u>4 hrs</u> 4f. <u>4 hrs</u> 4g. <u>28 hrs</u> 4h. <u>7 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>2 hrs</u> 6b. <u>2 hrs</u> 6c. <u>1 hr</u> 6d. <u>4 hrs</u> 6e. <u>2 hrs</u> 6f. <u>2 hrs</u> 6g. <u>14 hrs</u> 6h. <u>7 hrs</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 2

b. Number of students requiring 2 IEP team meetings: 7

c. Number of students requiring 3 or more IEP team meetings: 2

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	Administrators	7	2
	Guidance/Reading Specialist	5	5
	Case Manager	8	2
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Administrators	5	5
	Guidance/Reading Specialist	3	3
	Case Manager	5	5
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Administrators	2	
	Guidance/Reading Specialist	1	
	Case Manager	4	

BICM 4

00334.00100/5274.1

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>30 hrs</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>1 hrs</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FA and determine necessity for interim PBIP. <u>8 hrs</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>4 hrs</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Assessment Log
ISP case log

Please indicate the time it took for you to complete this survey: 7 hrs

Thank you very much for taking the time to complete this survey.

SELPA: FLDF
 School District (if serving multiple districts, list all): West Park FLDF A TP
 Date: 1/29/08 SELPA OFFICE

Name of BICM Completing Survey: Mary McCall
 Title: School Psychologist
 Phone Number(s): 999-8826
 Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>0</u> 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

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<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	7a. _____ 7b. _____ 7c. _____																																	
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<table border="1"> <thead> <tr> <th>District/Position</th> <th># of Hrs</th> <th># IEP Mts</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	District/Position	# of Hrs	# IEP Mts																														
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10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<table border="1"> <thead> <tr> <th>District/Position</th> <th># of Hrs</th> <th># IEP Mts</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	District/Position	# of Hrs	# IEP Mts																														
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BICM 4

00334.00100/55274.1

# of Hours	
11.	<p>How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. _____</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. _____</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. _____</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. _____</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. _____</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. _____</p>
12.	<p>Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. _____</p> <p>Please provide the sample template for FAAs and PBIPs that you use. _____</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

Moved out of state

SELPA: Fresno Date: 1-25-08
 School District (if serving multiple districts, list all): Selma

Name of BICM Completing Survey: Nick Saxton
 Title: Psychologist
 Phone Number(s): 559-849-6500
 Email Address: nsaxton@selma.k17.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		<u>0</u>	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		<u>0</u>	

BICM 4

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	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time; please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min

Thank you very much for taking the time to complete this survey.

BICM 5

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SELPA OFFICE

Date: 1-22-08

SELPA: FRESNO CO
 School District (if serving multiple districts, list all): PACIFIC UNION, FLOE INTERPERSONAL PERS.

Name of BICM Completing Survey: DR. HELEEN BARNETT

Title: SCHOOL PSYCHOLOGIST

Phone Number(s): 559-307-0715

Email Address: willis@fcoe.k12-ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____</p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

NOT SELPA CERTIFIED BICM

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time</u> ? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when the student had a preexisting PBIP</u> ? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a.	a. Performing emergency behavioral interventions.
b.	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
c.	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
d.	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
e.	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
f.	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

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0598

SELPA: FRESNO COUNTY
 School District (if serving multiple districts, list all): West Fresno

Date: 1/29/08 SELPA OFFICE

Name of BICM Completing Survey: Theron Bell
 Title: School Psychologist
 Phone Number(s): 559-495-5873
 Email Address: tbell@fcoe.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. _____ 3c. _____ 3d. _____ 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>None</u>	<u>0</u>	<u>0</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>None</u>	<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>None</u>	<u>0</u>	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>2</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>2</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 20 min

Thank you very much for taking the time to complete this survey.

00334.00100/55274.1

BICM 2

<p>3e. _____ 3d. _____ 3c. _____</p>	<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b). e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)? d. Total of answers to 3a, 3b, and 3c. c. Writing FAA duration, and intensity of the targeted behavior.) effectiveness of previously used behavioral interventions, developing baseline of frequency, settings where behavior occurs, review of health and medical factors, review of records showing others, and review of available data such as assessment reports; conducting ecological inventory of b. Information gathering and assessment (including direct observation, interviews with significant a. Providing parent notice and obtaining consent for assessment initial FAA activities: 3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following</p>
<p>2. _____</p>	<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>
<p>1a. <u>0</u> 1b. _____ 1c. _____</p>	<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>

SELPA: Heaven County
 School District (if serving multiple districts, list all):
 Name of BICM Completing Survey: Tracy, Lisa
 Title: State Superintendent
 Phone Number(s): 202-3801
 Email Address: lthorn@cip.nsf
 Date: 1/24/08

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 SELPA OFFICE

00334.00100/55274.1

BICM 3

<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>	<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <p>a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>
<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>	<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per # 4. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>
<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>	<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>

0033400100/552741

BICM 4

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs). 7a. _____ 7b. _____ 7c. _____	# of IEP Mtgs	# of Hrs	District/Position
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

00334.00100/552741

BICM 5

Thank you very much for taking the time to complete this survey.

Please indicate the time it took for you to complete this survey:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Sources of Information

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Please provide the sample template for FAAs and PBIPs that you use.	
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	_____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	_____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	_____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FA and determine necessity for interim PBIP.	_____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	_____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	_____
# of Hours	_____

Medical Leave

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JAN 23 2008
SELPA OFFICE

SELPA: FOOE - SD Program
School District (if serving multiple districts, list all): _____

Date: 1-22-08

Name of BICM Completing Survey: Shari McElroy
Title: School Psychologist
Phone Number (SHA): 559-638-9271 Cell: 905-2407 Home Office: 405-3001
Email Address: smcelyea@fooe-nj.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP).</p> <p>Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>8</u></p> <p>1b. <u>5</u></p> <p>1c. <u>3</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>N/A teacher performs</u></p> <p>3b. <u>42.0</u></p> <p>3c. <u>18.5</u></p> <p>3d. <u>60.5</u></p> <p>3e. <u>12.1</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>115.0</u> 4b. <u>17.5</u> 4c. <u>21.0</u> 4d. <u>15.0</u> 4e. <u>8.0</u> 4f. <u>17.0</u> 4g. <u>193.5</u> 4h. <u>38.7</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>N/A Teacher performs</u> 5b. <u>27.6</u> 5c. <u>23.0</u> 5d. <u>50.0</u> 5e. <u>16.6</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>38.0</u> 6b. <u>21.0</u> 6c. <u>14.0</u> 6d. <u>14.0</u> 6e. <u>4.0</u> 6f. <u>8.0</u> 6g. <u>99.0</u> 6h. <u>33</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting: a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	7a. _____ 7b. _____ 7c. _____		
5 3 _____			
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
INDIANAS 9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	#8 EPR Nurse PSE Pam Mar FCOE SDC Tchr FCOE OT Selma Dist Rep FCOE Spch CURC Counselor EPU Advocate #1 EPU Advocate #2 EPU Parent Rep ACEs Interventionist EOC DSS Repres. Selma Spch Hd Shrt Tchr KCAUSD Sch Principal KCAUSD Gen Ed Tchr	6.5 11 11 2.1 6.5 8.0 8.0 5 12 5 3 2.5 5 2.5 2 2	4 6 4 4 3 4 4 2 1 2 1 1 1 1 1 1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	See Attached Page	See Attached Page	See Attached Page

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	7a. _____ 7b. _____ 7c. _____																																	
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>GP#9</p> <table border="1"> <thead> <tr> <th>District/Position</th> <th># of Hrs</th> <th># IEP Migs</th> </tr> </thead> <tbody> <tr> <td>EDGE. Adm Instr Tech</td> <td>4.5</td> <td>3</td> </tr> <tr> <td>EDGE Nurse</td> <td>7.5</td> <td>5</td> </tr> <tr> <td>EDGE SOC Tech</td> <td>7.5</td> <td>5</td> </tr> <tr> <td>EDGE Program Mgr</td> <td>9</td> <td>6</td> </tr> <tr> <td>EDGE Spch</td> <td>4.5</td> <td>3</td> </tr> <tr> <td>CSUE Student Obs</td> <td>1.5</td> <td>1</td> </tr> <tr> <td>EDGE OT</td> <td>3</td> <td>2</td> </tr> <tr> <td>Sanger Program Mgr</td> <td>1.5</td> <td>1</td> </tr> <tr> <td>EDGE Counselor</td> <td>3</td> <td>2</td> </tr> <tr> <td>EDGE APE</td> <td>1</td> <td>1</td> </tr> </tbody> </table>	District/Position	# of Hrs	# IEP Migs	EDGE. Adm Instr Tech	4.5	3	EDGE Nurse	7.5	5	EDGE SOC Tech	7.5	5	EDGE Program Mgr	9	6	EDGE Spch	4.5	3	CSUE Student Obs	1.5	1	EDGE OT	3	2	Sanger Program Mgr	1.5	1	EDGE Counselor	3	2	EDGE APE	1	1
District/Position	# of Hrs	# IEP Migs																																
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EDGE Counselor	3	2																																
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EDGE OT	44	*																																
<p>10. How much total-actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>* Direct Service Provides 1 or More x each wk</p>																																	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	4 hrs
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	N/A teacher performs
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	30 hrs
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	1.0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	1.0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	1.0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendars from 2006-07
- review of notes
- review of files and plan
- recollections of events
- recollections of collaborative, multidisciplinary process

Please indicate the time it took for you to complete this survey: approx 7 hrs

Thank you very much for taking the time to complete this survey.

NOT EMPLOYED BY FCOE DURING OUTLET SCHOOL YEAR

1/18/08

SELPA:

Date:

School District (if serving multiple districts, list all): AMERICAN UNION, TULLMAN CDS SC/AS

Name of BICM Completing Survey: ALFONSO PAINSE

Title: SCHOOL PSYCHOLOGIST

Phone Number(s): 559 301-5657

Email Address: apainse@fae.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u> 2. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p> <p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p> <p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

00334-00100/55274.1

BICM 3

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting: a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	7a. _____ 7b. _____ 7c. _____		
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

00334.00100/55274.1

BICM 4

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	2
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min

Thank you very much for taking the time to complete this survey.

Moved out of state

SELPA: Fresno Date: 1-14-08
 School District (if serving multiple districts, list all): Central Unified
 Name of BICM Completing Survey: Katherine Wood (formerly Katherine Poole)
 Title: School psychologist
 Phone Number(s): (559) 270-5295, (559) 271-0420
 Email Address: KWood@centralusd.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0 hours</u> 3b. <u>0 hours</u> 3c. <u>0 hours</u> 3d. <u>0 hours</u> 3e. <u>0 hours</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u> HOURS</p> <p>4b. <u>0</u> HOURS</p> <p>4c. <u>0</u> HOURS</p> <p>4d. <u>0</u> HOURS</p> <p>4e. <u>0</u> HOURS</p> <p>4f. <u>0</u> HOURS</p> <p>4g. <u>0</u> HOURS</p> <p>4h. <u>0</u> HOURS</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> HOURS</p> <p>5b. <u>0</u> HOURS</p> <p>5c. <u>0</u> HOURS</p> <p>5d. <u>0</u> HOURS</p> <p>5e. <u>0</u> HOURS</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> HOURS</p> <p>6b. <u>0</u> HOURS</p> <p>6c. <u>0</u> HOURS</p> <p>6d. <u>0</u> HOURS</p> <p>6e. <u>0</u> HOURS</p> <p>6f. <u>0</u> HOURS</p> <p>6g. <u>0</u> HOURS</p> <p>6h. <u>0</u> HOURS</p>

00334.00100/55274.1

BICM 3

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. 0 7b. 0 7c. 0</p>	<p># of Hrs</p>	<p># IEP Mtgs</p>
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p>	<p># of Hrs</p>	<p># IEP Mtgs</p>
<p>n/a</p>	<p>0</p>	<p>1</p>	<p>0</p>
<p>n/a</p>	<p>0</p>	<p>1</p>	<p>0</p>
<p>n/a</p>	<p>0</p>	<p>1</p>	<p>0</p>

00334.00100/55274.1

BICM-4

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

personal records _____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

FROM : EDUCATIONAL SERVICE CENTER

FAX NO. : 559-935-7624

Jan. 25 2008 02:52PM P3

Out of country

SELPA: Fresno County Date: 1/22/08
 School District (if serving multiple districts, list all): Coalinga/Huron Unified School District
 Name of BICM Completing Survey: Susie Verdugo
 Title: School Psychologist
 Phone Number(s): 559-945-2226 x 252
 Email Address: SVERDUGO@CHUSD.K12.CA.US

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. pre-existing cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

00334.00100/55274.1

BICM2

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM3

00334-0010055274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	_____ _____ _____ _____ _____ _____
12. Please provide three (3) FAA/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	_____ _____ _____

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

File review
 Calendars
 planners

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

Fresno Unified

SELPA

DECLARATION

I, HEIDI HALEY, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Fresno Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed July 2, 2012, at Fresno, California.
Date *City*

Heidi Haley
Signature

HEIDI HALEY
Print Name

heidi.haley@fresnounified.org
E-mail Address

559-248-7389
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Fresno Unified Date: March 11, 2008
 Person Completing Survey: Heidi Haley
 Title: Lead School Psychologist
 Phone Number(s): (559) 454-3220
 Email Address: heidi.haley@fresnounified.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	<u>53</u>
2. How many BICM surveys have been returned to you?	<u>1</u>
3. If not all BICM surveys have been returned, please indicate reason.	<u>NA</u>
4. How many districts are in your SELPA?	<u>1</u>
5. How many district level surveys have been returned to you?	<u>NA</u>
6. If not all district surveys have been returned, please indicate reason.	<u>NA</u>

SELPA 1

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>June 2007</u> b. What is the basis for your estimate? <u>Best estimate</u>	7. <u>SELPA Director</u>	7. <u>2 hours</u>
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>June 2007</u> b. What is the basis for your estimate? <u>Complete Document Local Plan</u>	8. <u>SELPA Director</u>	8. <u>100 hrs.</u>
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>has not reviewed uses June 2007</u> b. What is the basis for your estimate? <u>NA</u> c. How often does your SELPA do this? <u>minimum every 2 years</u>	9. <u>SELPA Director</u>	9. <u>NA</u>

10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?

a. What year did this occur? June 2007

b. What is the basis for your estimate? AWI quest. # 8

c. How often does your SELPA do this? minimum of 8
every two years

Position	# of Hours
10. <u>SELPA</u>	10. <u>NA</u>
<u>Director</u>	

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?	11. <u>School Psychologist</u>	11. <u>35 hours</u>
a. What year did this occur? <u>2005 / 2006</u>		
b. What is the basis for your estimate? <u>Records kept</u>		
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?	12. <u>NA</u>	12. <u>NA</u>
a. What year did this occur? <u>2005 / 2006 - initial</u>		
b. What is the basis for your estimate? <u>Decumulated records</u>		
c. How often does your SELPA do this? <u>not yet established</u>		

	Position	# of Hours
13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification? a. What year did this occur? <u>2005/2006</u> b. What is the basis for your estimate? <u>Scheduled Training</u> c. How often does your SELPA do this? <u>Not set established</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>N/A</u>	13. <u>School Psych.</u>	13. <u>16 hours</u>
14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs? a. What year did this occur? <u>Scheduled for summer 2008</u> b. What is the basis for your estimate? <u>-</u> c. How often does your SELPA do this? <u>-</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>N/A</u>	14. <u>-</u>	14. <u>-</u>
Note: If #13 and #14 are the same in your SELPA, do not duplicate count.		
15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)? a. What year did this occur? <u>As above was</u> b. What is the basis for your estimate? <u>included in BICM training</u>	15. <u>-</u>	15. <u>-</u>
16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers? a. What year did this occur? <u>As above -</u> b. What is the basis for your estimate? <u>was a part of the</u> c. How often does your SELPA do this? <u>BICM training</u>	16. <u>-</u>	16. <u>-</u>

SELPA 4

00334.00100/55274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA. *No costs were incurred.*

Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).
No training was held in 2006-2007

# Attndg.	District/Position	# of Hours
22.	22.	22.
_____	_____	_____
_____	_____	_____
_____	_____	_____

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.
No trainings were held in 2006-2007

# Attndg.	District/Position	# of Hours
23.	23.	23.
_____	_____	_____
_____	_____	_____
_____	_____	_____

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.
Trainings are held monthly - in 2006-2007, 9 trainings, an average of 20 individuals per training

# Attndg.	District/Position	# of Hours
24.	24.	24.
180	School psychol.'s spreaded teachers	1440 hours
_____	_____	_____
_____	_____	_____

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ NA
 a. Is this figure typical of annual costs and for how long has it been typical? _____
 b. If not, what have you typically done? _____
 c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. <u>SELPA Director</u>	26. <u>4 hours</u>
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. <u>NA</u>	27. <u>0</u>
28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the <u>average</u> salary and benefit level.		

Please indicate the amount of time in hours or portions thereof spent to complete this document. 10 hours
 Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Heidi HALEY, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school Psychologist
by Fresno Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed July 2, 2012, at Fresno, California.
Date *City*

Heidi Haley
Signature

HEIDI HALEY
Print Name

heidi.haley@fresnounified.org
E-mail Address

559-248-7389
Phone Number

District

Date: March 11, 2008

SELPA: Fresno Unified
 District: Fresno Unified School District
 Person completing survey: Heidi Haley
 Title: Head School Psychologist
 Phone Number(s): 559-457-3220
 Email Address: Heidi.haley@fresnounified.org

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>88</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. <u>Sped teachers/psychologists</u>	<u>132 hours</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>Sped teachers/psychologists</u>	<u>29 hours</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>Sped teachers/psychologists</u>	<u>264 hours</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>School psychologist</u>	<u>33 hours</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>NA</u>	<u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>Office manager</u>	<u>10 hours</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>School psychologist</u>	<u>44 hours</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>12 school psychologists responsible for ED programs</u>	<u>36 hours</u>

BICM

DECLARATION

I, Raul Tejada, hereby declare as follows:
Print Name

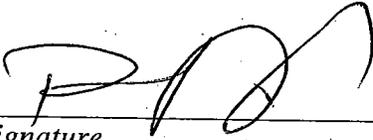
1. In the 2007-2008 school year, I was employed as a School Psychologist
by Fresno Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 29, 2012, at Fresno, California.
Date *City*


Signature

Raul Tejada
Print Name

Raul.Tejada@fresno.unified.org
E-mail Address

559-498-9113
Phone Number

BICM

SELPA: Fresno Unified School District (FUSD)
 School District (if serving multiple districts, list all): FUSD Date: 1-31-07

Name of BICM Completing Survey: Raul T. Tereida
 Title: School Psychologist
 Phone Number(s): 559-375-6388; 279-8819 (SSA)
 Email Address: rahen93@gmail.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

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BICM.4

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting. b. Number of students requiring 2 IEP team meetings. c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. _____ 7b. _____ 7c. _____</p>		
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time?</u> List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position _____ _____ _____ _____</p>	<p># of Hrs _____ _____ _____ _____</p>	<p># IEP Mtgs _____ _____ _____ _____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when the student had a preexisting PBIP?</u> List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>FUSD / Sp. Ed. teacher FUSD / Sp. Ed. Teacher FUSD / Site Admin FUSD / RIS _____ _____</p>	<p>6 6 6 4 _____ _____</p>	<p>3 3 3 2 _____ _____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>FUSD / Sp. Ed teacher FUSD / Sp. Ed teacher FUSD / Classroom Aid FUSD / Classroom Aid _____ _____</p>	<p>_____ _____ _____ _____ _____</p>	<p>_____ _____ _____ _____</p>

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. _____</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. _____</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. _____</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. _____</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. _____</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. _____</p>
a.	2
b.	.5
c.	.5
d.	3
e.	0
f.	0
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Personal Calendar
File Review

Please indicate the time it took for you to complete this survey: 3 hrs.

Thank you very much for taking the time to complete this survey.

Glenn

SELPA

DECLARATION

I, Vicki Shadd, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA Dir / Asst. Sup. SpEd Services
Title of Position
by Glenn County Office of Education
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 25, 2012, at Orland, California.
Date *City*

Vicki M. Shadd
Signature

Vicki M. Shadd
Print Name

vshadd@glenncoe.org
E-mail Address

530-934-6525 ext. 3203
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

Glenn County
 SELPA: DATE: 2/1/08

School District (if serving multiple districts, list all): Capay JT. Union, Hamilton Union Elem, Hamilton Union High, Lake School, Oakland Unified, Plaza School, Princeton JT. Unified, Stony Creek JT, Willows Unified, Glenn County Office of Ed.
 Name of BICM Completing Survey: n/a
 Title: Vicki M. Shadd, SELPA Director & Director of Student Services.
 Phone Number(s): 530-934-6575 x 3203
 Email Address: vshadd@glenncoe.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	8
2. How many BICM surveys have been returned to you?	4
3. If not all BICM surveys have been returned, please indicate reason.	The other BICM's did not conduct an FA/PIR
4. How many districts are in your SELPA?	10 (9 districts + 1 COE)
5. How many district level surveys have been returned to you?	2 - There are 10 districts but only 2 are Special Education providers.

06/07.

SELPA 1

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6. If not all district surveys have been returned, please indicate reason.

Received all that apply.

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan. *Not on record.*

	<u>Position</u>	<u># of Hours</u>
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <i>2003</i> b. What is the basis for your estimate? <i>3 meetings, 4 hours each.</i>	<i>7</i> Program Specialists <i>4</i> SELPA Director	<i>7.</i> <i>12</i> hours
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? b. What is the basis for your estimate?	<i>8.</i> <i>Unknown</i>	<i>8.</i>
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <i>2006-2007</i> b. What is the basis for your estimate? <i>Program Specialist Records</i> c. How often does your SELPA do this? <i>Every 4 years</i>	<i>9.</i> Program Specialist CPI Trainers SELPA Director	<i>9.</i> <i>24</i> hours

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this?	10. None on Record	10. None on Record
B. Training Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.		
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? b. What is the basis for your estimate?	11. SELPA Director Behavior Specialists	11. 6 hours
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this?	12. Psychologists Program Specialist Coordinator	12. 16 hours

SELPA 3

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	Position	# of Hours
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p> <p><i>Sent staff to out of SELPA training 2007-2008</i></p>	<p>13.</p> <p><i>0</i></p>	<p>13.</p> <p><i>0</i></p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____</p> <p><i>Sent staff to out of SELPA training</i></p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14.</p> <p><i>0</i></p>	<p>14.</p> <p><i>0</i></p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? b. What is the basis for your estimate?</p> <p><i>2002-2003 through 2006-2007 Program Specialist Records</i></p>	<p>15.</p> <p><i>Program Specialist</i></p>	<p>15.</p> <p><i>20 hours</i></p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this?</p> <p><i>2006-2007 Program Specialist Records Every year</i></p>	<p>16.</p> <p><i>Program Specialist</i></p>	<p>16.</p> <p><i>10 hours</i></p>

SELPA 4

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	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>Staff Development Calendar</u> c. How often does your SELPA do this? <u>Every year</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ <u>N/A</u>	17. CP1 Trainer	17. 10 hours
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? <u>2002-2003, 2003-2004</u> <u>MAY</u> b. What is the basis for your estimate? <u>2005-2006, 2006-2007, 2007-08</u> <u>Training records</u>	18. MAB & CP1 Trainers	18. MAB- 18 hrs/year CP1 - 21 hrs/year
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>Fall 2007-2008</u> b. What is the basis for your estimate? <u>Training Schedule</u> c. How often does your SELPA do this? <u>2 times per year for re-certifications</u>	19. CP1 Trainers	19. 6 hours
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>Fall 2007-2008</u> b. What is the basis for your estimate? <u>Staff Development Calendar</u> c. How often does your SELPA do this? <u>Yearly</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ <u>N/A</u>	20. CP1 Trainers	20. 18 hours

SELPA 5

00334.00100/55828.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ ___ For: ___ Paid By: ___
 Cost: \$ ___ For: ___ Paid By: ___
 Cost: \$ ___ For: ___ Paid By: ___
 Cost: \$ ___ For: ___ Paid By: ___

None done in 2006-2007

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

n/a

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

23.	23.	23.
GOE 21	Teachers & aides	23.
WUSD 4	both districts	6 hrs
Total 25		

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

24.	24.	24.
11	11	6 hrs

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$
 a. Is this figure typical of annual costs and for how long has it been typical?
 b. If not, what have you typically done?
 c. What do you intend to do in the future?
 Not done in 2006-2007

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. SELPA Director	2 hrs
	SELPA Admin Assistant	2 hrs
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. 	27. 

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 30 hours

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Joey Brett, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Orland Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/29/12, 2012, at Orland, California.
Date *City*

Joey Brett
Signature

Joey Brett
Print Name

jbrett@orlandusd.net
E-mail Address

530-865-1245
Phone Number

District

Glenn County
 SELPA: Date: 2/1/08
 District: Orland Unified School District
 Person Completing Survey: Joey Brett
 Title: Special Education Coordinator/Director
 Phone Number(s): 530-865-1245
 Email Address: jbrett@orlandusd.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2.		
a.		
b.		
c.		
d.		
e.		
f.		
g.		
3.		

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. 4a.</p>
---	------------------------------------

Case #: ___ (use OAH filing number)

	<u>Position</u>	<u># of Hours</u>
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5.</p>	<p>5.</p>
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. a. b. c.</p>	<p>6.</p>
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. a. b. c.</p>	<p>7.</p>
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. a. b. c.</p>	<p>8.</p>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: . 15 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Vicki Shadd, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA Director / Asst. Sup. Student Services
by Glenn County of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 25, 2012, at Orland, California.
Date *City*

Vicki M. Shadd
Signature

Vicki M. Shadd
Print Name

vshedd@glonncde.org
E-mail Address

530 - 934 - 6575 ext. 3203
Phone Number

SELPA: Glenn County
 Date: 2/1/08
 District: Capeay St. Union, Hamilton Union Elem, Hamilton Union High, Lake School, Orchard View, Placer School,
 Person Completing Survey: Princeton St. Unified, Stony Creek JT, Willows Unified, GCOB
 Title: Vicki M. Shadd, SELPA Director
 Phone Number(s): 530-934-6575 x 320
 Email Address:

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		2
	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	Teacher	2 total
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	Principal	1 hour each position
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	Teacher - 1 Principal - 1 Program Specialists	30 minutes each
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	n/a	1/2 hour each
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	Teacher Program Specialist	6 hours
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	Principal Psychologist Admin. Ass't	1/2 hour
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	Director of Student Services Admin. Ass't	1 hour
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	CPI Trainers	21 hours

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District 2

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. 4a.</p> <p style="text-align: center;"><i>0</i></p>
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Case #: ___ (use OAH filing number)

	<u>Position</u>	<u># of Hours</u>
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5.</p>	
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. a. b. c.</p>	
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. a. b. c.</p>	
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. a. b. c.</p>	

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	<i>n/a</i>			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: *2 hours*

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Amie Parent, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Glenn County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 30, 2012, at Chico, California.
Date *City*

Amie Parent
Signature

Amie Parent
Print Name

amiedp@gmail.com
E-mail Address

(530) 343-1712
Phone Number

BICM

SELPA: Glenn County Date: 2/1/08
 School District (if serving multiple districts, list all): Casper St Union, Hamilton Union Elem, Hamilton Union High, Esler #
 Name of BICM Completing Survey: Plaza Schools, Princeton St. Unified, Stony Creek St, Willows Unified, Glenn County
 Title: Amie Parent, School Psychologist
 Phone Number(s): 530-865-1267 x 2089
 Email Address: aparent@glenncoe.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="text" value="0"/></p> <p>1b. <input type="text" value="1"/></p> <p>1c. <input type="text" value="1"/></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <input type="text" value="0"/></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <input type="text" value="1"/></p> <p>3b. <input type="text" value="1"/></p> <p>3c. <input type="text" value="1"/></p> <p>3d. <input type="text" value="1"/></p> <p>3e. <input type="text" value="1"/></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4b. 4c. 4d. 4e. 4f. 4g. 4h.</p> <p style="text-align: center;">↓</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 5b. 5c. 5d. 5e.</p> <p style="text-align: center;">↓</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p> <p style="text-align: center;">↓</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u>	<u>0</u>	<u>0</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u>	<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>0</u>	<u>0</u>	<u>0</u>

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
0	
1	
1	
1	
1	
1	
1	
1	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

-
-
-

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Mary M. Tickle, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Glenn County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 30 May, 2012, at Orland, California.
Date *City*

Mary M. Tickle
Signature

Mary M. Tickle
Print Name

mtickle@glenncoe.org
E-mail Address

(530) 330-0142
Phone Number

SELPA: Glen County Date: 2/1/08
 School District (if serving multiple districts, list all): Capeay & Laker Elementary School

Name of BICM Completing Survey: Mary Tickle
 Title: School Psychologist
 Phone Number(s): 530-877-5505
 Email Address: mtickle@glencoe.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>.5 hours</u> 3b. <u>10.5 hours</u> 3c. <u>7.0 hours</u> 3d. <u>18.0 hours</u> 3e. <u>18.0 hours</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>3 hrs.</u> 4b. <u>2.5 hrs.</u> 4c. <u>1 hr</u> 4d. <u>1 hr</u> 4e. <u>2 hrs</u> 4f. <u>1 hr</u> 4g. <u>10.5 hrs</u> 4h. <u>10.5 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. _____ 5c. _____ 5d. _____ 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. <u>0</u></p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Instructional Aide, GCDE	2.5 hrs	

SOC Teacher
 Site Principal
 Program Specialist
 Gen Ed Teacher
 District Sp. Ed. Coord.

2
 2
 2
 2
 2

1
 1
 1
 1
 1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. <u>0</u> b. <u>0</u> c. <u>1 hr.</u> d. <u>1.5 hrs.</u> e. <u>0</u> f. <u>.5 hr.</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planner

Please indicate the time it took for you to complete this survey: 30 minutes

Thank you very much for taking the time to complete this survey.

GLENN COUNTY SPECIAL EDUCATION LOCAL PLAN AREA
IEP TEAM AMENDMENTS PAGE

Student: [REDACTED]

Birthdate: March 5, 1997

Date: 5/15/07

Parents have agreed that a meeting is not needed for this amendment. Written consent attached.

Purpose of Meeting: To review the finding of the Funcional Analysis Assessment with the IEP team and write a Positive Behavior Support Plan.

Changes to the IEP dated 3/13/2007

- 1- Behaviors assultive and non-compliant.
- 2- BSP not effective, so FAA was chosen to help shape behavior.
- 3- Frequency, Intensity and Duration taken from summaries and / or examples of behavior incidents. Rate of occurance = physical 2.3 per month, non-compliance leading to tantrum 2.8 per month, Average duration of academic time lost = 33%
- 4- Lorna's concern is that more physical behaviors may be related to [REDACTED]'s restrictive program, and that she gets more compliance at home with peer interaction.
- 5- Read through and discussed all pages of FAA and BSP.
- 6- Lorna reports that [REDACTED] eats mostly top ramen at home.
- 7- Lorna met with Rich Gordon and discussed giving consequences for non-compliance. Kirsten Gray is [REDACTED]'s probation officer. More compliance at home since the visit with probation. Grandma is no longer fiving him the opportunity to argue. He is less explosive. Grandma is not giving into his argumants.
- 8- [REDACTED] argues with grandma about going over to SDC peer's house (Mike). Mike and his mom don't want [REDACTED] over there.
- 9- Lorna thinks because of all the "Hamilton stuff" that [REDACTED] doesn't make friends well any more. [REDACTED] is "stuck" in being a victim and is unable to help himself make positive choices because he focuses on things that he cannot control. Our goal is to help [REDACTED] learn to make positive choices despite all that has happened to him. He is sensitive about things that people say to him.
- 10- According to Rich Gordon, [REDACTED] has difficulyt moderaating his reaction when he has stron emotions. He also has had difficulty picking up social skills through observation and direct instruction.
- 11- TOVA given 1 1/2 years ago was inconclusive due to a lack of responses during stimulating part of test - couldn't handle the amount of stimulation given. Maystruggle now at school due to amount of stimulation.
- 12- Grandma reports from court documentation that [REDACTED] was pre-natally exposed to drugs and alcohol.
- 13- Behavior is unpredictable with out behavioral signs that indicate escalation. Police will only be called in emergency situations when safety of self or others are of concern.
- 14- Based upon the data, the frequency of [REDACTED]'s non-compliant and aggressive behavior is so high that he requires increased adult supervision to provide structure during all activities including academic, recess and lunch. He requires a reduced adult to student ratio ti increase his success with social interactions. He will continue to spend 100% of his school day with in the SDC program to reduce stimulation and increase structure to ensure safety to self and others.

(Initial) _____ I agree to the contents of the amendment to the IEP dated 3/13/2007

DECLARATION

I, Joey Brett, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Orland Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/29, 2012, at Orland, California.
Date *City*

Joey Brett
Signature

Joey Brett
Print Name

jbrett@orlandusd.net
E-mail Address

530-865-1245
Phone Number

SELPA: Glen County
 Date: 2/1/08
 School District (if serving multiple districts, list all): Orland Unified
 Name of BICM Completing Survey: Joey Brett
 Title: School Psychologist, Special Ed. Coordinator / Director
 Phone Number(s): 530-865-1245
 Email Address: jbrett@orlandusd.net

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1</u> 3b. <u>1</u> 3c. <u>1</u> 3d. <u>1</u> 3e. <u>1</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4b. 4c. 4d. 4e. 4f. 4g. 4h.</p> <p style="text-align: center;">↓</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 5b. 5c. 5d. 5e.</p> <p style="text-align: center;">↓</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p> <p style="text-align: center;">↓</p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>		<p>7a. <input type="checkbox"/> 7b. <input type="checkbox"/> 7c. <input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position School Psychologist/ District Coordinator</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>//</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>//</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBP solely to review the behavioral emergency report, determine necessity for IEP and determine necessity for interim PBP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	
b.	
c.	
d.	
e.	
f.	
	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Marcy Santoro, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Orland Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/31, 2012, at Orland, California.
Date *City*

Marcy Santoro
Signature

Marcy Santoro
Print Name

M.Santoro@orlandusd.net
E-mail Address

530-865-1245 x204
Phone Number

SELPA: Glenn County Date: 2/1/08
 School District (if serving multiple districts, list all): Orland Unified
 Name of BICM Completing Survey: Marcy Santoro
 Title: School Psychologist
 Phone Number(s): 530-865-1245
 Email Address: msantoro@orlandusd.net

<p>1. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: b. new cases (PBIIP for first time), and c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="checkbox"/> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1 hour</u> 3b. <u>2 hours</u> 3c. <u>3 hours</u> 3d. <u>6</u> 3e. <u>0/6</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4b. 4c. 4d. 4e. 4f. 4g. 4h.</p> <p style="text-align: center;">↓</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 5b. 5c. 5d. 5e.</p> <p style="text-align: center;">↓</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p> <p style="text-align: center;">↓</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	Orlando Unified School Psychologist	0	0
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

# of Hours	
11. <input checked="" type="radio"/>	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12. <input type="radio"/>	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planner

-
-
-

Please indicate the time it took for you to complete this survey: *1 hour*

Thank you very much for taking the time to complete this survey.

Inyo

SELPA

DECLARATION

I, ALVIN SASUGA, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA DIRECTOR
Title of Position
by INYO COUNTY SUPERINTENDENT OF SCHOOLS (INYO COUNTY OFFICE
Employer (Name of District, County Office of Education, or SELPA) OF EDUCATION)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5.9.12, 2012, at BISHOP, California.
Date *City*

Alvin Sasuga
Signature

ALVIN SASUGA
Print Name

E-mail Address

760-873-6550
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

COPY SELPA

0687

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: 1010 COUNTY SELPA Date: 1-24-08
 Person Completing Survey: AL SASUGA
 Title: SELPA DIRECTOR
 Phone Number(s): 760-438-2936
 Email Address: al_sasuga@nyo.k12.ca.us

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	4
2. How many BICM surveys have been returned to you?	_____
3. If not all BICM surveys have been returned, please indicate reason.	_____
4. How many districts are in your SELPA?	7
5. How many district level surveys have been returned to you?	7
6. If not all district surveys have been returned, please indicate reason.	_____

SELPA 1

00334.00100/53274.1

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)?	7. ADMINISTRATION	7. 1
a. What year did this occur? _____		
b. What is the basis for your estimate? _____		
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)?	8. BOARD & SUPERVISORS	8. 1
a. What year did this occur? _____		
b. What is the basis for your estimate? _____		
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures?	9. ADMINISTRATION	9. 1
a. What year did this occur? _____		
b. What is the basis for your estimate? _____		
c. How often does your SELPA do this? _____		

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? <u>2003</u> b. What is the basis for your estimate? <u>board approval for rules</u> c. How often does your SELPA do this? _____	10. _____ <u>SELPA Director</u>	10. _____ <u>1</u>

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? <u>OCTOBER 10, 2005</u> b. What is the basis for your estimate? <u>meeting agenda</u>	11. _____ <u>BICM staff</u>	11. _____ <u>5</u>
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	12. _____ <u>see above</u>	12. _____

	Position	# of Hours
<p>17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>17.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>2/4</p>	<p>17.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?</p> <p>a. What year did this occur? <u>2010</u></p> <p>b. What is the basis for your estimate? <u>STAFF AGENDA</u> <u>*PRO-ACT TRAINING</u></p>	<p>18.</p> <p>_____</p> <p>_____</p> <p>PSYCHOLOGIST</p>	<p>18.</p> <p>_____</p> <p>_____</p> <p>1 HR</p>
<p>19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>19.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>2/4</p>	<p>19.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>20.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>2/4</p>	<p>20.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

SELPA 5

00334.00100/5274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

	# Attdg.	District/Position	# of Hours
22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/ prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	22.	22.	22.
23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23.	23.	23.
24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	24.	24.	24.

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ _____

a. Is this figure typical of annual costs and for how long has it been typical? _____

b. If not, what have you typically done? _____

c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. _____ _____ _____ _____ _____	26. _____ _____ _____ _____ _____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. _____ _____ _____ _____ _____	27. _____ _____ _____ _____ _____

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. _____ | 0 _____

Thank you very much for taking the time to complete this survey.

District

(none at this
level)

BICM

DECLARATION

I, Suzanne Roepke, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school Psychologist
by Diablo County Superintendent of Schools
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-9, 2012, at Brook, California.
Date *City*

Suzanne Roepke
Signature

Suzanne Roepke
Print Name

suzanne.roepke@diablo.k12.ca.us
E-mail Address

760-873-3262
Phone Number

COPY

BICM

SELPA: Inyo County

Date: 1-24-08

School District (if serving multiple districts, list all): Round Valley, Diverse Valley, Lone Pine, Red Bluff, Big Pine

Name of BICM Completing Survey: Suzanne Raepke Ph.D.

Title: County School Psychologist

Phone Number(s): 760.938.2633

Email Address: sraepke@usdmedica.tv

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>5</u> 1c. <u>5</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>5</u> 3c. <u>5</u> 3d. <u>5</u> 3e. <u>5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p> <p style="text-align: center;">0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p> <p style="text-align: center;">0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p> <p style="text-align: center;">0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

9

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 Minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Tanya Zaleschuk, hereby declare as follows:
Print Name

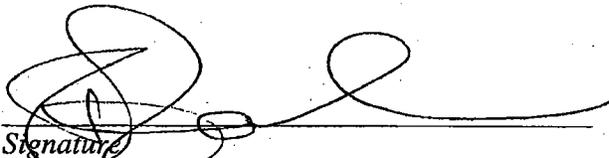
1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Bishop Union Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/10, 2012, at Bishop, California.
Date *City*


Signature

T. Zaleschuk
Print Name

tzaleschuk@bishopschools.org
E-mail Address

760 8125135
Phone Number

COPY

INB

SELPA: _____ Date: 1/24/09
 School District (if serving multiple districts, list all): BUSD

Name of BICM Completing Survey: Theresa Zaleski
 Title: District Supervisor
 Phone Number(s): 160 828 5735
 Email Address: tzaleski@busd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 4b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 2 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM3

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting: a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	7a. _____ 7b. _____ 7c. _____		
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position _____ _____ _____ _____ _____	# of Hrs _____ _____ _____ _____ _____	# IEP Mtgs _____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position _____ _____ _____ _____ _____	# of Hrs _____ _____ _____ _____ _____	# IEP Mtgs _____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	District/Position _____ _____ _____ _____ _____	# of Hrs _____ _____ _____ _____ _____	# IEP Mtgs _____ _____ _____ _____ _____

BICM 4

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# of Hours	
11. 0	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12. 0	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 mins

Thank you very much for taking the time to complete this survey.

SELPA: Inyo Date: 1/22/08
 School District (if serving multiple districts, list all): Bishop Joint Union High School District

Name of BICM Completing Survey: Avron R. Storey
 Title: Director of Psychology
 Phone Number(s): 760-873-4275
 Email Address: astorey@bshs.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PPIPs? Of this total, please specify the number of: b. new cases (PIIP for first time), and c. preexisting cases (entered 2006-07 with PIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p> <p><i>(cannot divide by 0)</i></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. # of Hours</p> <p>a. <u>0</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>0</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 30 mins

Thank you very much for taking the time to complete this survey.

Lodi

SELPA

DECLARATION

I, Catherine Conrado, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA Director
Title of Position
by Lodi Unified School District, AU for Lodi Area Special Education Region
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 6-4-12, 2012, at Santa Rosa, California.
Date *City*

Catherine Conrado
Signature

Catherine Conrado
Print Name

ccconrado@sonoma SELPA.org
E-mail Address

707-524-2750
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Lodi Area SELPA

Date: February 29, 2008

Person Completing Survey: Catherine Conrado, Ed.D.

Title: Administrative Director of Student Services/SELPA

Phone Number(s): (209) 331-7061

Email Address: cconrado@lodiusd.k12.ca.us

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	27
2. How many BICM surveys have been returned to you?	3
3. If not all BICM surveys have been returned, please indicate reason.	Lodi SELPA trains and funds personnel.
4. How many LEAs are in your SELPA?	6
5. How many district level surveys have been returned to you?	0
6. If not all district surveys have been returned, please indicate reason.	1 District provides BICM support to other districts.

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? _____ b. What is the basis for your estimate? _____	7. SELPA Director	7. Two (2) hours. Time to review and determine what to write and then draft the language.
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? 1999 _____ b. What is the basis for your estimate? <u>Experience is preparing documents.</u> _____	8. A. SELPA Director B. Superintendent C. Superintendent Secretary D. Board Members (7)	8. A. 2 hours (prepare documents) B. .5 hour (review item, prepare documents) C. .5 hour (review item, prepare documents) D. .5 hour (review item and vote)
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	9.	9.

10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?
 a. What year did this occur? _____
 b. What is the basis for your estimate? _____
 c. How often does your SELPA do this? _____

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
10.	-0-	10.
<p>11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p>		
11.	<p>2006-07</p> <p>1. Behavior Intervention Specialist</p> <p>2. School Psychologist</p>	<p>11.</p> <p>1. 2 days</p> <p>2. 2 days</p>
<p>12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>		
12.		12.

	Position	# of Hours
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included.</p>	<p>13. 2006-07 Behavior Intervention Specialist d. \$125 mileage lunch</p>	<p>13.</p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14. -0-</p>	<p>14.</p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? b. What is the basis for your estimate?</p>	<p>15. 2006-07 Staff Development Program Specialists</p>	<p>15. 2 hrs.</p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? b. What is the basis for your estimate? How often does your SELPA do this?</p>	<p>16. 2006-07 Time spent in training new teachers and returning teachers. Done annually and on-going throughout year.</p>	<p>16. 10 hrs.</p>

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, <u>to lead the most recent training for PBIP implementers?</u> a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included.	17. <u>2006-07</u> Time spent in training new teachers and returning teachers. Done annually and on-going throughout year.	17. 10 hrs.
18. How much total actual time in hours or portions thereof was spent, by position, <u>to design training on emergency behavioral interventions</u> (one time only)? a. What year did this occur? b. What is the basis for your estimate?	18. <u>2006-07</u> Team (3 staff) revised training schedule.	18. 20 hrs.
19. How much total actual time in hours or portions thereof was spent, by position, <u>for the most recent update of training on emergency behavioral interventions?</u> a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this?	19. <u>2007-08</u> a. Clerical time to arrange, schedule, set up and monitor. b. Resource Specialist c. School Psychologist	19. a. b. c.
20. How much total actual time in hours or portions thereof was spent, by position, <u>to lead the most recent training on emergency behavioral interventions?</u> a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included.	20.	20.

SELPA 5

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21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ 165
 For: Behavior Intervention Specialist
 Paid By: Lodi SELPA
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

Attdg. District/Position # of Hours

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

22. 23. a. New special ed. teachers
 b. Psychologists

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

	22.	22.	22.
	23.	23.	23.
	24.	24.	24.

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ _____

a. Is this figure typical of annual costs and for how long has it been typical? _____

b. If not, what have you typically done? _____

c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. Administrator Clerical	26. 1 hr hrs
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27.	27. -0-

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document.

Thank you very much for taking the time to complete this survey.

#20 Does the CPI trained persons list (attachment #1) listed on #20 belong under this question?? It does contain most of the hourly rates that are needed and quite a bit of costs.
 Yes.

19.	2007-08	a. Clerical time to arrange, schedule, set up and monitor.	a.	15	\$300
		b. Resource Specialist 63	b.	270	\$11,656
		c. School Psychologist 14	c.	92	\$4,128
		d. Administration 28	d.	136	\$8,172
		e. Counselors 15	e.	60	\$2,826
		f. Nurses 5	f.	20	\$952
		g. Program Specialists 1	g.	4	\$180
		h. Speech Therapist 14	h.	56	\$2,638
		i. Community Liaison 1	i.	4	\$68
		j. Custodial 1	j.	18	\$306
		k. Paraprofessionals 91	k.	484	\$7,520
		l. Campus Security 5	l.	20	\$340
		m. Clerk 1	m.	4	72
19.			Hrs.		\$ Amt.

#19 Positions are listed but no hours, need hours

#16 What position The training is for teachers.
 #17 What position led training The behavior specialist
 #18 What were the positions of the three staff? The staff were Behavior Specialist, Program Specialist and School Psychologist

On the SELPA Survey:

6 districts. Is there a reason for this? That's how many returned the survey.
 Lodi questions below. There are 27 BICMs and only 3 responded and they included 3 of the

Mike Lenahan
 Retired Associate Supt of Business

Thanks for your help.

My cell phone is 925-451-5862.

District

District

Date: February 29, 2008

SELPA: Lodi SELPA
 District: Lodi Unified School District
 Person completing survey: Meghan Cazale on Behalf of J.P. Grelet
 Title: Behavior Specialist
 Phone Number(s): (209) 331-7080
 Email Address: mcazale@lodiusd.k12.ca.us

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. _____</p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2. _____</p> <p>a. _____</p> <p>b. <u>30 min x #</u></p> <p>c. <u>30 min x #</u></p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p> <p>g. <u>Coordinator</u> <u>Psychologist</u> <u>Program Specialist</u></p>	<p># of Hours</p> <p>2. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. <u>6 hrs</u></p> <p>g. <u>6 hrs</u> <u>4 hrs</u> <u>4 hrs</u></p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. -0-</p>	<p>3. -0-</p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. _____-0-_____ 4a. _____-0-_____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 20 minutes

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, CARRIE RUTLEDGE-SPENCER, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
Title of Position
by LODI UNIFIED SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed MAY 25, 2012, at LODI, California.
Date *City*

Carrie Rutledge Spencer
Signature

Carrie Rutledge Spencer
Print Name

crutledgespencer@lodiusd.net
E-mail Address

309-331-1085
Phone Number

Date: February 29, 2008

SELPA: Lodi SELPA
 School District (if serving multiple districts, list all): Lodi Unified School District, New Hope Elementary School District, Oak View Union Elementary School District
 Name of BICM Completing Survey: Carrie Rutledge-Spencer
 Title: Psychologist
 Phone Number(s): (209) 331-7085
 Email Address: crutledge@lodiusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>4</u></p> <p>1b. <u>1</u></p> <p>1c. <u>3</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>d. Providing parent notice and obtaining consent for assessment.</p> <p>e. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>f. Writing FAA.</p> <p>g. Total of answers to 3a, 3b, and 3c.</p> <p>h. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> i. Preparing draft of PBIPs for IEP meetings. j. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. k. Training for and monitoring PBIPs across settings. l. Evaluating PBIPs effectiveness. m. Making modifications to PBIPs in subsequent IEP team meetings. n. Making modifications to PBIPs outside of IEP team meetings. o. Total of answers to 4a through 4f. p. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>8</u></p> <p>4b. <u>5</u></p> <p>4c. <u>3</u></p> <p>4d. <u>2</u></p> <p>4e. <u>2.5</u></p> <p>4f. <u>2</u></p> <p>4g. <u>22.5</u></p> <p>4h. <u>22.5</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>5</u></p> <p>6b. <u>3</u></p> <p>6c. <u>2</u></p> <p>6d. <u>1</u></p> <p>6e. <u>1.5</u></p> <p>6f. <u>1</u></p> <p>6g. <u>13.5</u></p> <p>6h. <u>4.5</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

d. Number of students requiring 1 IEP team meeting: _____

e. Number of students requiring 2 IEP team meetings: _____

f. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 1

7c. 3

10. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
10. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>g. Performing emergency behavioral interventions.</p> <p>h. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>i. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>j. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>k. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>l. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. 15 hrs</p> <p>a. <u>6</u></p> <p>b. <u>none</u></p> <p>c. <u>3</u></p> <p>d. <u>3</u></p> <p>e. <u>3</u></p> <p>f. <u>none</u></p>
<p>13. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

	<u>Logs</u>	

Please indicate the time it took for you to complete this survey: 25 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Shenise Francovich, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Lodi Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 24, 2012, at Lodi, California.
Date *City*

Shenise Francovich
Signature

Shenise Francovich
Print Name

sfrancovich@lodiked.net
E-mail Address

331-7298 / 331-7085
Phone Number

SELPA: Lodi SELPA Date: February 29, 2008

School District (if serving multiple districts, list all) Lodi Unified School District, New Hope Elementary School District, Oak View Union Elementary School District

Name of BICM Completing Survey: Sherise Francovich

Title: Psychologist

Phone Number(s): (209) 331-7085

Email Address: sfrancovich@lodiusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u></p> <p>1b. <u>3</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following Initial FAA activities:</p> <p>d. Providing parent notice and obtaining consent for assessment.</p> <p>e. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>f. Writing FAA.</p> <p>g. Total of answers to 3a, 3b, and 3c.</p> <p>h. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>10 hrs</u></p> <p>3c. <u>3 hrs</u></p> <p>3d. <u>13</u></p> <p>3e. <u>4 1/4 hrs.</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> q. Preparing draft of PBIPs for IEP meetings. r. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. s. Training for and monitoring PBIPs across settings. t. Evaluating PBIPs effectiveness. u. Making modifications to PBIPs in subsequent IEP team meetings. v. Making modifications to PBIPs outside of IEP team meetings. w. Total of answers to 4a through 4f. x. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>3 hrs</u></p> <p>4b. <u>5 hrs</u></p> <p>4c. <u>5 hrs</u></p> <p>4d. <u>1 hr</u></p> <p>4e. <u>1 hr</u></p> <p>4f. <u>1 hr</u></p> <p>4g. <u>16 hrs</u></p> <p>4h. <u>5 1/4 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>10 hrs</u></p> <p>5c. <u>3 hrs</u></p> <p>5d. <u>13 hrs</u></p> <p>5e. <u>4 1/4 hrs</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.
 g. Number of students requiring 1 IEP team meeting: _____
 h. Number of students requiring 2 IEP team meetings: _____
 i. Number of students requiring 3 or more IEP team meetings: _____
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 1

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	LUSD/Principal Counselor	5 5	4 4
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	LUSD/Principal Counselor	1 1	1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	LUSD/Principal Counselor	0 0	0 0

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? m. Performing emergency behavioral interventions. n. Notifying parent and/or residential care providers within one school day of use of emergency interventions. o. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. p. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. q. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. r. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. 5 hrs a. <u>5</u> hrs b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Report Logs _____
 Memory _____

Please indicate the time it took for you to complete this survey: 40 minutes

Thank you very much for taking the time to complete this survey.

BICM

SELPA: Lodi SELPA Date: February 29, 2008

School District (if serving multiple districts, list all): Lodi Unified School District, New Hope Elementary School District, Oak View Union Elementary School District

Name of BICM Completing Survey: Meghan Cazale on behalf of J.P. Grelet

Title: Behavior Specialist

Phone Number(s): (209) 331-7080

Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>7</u> 1b. <u>4</u> 1c. <u>3</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>25</u> 3c. <u>7</u> 3d. <u>32</u> 3e. <u>8</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 18 4b. 13 4c. 16 4d. 8 4e. 6 4f. 8 4g. 68 4h. 17</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 4 5c. 2 5d. 6 5e. 2</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 2 6b. 2 6c. 8 6d. 4 6e. 12 6f. 6 6g. 34 6h. 11</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time?</u> List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Migs
	All LUSD		
	Special Ed. Teacher	6	4
	Counselor	2	2
	General Ed. Teacher	6	4
	Psychologist	6	4
	Administrator	6	4
	Speech Therapist	2	2
	Program Specialist	6	4
	Adapted P.E.		
	Valley Mtn. Reg. Center		
	Occupational Therapy		
	Mental Health Clinician		
	Special Ed. Teacher	3.5	7
	Counselor	1.5	2
	Aide	3.5	7
	General Ed. Teacher	3.5	7
	Psychologist	3.5	7
	Administrator	1	1
	Speech Therapist	3.5	7
	Program Specialist		

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>Special Ed. Teacher Counselor Aide General Ed. Teacher Psychologist Administrator Speech Therapist Program Specialist Campus Supervisor Vice-Principal</p>	<p>1536 60 4548 606 40 45 0 30 303 27</p>	
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. a. <u>3</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u></p>		
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.</p>			

of Hours

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used.
Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

Marin

SELPA

DECLARATION

I, JOHN LALONDE, hereby declare as follows:
Print Name

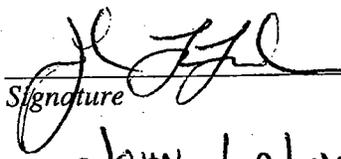
1. In the 2007-2008 school year, I was employed as a SELPA DIRECTOR
Title of Position
by MAREN COUNTY OFFICE OF EDUCATION
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/19/12, 2012, at SAN RAPAZ, California.
Date *City*


Signature

JOHN LALONDE
Print Name

j.lalonde@marn.cfe.ca.us
E-mail Address

415 458-1783
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PPIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at mmlenahan@gmail.com.

SELPA: Marin County _____ Date: January 31, 2008 _____

Person Completing Survey: John La Londe _____

Title: Marin SELPA Director _____

Phone Number(s): 415 499-5850 _____

Email Address: jlalonde@marin.k12.ca.us _____

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	24
2. How many BICM surveys have been returned to you?	24
3. If not all BICM surveys have been returned, please indicate reason.	_____
4. How many districts are in your SELPA?	20
5. How many district level surveys have been returned to you?	19
6. If not all district surveys have been returned, please indicate reason. See note below.	_____

San Rafael City Schools is two districts with one district director survey covering both.

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>2006 - 2007</u> b. What is the basis for your estimate? <u>Calendar and Agenda Review</u>	7. SELPA Director _____ _____ _____	7. 4 _____ _____ _____
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>2006 - 2007</u> b. What is the basis for your estimate? <u>Calendar and Agenda Review</u>	8. SELPA Director _____ Clerical _____ _____ _____	8. 2 2 _____ _____ _____
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006 - 2007</u> b. What is the basis for your estimate? <u>Calendar and Agenda Review</u> c. How often does your SELPA do this? As required by Education Code or upon any change to the applicable portion(s) of the Local Plan _____	9. SELPA Director _____ District Directors _____ _____ _____	9. 2 2 _____ _____ _____

	Position	# of Hours
13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification? a. What year did this occur? <u>2006 - 2007</u> b. What is the basis for your estimate? <u>Calendar review and interview of staff</u> c. How often does your SELPA do this? <u>Annually</u> d. If provided by independent contractor for SELPA, state the cost and list what is included.	13. Program Manager _____ _____ _____	13. 16 _____ _____ _____
14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included. Note: If #13 and #14 are the same in your SELPA, do not duplicate count.	14. _____ _____ _____	14. 0 _____ _____ _____
15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)? a. What year did this occur? _____ b. What is the basis for your estimate? _____	15. _____ _____ _____	15. 0 _____ _____ _____
16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	16. _____ _____ _____	16. 0 _____ _____ _____

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included.	17. _____ _____ _____ _____	17. 0 _____ _____ _____
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? 2006 - 2007 _____ b. What is the basis for your estimate? <u>Calendar review and interview of staff</u>	18. <u>Program Manager</u> _____ _____ _____	18. 5 _____ _____ _____
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? 2006 - 2007 _____ b. What is the basis for your estimate? <u>Calendar review and interview of staff</u> How often does your SELPA do this? <u>Annually</u>	19. <u>Program Manager</u> _____ _____ _____	19. 5 _____ _____ _____
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? 2006 - 2007 _____ b. What is the basis for your estimate? <u>Calendar review and interview of staff</u> c. How often does your SELPA do this? <u>Annually</u> d. If provided by independent contractor for SELPA, state the cost and list what is included.	20. <u>SELPA Director</u> <u>Program Manager</u> _____ _____	20. 1 1 _____ _____

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____
Cost: \$ _____	For: _____	Paid By: _____

	# Attde.	District/Position	# of Hours
22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/ prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	22. 3 19 5	22. NPS Staff Teacher Psychologist	22. 24 304 80
23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23. _____ _____ _____	23. _____ _____ _____	23. 0 _____ _____
24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	24. 12 6	24. NPS Administrator NPS Teacher	24. 72 36

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 0
 a. Is this figure typical of annual costs and for how long has it been typical? Yes, over 5 years.
 b. If not, what have you typically done? _____
 c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities: _____

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. SELPA Director Clerical _____ _____ _____	26. 2 2 _____ _____ _____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. _____ _____ _____ _____	27. 0 _____ _____ _____

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 34

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Erin Conklin, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a program specialist
by Mill Valley School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Mill Valley, California.
Date *City*

EC
Signature

Erin Conklin
Print Name

econklin@mschools.org
E-mail Address

415-389-7735 x 2387
Phone Number

SELPA: Marin Date: 1/25/08
 District: Mill Valley
 Person Completing Survey: Kerri Mills / Erin Conklin
 Title: Assistant Superintendent / Program Specialist
 Phone Number(s): 389-7751
 Email Address: kmills@myschools.org, econklin@myschools.org

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. <u>0</u></p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2.</p> <p>a. <u>Instructional Asst.</u></p> <p>b. <u>Principal</u></p> <p>c. <u>Resource Specialist</u></p> <p>d. <u>Resource Specialist</u> <u>Principal</u> <u>General Ed Teacher</u> <u>Psychologist</u></p> <p>e. <u>0</u></p> <p>f. <u>Resource Specialist</u></p> <p>g. <u>Assistant Superintendent</u></p>	<p># of Hours</p> <p>2.</p> <p>a. <u>10 min.</u></p> <p>b. <u>1 hour</u></p> <p>c. <u>1 hour</u></p> <p>d. <u>3 hours each</u></p> <p>e. <u>n/a</u></p> <p>f. <u>30 min</u></p> <p>g. <u>30 min</u></p>

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. n/a	3. 0
--	--------	------

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. <u>0</u> 4a. <u>n/a</u>
--	-------------------------------

Case #: _____ (use OAH filing number)
5 - 8 are n/a

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	5.
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. a. b. c.	6.
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. a. b. c.	7.
8. For the Hughes Bill issues in this case, how much total actual time in hours or	8.	8.

portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?

a. _____
 b. _____
 c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

Whole section n/a.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 hour

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

District

Date: 1/29/08

SELPA: Marin
 District: Bolinas-Stinson
 Person completing survey: B. Hayes for Mechelle Catell
 Title: Resource Specialist
 Phone Number(s): (415) 868-1603; (415) 868-0844
 Email Address: mcattello@marin.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.	2.
a. Performing emergency behavioral interventions.	a. <u>0</u>	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>	f. <u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>0</u>	g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>0</u>	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
		N/A		N/A
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

Date: 1/29/08

SELPA: MMN
 District: Kentfield
 Person completing survey: B. Hayes for Andrea Abramson
 Title: Director - Student Services
 Phone Number(s): (415) 358-700
 Email Address: abramson@mmn.k12.ca.us

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____	2. a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u> g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ _____ _____ _____	3. <u>0</u> _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 minutes.

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

Date: 1/31/08

SELPA: Marin
 District: Laguna
 Person completing survey: Belinda Hayes for Karen Steele
 Title: Director - Student Services
 Phone Number(s): (415) 491-6612
 Email Address: KSteele@marin.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____	2. _____ a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u> g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ _____ _____ _____	3. <u>0</u> _____ _____ _____ _____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins.

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

Date: 1/29/08

SELPA: MURID
 District: Lagunitas
 Person completing survey: Bob Hayes for Yvette Conner
 Title: Resource Specialist
 Phone Number(s): (715) 488-9437
 Email Address: ycanner@marin.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

Position	# of Hours
	1. <u>0</u>

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.

- Performing emergency behavioral interventions.
- Notifying parent and/or residential care providers within one school day of use of emergency interventions.
- Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
- Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP.
- Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
- Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
- Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

	2.	2.
	a.	<u>0</u>
	b.	<u>0</u>
	c.	<u>0</u>
	d.	<u>0</u>
	e.	<u>0</u>
	f.	<u>0</u>
	g.	<u>0</u>
	3.	3. <u>0</u>

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

Date: 1/29/08

SELPA: MARIN
 District: Larkspur
 Person completing survey: B. Hayes for Maureen Riedy
 Title: Resource Specialist / Special Ed Director
 Phone Number(s): (415) 927-6945
 Email Address: mriedy@marin.k12.ca.us

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		2.
a. Performing emergency behavioral interventions.	a. _____	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____	f. <u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____	g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. _____ 4a. _____
--	-----------------------

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. _____ _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins.

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 District: LINCOLN
 Person completing survey: Belinda Hayes for Karen Steele
 Title: Director, Student Services
 Phone Number(s): (415) 491-6612
 Email Address: ksteele@marrn.k12.ca.us

Date: 1/31/08

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	a. <u>0</u>
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>0</u>
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. _____ 4a. _____
--	-----------------------

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing EAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins

Thank you for taking the time to complete this survey.

DECLARATION

I, Karen C. Steele, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director Student Services
by Marin County Office of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2012, at Sausalito, California.
Date *City*

Karen C. Steele, Ed.D.
Signature

Dr. Karen Steele
Print Name

KSteele@marin.k12.ca.us
E-mail Address

415-491-6612
Phone Number

COPY

SELPA: Marion County
 District: Marion Co. Office of Ed.
 Person completing survey: Dee Raska Steele
 Title: Director Student Services
 Phone Number(s): 415-491-6612
 Email Address: RSteele@marion.k12.or.us

Date: 1/25/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. _____

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.

Position

of Hours

- a. Performing emergency behavioral interventions.
- b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
- c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
- d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
- e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
- f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
- g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

2. _____

a. _____

b. _____

c. _____

d. _____

e. _____

f. _____

g. _____

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

3. _____

Revised

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 1

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	FAA, PBIP, IEP meeting			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 3 hours

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
District: Nicasio
Date: 1/31/08

Person completing survey: Belinda Hayes for Karen Steele
Title: Director - Student Services
Phone Number(s): (415) 491-6612
Email Address: ksteele@marin.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	1. _____
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2. _____
a. Performing emergency behavioral interventions.	a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4.	<u>0</u>
4a.	<u>0</u>

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	NA			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

Date: 1/31/08

SELPA: Marin
 District: Novato
 Person completing survey: B. Hayes for Amy Buxton
 Title: Director - Student Services
 Phone Number(s): (415) 897-4267
 Email Address: abuxton@nvsd.org

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		2.
a. Performing emergency behavioral interventions.	a.	<u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	<u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	<u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	<u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	<u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	<u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g.	<u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	<u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PEIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins.

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: NAJIA

District: Reed

Person completing survey: B. Hayes for Andee Abarrasca

Title: Director of Student Services

Phone Number(s): (415) 358-7100

Email Address: abarrasca@marin.k12.ca.us

Date: 1/29/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. Position a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____	2. # of Hours a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u> g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ _____ _____	3. # of Hours <u>0</u> <u>0</u> <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?	4. _____
a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4a. _____

Case #: _____ (use OAI filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FVAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins.

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. <u>0</u>
	_____	_____
	_____	_____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. <u>0</u>
	a. _____	_____
	b. _____	_____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. <u>0</u>
	a. _____	_____
	b. _____	_____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____	8. <u>0</u>
	a. _____	_____
	b. _____	_____
	c. _____	_____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins.

Thank you for taking the time to complete this survey.

DECLARATION

I, DENNIS RILEY, hereby declare as follows:
Print Name

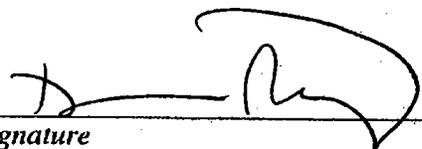
1. In the 2007-2008 school year, I was employed as a DIRECTOR OF STUDENT SERVICES
Title of Position
by ROSS VALLEY SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at SANTA ROSA, California.
Date *City*


Signature

DENNIS RILEY
Print Name

RileyDRJ27@gmail.com
E-mail Address

415 497-8530
Phone Number

1/29/08

SELPA: _____ Date: *Poss Valley School District*
 District: _____
 Person Completing Survey: *DeAnn's Albrecht*
 Title: *Director of Student Services*
 Phone Number(s): (915) 451-4065
 Email Address: *alrejt@mvn.k12.ca.us*

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

Position	# of Hours
1.	<i>0</i>

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.

- a. Performing emergency behavioral interventions.
- b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
- c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
- d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
- e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
- f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
- g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

a.	<i>0</i>	2.	<i>0</i>
b.	<i>0</i>	a.	<i>0</i>
c.	<i>0</i>	b.	<i>0</i>
d.	<i>0</i>	c.	<i>0</i>
e.	<i>0</i>	d.	<i>0</i>
f.	<i>0</i>	e.	<i>0</i>
g.	<i>0</i>	f.	<i>0</i>
3.	<i>0</i>	g.	<i>0</i>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. ~~0~~

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. 0	5. 0
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. 0	6. 0
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. 0	7. 0
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. 0	8. 0

District 3

00334 00100/5582E.1

FROM: RUSD STUDENT SERVICES FAX FAX NO. : 1 415 454 1034 Jan. 29 2008 03:23PM P3



1111 Las Gallinas Ave

**MARIN SPECIAL EDUCATION
LOCAL PLAN AREA**

To: District Directors
From: Penny Valentine
Date: April 24, 2012
Re: Signatures Needed

In 2007-08, Marin SELPA took part in completing a survey that gathered information about Positive Behavior Intervention Plans and the amount of time that was spent either completing plans for students or FAAs. This data was gathered as part of an unfunded mandated cost lawsuit that was being brought forward on behalf of the districts in California, claiming that the districts were required to complete PBIPs and were not being funded to do so.

We recently received notice from Fagen, Friedman & Fullfrost that in order for the data collected to be considered by the court, there needs to be a signed declaration by the person who completed the survey. **These declarations along with the packet must be submitted by to the SELPA by May 10th.**

Included with this letter are the surveys that must be signed. Please ask you staff to sign the attached declaration and send the entire packet back to the SELPA. If several staff members completed a single survey, then anyone for those individuals may sign the declaration. You will find the name of the staff member highlighted on the top of the survey (page 3 of the packet)

If the person who completed the survey is no longer employed by your District, please attach a note indicating this, along with current contact information if you have it and return the packet to the SELPA.

If you have any questions, please contact me at 415-499-5850. Thank you for your time and efforts.

Mary Jane Burke, Marin County Superintendent of Schools

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 District: San Rafael City Schools
 Person completing survey: Belinda Hayes for Susan Palmer
 Title: Director, Special Education
 Phone Number(s): (415) 492-3220
 Email Address: spalmer@srcs.org

Date: 1/31/08

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. _____	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____	f. <u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____	g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins.

Thank you for taking the time to complete this survey.

DECLARATION

I, GERMY KLOK, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a DIR. OF SPECIAL EDUCATION
Title of Position
by SAUSAUTO MARIN CITY SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-24-12, 2012, at PETAUMA, California.
Date City

[Signature]
Signature

GERMY KLOK
Print Name

g/klok@smic.net
E-mail Address

707-763-2514
Phone Number

Date: 1-29-05

SELPA: MARIN COUNTY SELPA
 District: SUNSHINE MARIN CITY SCHOOLS
 Person completing survey: Lo. ELME
 Title: DIRECTOR OF SPECIAL ED.
 Phone Number(s): (415) 332-3196 x16
 Email Address: elme@marin.k12.ca.us

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. <u>2</u></p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2.</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p> <p>g. _____</p>	<p># of Hours</p> <p>2.</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p> <p>g. _____</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>3.</p> <p>_____</p> <p>_____</p> <p>_____</p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 4. _____

2. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____

Thank you for taking the time to complete this survey.

DECLARATION

I, Stephen Rosenthal, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Sept.
Title of Position
by Shoreline USD
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 26/ April, 2012, at Se Pined, California.
Date *City*

[Signature]
Signature

Stephen Rosenthal
Print Name

Stephen.rosenthal@shorelineunified.org
E-mail Address

707 978 2266
Phone Number

SELPA: Maricopa
 District: Shoreline USD
 Person completing survey: Stephan Rosette
 Title: SEPT
 Phone Number(s): 707 878-2266
 Email Address: S.Rosette@sdmaricopa.k12.ca.us

Date: 1/25/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. _____

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2. N/A	2. 0
a. Performing emergency behavioral interventions.	a. _____	a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____	f. _____
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____	g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. N/A	3. 0

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>N/A</u> _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>N/A</u> _____ _____ _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>N/A</u> _____ _____ _____	7. _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>N/A</u> _____ _____ _____	8. _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIAs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 MINS

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: MARR
 District: Tamalaipas Union High School District
 Person completing survey: Belinda Hayes for Karen Mates
 Title: Director, Special Education
 Phone Number(s): (415) 945-1011
 Email Address: kmates@tamalpaisdist.org

Date: 1/31/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	Position 2. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____	# of Hours 2. <u>0</u> a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u> g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ _____ _____ _____	3. <u>0</u> _____ _____ _____

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. _____ 4a. _____</p>
---	--

Case #: _____ (use OAH filing number)

	Position	# of Hours
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5. _____ _____ _____</p>	<p>5. _____ _____ _____</p>
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. _____ a. _____ b. _____ c. _____</p>	<p>6. _____ a. _____ b. _____ c. _____</p>
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. _____ a. _____ b. _____ c. _____</p>	<p>7. _____ a. _____ b. _____ c. _____</p>
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. _____ a. _____ b. _____ c. _____</p>	<p>8. _____ a. _____ b. _____ c. _____</p>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	N/A			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 MINUTES

Thank you for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

Date: 1/31/08

SELPA: Marin
 District: UNID
 Person completing survey: Belinda Hayes for Karen Steele
 Title: Director - Student Services
 Phone Number(s): (415) 491-6612
 Email Address: ksteele@marin.k12.ca.us

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. _____	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____	f. <u>0</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____	g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. _____ _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins.

Thank you for taking the time to complete this survey.

SELPA: MARRIN

Date: 1/25/08

District: Diablo

Person completing survey: Gene Rich

Title: Coordinator of Special Education Services

Phone Number(s): 415 492 3774

Email Address: grich@marin.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.	2.
a. Performing emergency behavioral interventions.	a.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g.	0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	3.

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 1

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ _____ _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ _____ _____	7. _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ _____ _____	8. _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	IEP Attendance	6	Coordinator	\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 hour

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Julie Lucero, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Marin County Office of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4, 2012, at San Rafael, California.
Date *City*

Julie Lucero
Signature

Julie Lucero
Print Name

jlucero@marin.k12.ca.us
E-mail Address

415-499-5884
Phone Number

SELPA: Marin Date: 1/22/08
 School District (if serving multiple districts, list all): Marin County Office of Education

Name of BICM Completing Survey: Julie Lucero
 Title: School Psychologist
 Phone Number(s): 415-499-5884
 Email Address: jlucero@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AEB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>10</u> 3c. <u>16</u> 3d. <u>26</u> 3e. <u>26</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____ <u>6</u></p> <p>4c. _____ <u>1</u></p> <p>4d. _____ <u>0</u></p> <p>4e. _____ <u>0</u></p> <p>4f. _____ <u>0</u></p> <p>4g. _____ <u>9</u></p> <p>4h. _____ <u>9</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <u>0</u></p> <p>5b. _____ <u>0</u></p> <p>5c. _____ <u>0</u></p> <p>5d. _____ <u>0</u></p> <p>5e. _____ <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <u>0</u></p> <p>6b. _____ <u>0</u></p> <p>6c. _____ <u>0</u></p> <p>6d. _____ <u>0</u></p> <p>6e. _____ <u>0</u></p> <p>6f. _____ <u>0</u></p> <p>6g. _____ <u>0</u></p> <p>6h. _____ <u>0</u></p>

BICM 3

00334.00100.55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____

DECLARATION

I, Christine Shields, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School psychologist
Title of Position
by Larkspur School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at Corte Madera, California.
Date *City*

Christine Shields
Signature

Christine Shields
Print Name

cshields@lcmschools.org
E-mail Address

415-927-6965
Phone Number

COPY

SELPA: Marin County Office of Education Date: 1/25/08
 School District (if serving multiple districts, list all): Larkspur

Name of BICM Completing Survey: Christie Shields
 Title: School Psychologist
 Phone Number(s): (415) 927-6965 x1296
 Email Address: CShields@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PPIPs? Of this total, please specify the number of: a. new cases (PPIP for first time), and b. preexisting cases (entered 2006-07 with PPIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>2</u></p> <p>6c. <u>2</u></p> <p>6d. <u>2</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>6</u></p> <p>6h. <u>6</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 1

b. Number of students requiring 2 IEP team meetings: 0

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mts
	0	
	1	

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mts
	0	
	1	

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

District/Position	# of Hrs	# IEP Mts
Paraprofessional / Larkspur	30 hrs / wk	
Teacher - Seclarkspur	2 hrs / wk	
Private consultant	12 hrs	
Special teacher / Larkspur	1	
OT / Larkspur	1 hr / wk	
S/c / Larkspur	1 hr / wk	

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. _____</p> <p>a. <u>0</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>2</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Review of Calendars + Day Planners

- SDC, psych

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin Date: 1/31/08
 School District (if serving multiple districts, list all): Sausalito, Tamalpais, Bolinas-Stinson

Name of BICM Completing Survey: Belinda Hayes for Karen Kubitschek
 Title: School Psychologist
 Phone Number(s): (415) 945-1011
 Email Address: karenk@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time); and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0 1b. _____ 0 1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PEIPs).

7a.	0
7b.	0
7c.	0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. _____ 0 b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. _____ 0 c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. _____ 0 d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. _____ 0 e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. _____ 0 f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. _____ 0
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u> Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): Bolinas-Stinson

Date: 1/29/08

Name of BICM Completing Survey: B. Hayes For Michelle Cattell
 Title: Resource Specialist
 Phone Number(s): (415) 868-1603; (415) 868-0844
 Email Address: mcattell@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0</p> <p>1b. _____ 0</p> <p>1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 0</p> <p>3b. _____ 0</p> <p>3c. _____ 0</p> <p>3d. _____ 0</p> <p>3e. _____ 0</p> <p>0</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0</p> <p>4b. _____ 0</p> <p>4c. _____ 0</p> <p>4d. _____ 0</p> <p>4e. _____ 0</p> <p>4f. _____ 0</p> <p>4g. _____ 0</p> <p>4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____ 0</p> <p>5c. _____ 0</p> <p>5d. _____ 0</p> <p>5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____ 0</p> <p>6c. _____ 0</p> <p>6d. _____ 0</p> <p>6e. _____ 0</p> <p>6f. _____ 0</p> <p>6g. _____ 0</p> <p>6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ 0
 7b. _____ 0
 7c. _____ 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time</u> ? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when the student had a preexisting PBIP</u> ? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Not Applicable</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Cameron Kline, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Marin Co. office of Ed
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5.4.12, 2012, at San Rafael, California.
Date *City*

Cameron Kline
Signature

Cameron Kline
Print Name

c.kline@marin.k12.ca.us
E-mail Address

415.302.6852
Phone Number

SELPA: Marin Date: 1/24/08
 School District (if serving multiple districts, list all): Dixon

Name of BICM Completing Survey: Camie Skinner
 Title: Deputy Ranchmaster
 Phone Number(s): 415.481.6492
 Email Address: celine@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? <u>at Hughes Bill PBIP</u></p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>N/A</u></p> <p>3b. <u>N/A</u></p> <p>3c. <u>-</u></p> <p>3d. <u>-</u></p> <p>3e. <u>-</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 0

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u> _____ _____	_____ _____ _____	_____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u> _____ _____	_____ _____ _____	_____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>0</u> _____ _____	_____ _____ _____	_____ _____ _____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
N/A	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Backlog tracking _____ PDR _____
Calendar review _____ _____

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey.

DECLARATION

I, JAMES SAGUN, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
Title of Position

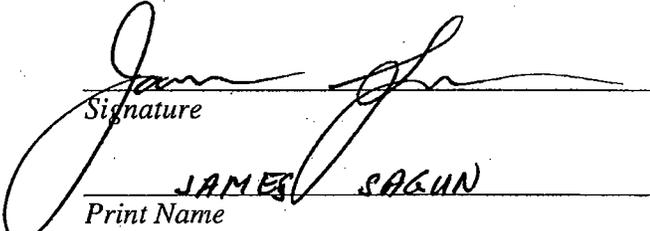
by MARIN COUNTY OFFICE OF EDUCATION
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4, 2012, at SAN RAFAEL, California.
Date *City*


Signature
JAMES SAGUN
Print Name

JSAGUN@MARIN.K12.CA.US
E-mail Address

415-491-6634
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): Dixie School District

Date: 1/22/08

Name of BICM Completing Survey: James Sagun
 Title: School Psychologist
 Phone Number(s): 415-491-6634
 Email Address: jsagun@marin.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3652 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ 0
 7b. _____ 0
 7c. _____ 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

		# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.	
a. Performing emergency behavioral interventions.	a.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FA/A and determine necessity for interim PBIP.	d.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.		

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendars archived in Microsoft Outlook _____
 Caseload Tracking using MS Excel _____

Please indicate the time it took for you to complete this survey: 30 Minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin Date: 1/31/08
 School District (if serving multiple districts, list all): Lagunitas, Marin County Office of Education

Name of BICM Completing Survey: Belinda Hayes for Mitch Biermann
 Title: School Psychologist
 Phone Number(s): (415) 472-54110
 Email Address: mbiermann@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0 1b. _____ 0 1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

a. Preparing draft of PBIPs for IEP meetings.	4a.	0
b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.	4b.	0
c. Training for and monitoring PBIPs across settings.	4c.	0
d. Evaluating PBIPs effectiveness.	4d.	0
e. Making modifications to PBIPs in subsequent IEP team meetings.	4e.	0
f. Making modifications to PBIPs outside of IEP team meetings.	4f.	0
g. Total of answers to 4a through 4f.	4g.	0
h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?	4h.	0

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a.	0
5b.	0
5c.	0
5d.	0
5e.	0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a.	0
6b.	0
6c.	0
6d.	0
6e.	0
6f.	0
6g.	0
6h.	0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 0
 7b. _____
 0
 7c. _____
 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u> Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin Date: 11/16/08
 School District (if serving multiple districts, list all): Shoreline; Ruvais; Marin County Office of Ed.

Name of BICM Completing Survey: Belinda Hayes for Betty Faulkner
 Title: School Psychologist
 Phone Number(s): (415) 472-4110
 Email Address: bfaulkner@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0 1b. _____ 0 1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u> Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin

School District (if serving multiple districts, list all): Marin County Office of Education

Date: 1/31/08

Name of BICM Completing Survey: Belinda Hayes for Therese McLaughlin
 Title: Special Day Class Teacher
 Phone Number(s): (415) 472-4110
 Email Address: trclaughlin@marin.k12.ca.us

1.		
a. How many students did you serve in 2006-07 who had PIPs?		1a. _____ 0
Of this total, please specify the number of:		
b. new cases (PIBP for first time), and		1b. _____ 0
c. preexisting cases (entered 2006-07 with PIP). Please ensure that the total is an unduplicated count.		1c. _____ 0
2. How many students with PIPs also received AB3632 mental health services in 2006-07?		2. _____ 0
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:		
a. Providing parent notice and obtaining consent for assessment.		3a. _____ 0
b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)		3b. _____ 0
c. Writing FAA.		3c. _____ 0
d. Total of answers to 3a, 3b, and 3c.		3d. _____ 0
e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?		3e. _____ 0
Note: This question addresses only the students who were new cases in 2006-07 (line 1b). 0		

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	Not Applicable
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin Date: 1/31/08
 School District (if serving multiple districts, list all): Marin County Office of Education

Name of BICM Completing Survey: Belinda Hayes for Christina Fass
 Title: School Psychologist
 Phone Number(s): (415) 472-4700
 Email Address: CFASS@MARIN.K12.CA.US

<p>1. How many students did you serve in 2006-07 who had PPIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0</p> <p>1b. _____ 0</p> <p>1c. _____ 0</p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 0</p> <p>3b. _____ 0</p> <p>3c. _____ 0</p> <p>3d. _____ 0</p> <p>3e. _____ 0</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p> <p style="text-align: center;">0 0 0 0 0 0 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p> <p style="text-align: center;">0 0 0 0 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p> <p style="text-align: center;">0 0 0 0 0 0 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 0
 7b. _____
 0
 7c. _____
 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u>	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
School District (if serving multiple districts, list all): Marin County Office of Education

Date: 1/31/08

Name of BICM Completing Survey: Belinda Hayes for Tim Bucy
Title: Special Day Class Teacher
Phone Number(s): _____
Email Address: tbucy@marin.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0</p> <p>1b. _____ 0</p> <p>1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 0</p> <p>3b. _____ 0</p> <p>3c. _____ 0</p> <p>3d. _____ 0</p> <p>3e. _____ 0</p>

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:
- a. Preparing draft of PBIPs for IEP meetings.
 - b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
 - c. Training for and monitoring PBIPs across settings.
 - d. Evaluating PBIPs effectiveness.
 - e. Making modifications to PBIPs in subsequent IEP team meetings.
 - f. Making modifications to PBIPs outside of IEP team meetings.
 - g. Total of answers to 4a through 4f.
 - h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4a.	0
4b.	0
4c.	0
4d.	0
4e.	0
4f.	0
4g.	0
4h.	0

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

5a.	0
5b.	0
5c.	0
5d.	0
5e.	0

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6a.	0
6b.	0
6c.	0
6d.	0
6e.	0
6f.	0
6g.	0
6h.	0

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. 0 b. 0 c. 0 d. 0 e. 0 f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Not Applicable Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Sheri Yoon, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
by MILL VALLEY SCHOOL DISTRICT *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May, 2, 2012, at MILL VALLEY, California.
Date *City*


Signature

Sheri Yoon
Print Name

SYOON@MVschools.org
E-mail Address

415.389.7731 ext 2894
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA: Marin Date: 1/25/08
 School District (if serving multiple districts, list all): Mill Valley
 Name of BICM Completing Survey: Kate Foley, Sheri Yoon, Shannon O'Brien
 Title: Psychologists
 Phone Number(s): 389-7751
 Email Address: kfoley@mvschools.org, syoon@mvschools.org, saobrien@mvschools.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 0</p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u> 0 </u> 4b. <u> 0 </u> 4c. <u> 0 </u> 4d. <u> 0 </u> 4e. <u> 0 </u> 4f. <u> 0 </u> 4g. <u> 0 </u> 4h. <u> 0 </u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u> 0 </u> 5b. <u> 0 </u> 5c. <u> 0 </u> 5d. <u> 0 </u> 5e. <u> 0 </u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u> 0 </u> 6b. <u> 0 </u> 6c. <u> 0 </u> 6d. <u> 0 </u> 6e. <u> 0 </u> 6f. <u> 0 </u> 6g. <u> 0 </u> 6h. <u> 0 </u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.		<u>0</u>	<u>0</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		<u>0</u>	<u>0</u>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. 0
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 3 hours by Kate Foley
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0 for other BICM's
	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- ____ Student files
- ____ Psychologist files
- ____
- ____
- ____

Please indicate the time it took for you to complete this survey: 10 minutes

DECLARATION

I, Shannon O'Brien, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school psychologist
Title of Position
by Mill Valley School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 7, 2012, at Mill Valley, California.
Date City

Shannon A. O'Brien
Signature

Shannon A. O'Brien
Print Name

saobrien@mvschools.org
E-mail Address

415-389-7660 x2694
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA: Marin Date: 1/25/08
 School District (if serving multiple districts, list all): Mill Valley
 Name of BICM Completing Survey: Kate Foley, Sheri Yoon, Shannon O'Brien
 Title: Psychologists
 Phone Number(s): 389-7751
 Email Address: kfoley@mvschools.org, syoon@mvschools.org, saobrien@mvschools.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 0 1b. 0 1c. 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 0 3b. 0 3c. 0 3d. 0 3e. 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:
- a. Preparing draft of PBIPs for IEP meetings.
 - b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
 - c. Training for and monitoring PBIPs across settings.
 - d. Evaluating PBIPs effectiveness.
 - e. Making modifications to PBIPs in subsequent IEP team meetings.
 - f. Making modifications to PBIPs outside of IEP team meetings.
 - g. Total of answers to 4a through 4f.
 - h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. 0
 4b. 0
 4c. 0
 4d. 0
 4e. 0
 4f. 0
 4g. 0
 4h. 0

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. 0
 5b. 0
 5c. 0
 5d. 0
 5e. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. 0
 6b. 0
 6c. 0
 6d. 0
 6e. 0
 6f. 0
 6g. 0
 6h. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.		<u>0</u>	<u>0</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		<u>0</u>	<u>0</u>

of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
11. 0
a. 0
b. 0
c. 0
d. 0
e. 3 hours by Kate Foley
0 for other BICM's
f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Student files _____
- Psychologist files _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 10 minutes

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): Novato Unified

Date: 1/31/08

Name of BICM Completing Survey: B. Hayes for Tom Anderson
 Title: School Psychologist
 Phone Number(s): (415) 897-4267
 Email Address: tanderson@nvsd.org

1.		<p>a. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0</p> <p>1b. _____ 0</p> <p>1c. _____ 0</p>
2.		<p>How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
3.		<p>How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0</p> <p>3b. _____ 0</p> <p>3c. _____ 0</p> <p>3d. _____ 0</p> <p>3e. _____ 0</p>
<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>			<p>0</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 0
 7b. _____
 0
 7c. _____
 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. _____</p> <p>a. _____ 0</p> <p>b. _____ 0</p> <p>c. _____ 0</p> <p>d. _____ 0</p> <p>e. _____ 0</p> <p>f. _____ 0</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u></p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): Novato Unified

Date: 1/31/08

Name of BICM Completing Survey: Doug Berry (by B. Hayes)
 Title: School Psychologist
 Phone Number(s): (415) 897-4267
 Email Address: dberry@marin.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0 1b. _____ 0 1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		0	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. 0 b. 0 c. 0 d. 0 e. 0 f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Not Applicable Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): Novato Unified

Date: 1/31/08

Name of BICM Completing Survey: B. Hayes for Sandy Bandy
 Title: School Psychologist
 Phone Number(s): (415) 897-4267
 Email Address: sbandy@nusd.org

<p>1. How many students did you serve in 2006-07 who had PEIPs? Of this total, please specify the number of: b. new cases (PEIP for first time), and c. preexisting cases (entered 2006-07 with PEIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0 1b. _____ 0 1c. _____ 0</p>
<p>2. How many students with PEIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		0	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Not Applicable	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:

Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): Novato USD

Date: 1/31/07

Name of BICM Completing Survey: B. Hayes for Patti Robinson
 Title: School Psychologist
 Phone Number(s): (415) 897-4267
 Email Address: probinson@nvsd.org

<p>1. How many students did you serve in 2006-07 who had PBIIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p> <p><u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 0
 7b. _____
 0
 7c. _____
 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____

of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a. Performing emergency behavioral interventions.
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u> Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin Date: 1/31/08
 School District (if serving multiple districts, list all): Tamalpais Union High School District

Name of BICM Completing Survey: Belinda Hayes for Amira Mostafa
 Title: School Psychologist
 Phone Number(s): (415) 945-1011
 Email Address: amostafa@tamalpsict.org

<p>1. How many students did you serve in 2006-07 who had PBI's?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBI for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBI).</p> <p>Please ensure that the total is an unduplicated count.</p>	<p>1a. _____</p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____</p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p> <p>0</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 0

7b. _____
 0

7c. _____
 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. _____ b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. _____ c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. _____ d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. _____ e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. _____ f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. _____
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. _____ Not Applicable Please provide the sample template for FAAs and PBIPs that you use. _____

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin

Date: 1/31/08

School District (if serving multiple districts, list all): Tamara's Union High School District

Name of BICM Completing Survey: Belinda Hayes for Amy Lurie
 Title: School Psychologist
 Phone Number(s): (415) 94541011
 Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0</p> <p>1b. _____ 0</p> <p>1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 0</p> <p>3b. _____ 0</p> <p>3c. _____ 0</p> <p>3d. _____ 0</p> <p>3e. _____ 0</p> <p>0</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	7a. 0	
	7b. 0	
	7c. 0	

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtes
_____	0	
_____	0	
_____	0	
_____	0	
_____	0	

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

_____	0	
_____	0	
_____	0	
_____	0	
_____	0	

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

_____	0	
_____	0	
_____	0	
_____	0	
_____	0	

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. # of Hours</p> <p>a. 0</p> <p>b. 0</p> <p>c. 0</p> <p>d. 0</p> <p>e. 0</p> <p>f. 0</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Not Applicable</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date City

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): ROSS

Date: 1/31/08

Name of BICM Completing Survey: Belinda Hayes for Anna Minton
 Title: School Psychologist
 Phone Number(s): (415) 457-2705
 Email Address: aminton@rossschool.net

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0</p> <p>1b. _____ 0</p> <p>1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 0</p> <p>3b. _____ 0</p> <p>3c. _____ 0</p> <p>3d. _____ 0</p> <p>3e. _____ 0</p> <p>0</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mts
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	0 0 0 0	_____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	0 0 0 0	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____	0 0 0 0	_____ _____ _____ _____

of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u> Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date *City*

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin Date: 1/31/08
 School District (if serving multiple districts, list all): San Rafael City Schools

Name of BICM Completing Survey: Belinda Hayes for Michael Buckley
 Title: School Psychologist
 Phone Number(s): (415) 492-3220
 Email Address: mbuckley@srs.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0 1b. _____ 0 1c. _____ 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p> <p>0</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>	<p>0 0 0 0 0 0 0 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>	<p>0 0 0 0 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>	<p>0 0 0 0 0 0 0 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.	0
7b.	0
7c.	0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____
	_____	0	_____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. 0 b. 0 c. 0 d. 0 e. 0 f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Not Applicable Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 mins

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Belinda Hayes, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
Title of Position
by Marin SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at San Rafael, California.
Date City

Belinda Hayes
Signature

Belinda Hayes
Print Name

bhayes@marin.k12.ca.us
E-mail Address

415-499-5812
Phone Number

SELPA: Marin
 School District (if serving multiple districts, list all): San Rafael City Schools

Date: 1/31/08

Name of BICM Completing Survey: Belinda Hayes for Carrie Buckner
 Title: School Psychologist
 Phone Number(s): (415) 492-3220
 Email Address: cbuckner@srs.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPIs? Of this total, please specify the number of: b. new cases (PBIPI for first time), and c. preexisting cases (entered 2006-07 with PBIPI). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 0 1b. _____ 0 1c. _____ 0</p>
<p>2. How many students with PBIPIs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0 3b. _____ 0 3c. _____ 0 3d. _____ 0 3e. _____ 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 0 4e. _____ 0 4f. _____ 0 4g. _____ 0 4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 0
 7b. _____
 0
 7c. _____
 0

	District/Position	# of Hrs	# IEP Migs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 0 0 0 0	_____ _____ _____ _____ _____

		# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. _____ b. _____ c. _____ d. _____ e. _____ f. _____	0 0 0 0 0 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>Not Applicable</u> Please provide the sample template for FAAs and PBIPs that you use.		

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 mins.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Tina Perdices, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Ross Valley School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 7, 2012, at San Anselmo, California.
Date *City*

Tina Perdices
Signature

Tina Perdices
Print Name

tperdices@rossvalleyschools.org
E-mail Address

415-454-2162 x113
Phone Number

Morim

SELPA: _____ Date: *1-29-08*

School District (if serving multiple districts, list all):

Name of BICM Completing Survey: *Tina Pudwell*

Title: *School Psychologist*

Phone Number(s): *457-6162 x 0113*

Email Address: *t.pudwell@morim.k12.ca.us*

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 1b. 1c.</p> <p><i>0</i></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2.</p> <p><i>0</i></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. 3b. 3c. 3d. 3e.</p> <p><i>0</i></p>

BICM 2

00334.00100/55828.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4b. 4c. 4d. 4e. 4f. 4g. 4h.</p> <p style="text-align: center;">0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 5b. 5c. 5d. 5e.</p> <p style="text-align: center;">0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p> <p style="text-align: center;">0</p>

BICM 3

00334.00100055828.1

	District/Position	# of Hrs	# IEP Mtes
<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>		7a. 7b. 7c.	
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>			
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>			
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>			

BICM 4

00334.00100/55828.1

# of Hours	
11.	<p>How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	
b.	
c.	
d.	
e.	
f.	
12.	<p>Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00100/55828.1

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA: Marin Date: 1/25/08
 School District (if serving multiple districts, list all): Mill Valley
 Name of BICM Completing Survey: Kate Foley, Sheri Yoon, Shannon O'Brien
 Title: Psychologists
 Phone Number(s): 389-7751
 Email Address: kfoley@mvschools.org, syoon@mvschools.org, saobrien@mvschools.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

# of Hours	
11. 0	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. a. 0 b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. b. 0 c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. c. 0 d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. d. 0 e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. e. 3 hours by Kate Foley f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. f. 0 for other BICM's
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Student files _____
- Psychologist files _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 10 minutes

Modoc

SELPA

DECLARATION

I, Stephen P. Bratton, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Specialist/School Psych.
Title of Position
by Modoc County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/23/12, 2012, at Alturas, California.
Date *City*

Stephen P. Bratton
Signature

Stephen P. Bratton
Print Name

sbratton@modocoe.k12.ca.us
E-mail Address

530-233-7112
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at mlenahan@gmail.com.

SELPA: Modoc County Office of Education Date: 1/28/08
 School District (if serving multiple districts, list all): Modoc Joint Unified School District (MJUSD), Tulelake Basin Joint Unified School District (TBJUSD), Surprise Valley Joint Unified School District (SVJUSD) and Modoc County Office of Education (MCOE)
 Name of BICM Completing Survey: Stephen P. Bratton (completed for all related activities in all of the districts)
 Title: Program Specialist/School Psychologist
 Phone Number(s): 530-233-7112
 Email Address: sbratton@modoccoe.k12.ca.us

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	_____	1
2. How many BICM surveys have been returned to you?	_____	1
3. If not all BICM surveys have been returned, please indicate reason.	_____	N/A
4. How many districts are in your SELPA?	_____	4

5. How many district level surveys have been returned to you?
 6. If not all district surveys have been returned, please indicate reason.

1 (all district information combined into one form)
 All requested information presented for each district combined on one form

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? 2006 b. What is the basis for your estimate? Staff member's stated number of hours to complete the task.	7. Program Specialist/ School Psychologist	7. 16
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? 2006 b. What is the basis for your estimate? Staff report.	8. Program Specialist/ School Psychologist Assistant Superintendent	8. 1 1
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? N/A b. What is the basis for your estimate? N/A c. How often does your SELPA do this?	9. N/A	9. N/A

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? _____ N/A b. What is the basis for your estimate? _____ N/A c. How often does your SELPA do this? _____	10. _____ N/A	10. _____ N/A

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? _____ N/A b. What is the basis for your estimate? _____ N/A	11. _____ N/A	11. _____ N/A
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? _____ N/A b. What is the basis for your estimate? _____ N/A c. How often does your SELPA do this? _____	12. _____ N/A	12. _____ N/A

	Position	# of Hours
13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification? a. What year did this occur? <u>N/A</u> b. What is the basis for your estimate? <u>N/A</u> c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	13. <u>N/A</u> _____ _____ _____	13. <u>N/A</u> _____ _____ _____
14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs? a. What year did this occur? <u>N/A</u> b. What is the basis for your estimate? <u>N/A</u> c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included. (Will be provided in 08 for first time) _____ Note: If #13 and #14 are the same in your SELPA, do not duplicate count.	14. <u>N/A</u> _____ _____ _____	14. <u>N/A</u> _____ _____ _____
15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)? a. What year did this occur? <u>N/A</u> b. What is the basis for your estimate? _____	15. <u>N/A</u> _____ _____ _____	15. <u>N/A</u> _____ _____ _____
16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers? a. What year did this occur? <u>N/A</u> b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	16. <u>N/A</u> _____ _____ _____	16. <u>N/A</u> _____ _____ _____

SELPA 4

00334.00100/55274.1

	Position	# of Hours
<p>17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers?</p> <p>a. What year did this occur? <u>2007</u></p> <p>b. What is the basis for your estimate? <u>N/A</u></p> <p>c. How often does your SELPA do this? <u>N/A</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>_____</p>	<p>17.</p> <p><u>N/A</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>17.</p> <p><u>N/A</u></p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?</p> <p>a. What year did this occur? <u>2006</u></p> <p>b. What is the basis for your estimate? <u>Staff member report</u></p> <p>_____</p>	<p>18.</p> <p><u>Program Specialist/ School Psychologist</u></p> <p>_____</p> <p>_____</p>	<p>18.</p> <p><u>3</u></p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>2007</u></p> <p>b. What is the basis for your estimate? <u>Staff member report</u></p> <p>c. How often does your SELPA do this? <u>Annually</u></p> <p>_____</p>	<p>19.</p> <p><u>Program Specialist/ School Psychologist</u></p> <p>_____</p> <p>_____</p>	<p>19.</p> <p><u>1</u></p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>2007</u></p> <p>b. What is the basis for your estimate? <u>Staff member report/Training log</u></p> <p>c. How often does your SELPA do this? <u>Annually</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>_____</p>	<p>20.</p> <p><u>Program Specialist/ School Psychologist</u></p> <p>_____</p> <p>_____</p>	<p>20.</p> <p><u>36</u></p> <p><u>(to train all SELPA staff in emergency behavior interventions who work with students in all 4 districts)</u></p> <p>_____</p> <p>_____</p>

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above – i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs – i.e., individuals, district, county office, SELPA.

Cost: \$ N/A
 For: N/A
 Paid By: N/A
 Cost: \$
 For:
 Paid By:
 Cost: \$
 For:
 Paid By:
 Cost: \$
 For:
 Paid By:

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

# Attg.	District/Position	# of Hours
22. N/A	N/A	N/A
_____	_____	_____
_____	_____	_____
_____	_____	_____

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

23. N/A	N/A	N/A
_____	_____	_____
_____	_____	_____
_____	_____	_____

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

24. 1	TBJUSD: School Psych.	12
2	Gen Ed Teacher	12
1	Instructional Assistant	12
1	MJUSD: RST	12
1	Gen Ed. Teacher	12

25. If your SELPA paid for training for BICMs or PBJP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 1892.00 (NCI)

a. Is this figure typical of annual costs and for how long has it been typical? Typical cost of training with regard to behavioral intervention, may be split into several different trainings or a state conference on several related topics (6 years).

b. If not, what have you typically done? _____

c. What do you intend to do in the future? Formal BICM training in 2008

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. Assistant Superintendent _____ _____ _____	26. 2.5 _____ _____ _____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. N/A _____ _____ _____	27. 0 _____ _____ _____

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 3 hours + business office time _____

Thank you very much for taking the time to complete this survey.

2006-07 Data Collection for Certificated Positions

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	HTFV SR Benefits	HTFV H & W	Total Hourly Rate
SAMPLE Teacher Position	60,000.00	9,900.00	9,000.00	183	6.5	50.44	8.32	7.57	66.33
This will be for any certificated position, management and non-management that participated in any of the attached processes	This comes from the salary schedule for the position	STRS, PERS, PARS, FICA, Medicare, SU, Workers Comp, and any other employer paid benefit other than Column G	This includes: employer paid medical, dental, vision and life insurance.	These are the work days associated with the position	These are hours per day for the position (possibly contractual)	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected
Psychologist	72,201.00	9,689.43	8,356.72	196	8	46.05	6.18	5.33	57.66
Teacher	40,262.50	5,403.23	8,892.72	189	7	30.43	4.08	6.72	41.24
Teacher	36,813.40	4,815.19	13,042.32	183	7	28.74	3.76	10.18	42.68
SELPA Director	99,996.00	13,419.46		217	8	57.60	7.73	0.00	65.33
Teacher	55,125.13	7,397.79	8,898.72	189	7	41.67	5.59	6.73	53.98
Nurse	61,741.50	8,285.71	8,898.72	189	7	46.67	6.26	6.73	59.66
Teacher	48,245.89	6,310.56	13,042.32	183	7	37.66	4.93	10.18	52.77
Psychologist	50,362.98	6,758.71	8,356.72	196	8	32.12	4.31	5.33	41.76
Principal	85,775.42	11,219.42	0.00	215	8	49.87	6.52	0.00	56.39
Teacher	62,487.98	8,385.89	8,898.72	189	7	47.23	6.34	6.73	60.30
Teacher	65,263.23	8,758.33	8,898.72	189	7	49.33	6.62	6.73	62.68
Teacher	44,979.93	5,883.37	13,042.32	177	7	36.30	4.75	10.53	51.58
Principal	73,105.47	9,562.20	0.00	215	8	42.50	5.56	0.00	48.06
Principal	96,403.00	10,691.09		215	8	56.05	6.22	0.00	62.26
Teacher	53,741.07	7,212.05	8,898.72	189	7	40.62	5.45	6.73	52.80
Principal	73,380.50	9,201.91		215	8	42.66	5.35	0.00	48.01
Teacher	78,054.00	8,656.19	0.00	188	7	59.31	6.58	0.00	65.89
Preschool Director	21,220.50	3,032.41	714.00	207	5.5	18.64	2.66	0.63	21.93

04/08/08

Requested Information regarding contracts and benefits paid by MJUSD 2006-07

Vice Principal	Contract	73105.47
Modoc High School, Modoc Joint Unified School District		
Employer Costs	STRS	6031.20
	Medicare	1060.03
	SUI	365.53
	W/C	2433.75
	Misc Dues/Ins	625.80
Total Cost		83621.78

Counselor	Contract	44979.93
Modoc Joint Unified School District		
Employer Costs	STRS	3710.84
	Medicare	652.21
	SUI	224.90
	W/C	1497.43
	Insurance	13042.32
Total Cost		64107.63

District

DECLARATION

I, Stephen P. Bratton, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Specialist/School Psych.
Title of Position
by Modoc County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/23/12, 2012, at Alturas, California.
Date *City*

Stephen P. Bratton
Signature

Stephen P. Bratton
Print Name

Sbratton@modoccoe.k12.ca.us
E-mail Address

530-233-7112
Phone Number

	School Psychologist	10
	Assistant Superintendent	5
4.		

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. 0
 4a. 0

Case #: N/A (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>N/A</u>	5. <u>N/A</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>N/A</u>	6. <u>N/A</u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>N/A</u>	7. <u>N/A</u>
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>N/A</u>	8. <u>N/A</u>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A	N/A	N/A	N/A	\$ N/A
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Record review including IEP, FAA, PBIP, Behavioral Emergency Reports, etc. as well as staff interviews regarding time to produce those documents, duration of meetings, hours of employee time, start of services, duration of services, etc.

Please indicate the amount of time it took to complete this document: 3 hours + business office time

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Stephen P. Bratton, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Specialist/School Psych.
Title of Position
by Modoc County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/23/12, 2012, at Alturas, California.
Date *City*

Stephen P. Bratton
Signature

Stephen P. Bratton
Print Name

sbratton@modoccoe.k12.ca.us
E-mail Address

530-233-7112
Phone Number

BICM

SELPA: Modoc County Office of Education Date: 1/28/08
 School District (if serving multiple districts, list all): Modoc Joint Unified School District (MJUSD), Tulelake Basin Joint Unified School District (TBJUSD), Surprise Valley Joint Unified School District (SVJUSD) and Modoc County Office of Education (MCOE)
 Name of BICM Completing Survey: Stephen P. Bratton (completed for all BICM related activities in all of the districts)
 Title: Program Specialist/School Psychologist
 Phone Number(s): 530-233-7112
 Email Address: sbratton@modoccoe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PPIPs? Of this total, please specify the number of: b. new cases (PIBP for first time), and c. preexisting cases (entered 2006-07 with PIBP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 3 1b. _____ 1 1c. _____ 2</p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____ 2</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 0.5 hours 3b. _____ 24 hours 3c. _____ 8 hours 3d. _____ 32.5 hours 3e. _____ 32.5 hours</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4 hours 4b. _____ 8 hours 4c. _____ 13 hours 4d. _____ 4 hours 4e. _____ 2 hours 4f. _____ 1 hour 4g. _____ 32 hours 4h. _____ 32 hours</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 1 hour 5b. _____ 48 hours 5c. _____ 16 hours 5d. _____ 65 hours 5e. _____ 32.5 hours</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 8 hours 6b. _____ 16 hours 6c. _____ 24 hours 6d. _____ 8 hours 6e. _____ 4 hours 6f. _____ 3 hours 6g. _____ 63 hours 6h. _____ 31.5 hours</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 0

7c. 3

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
MJUSD: SDC Teacher	3.5	3
Assistant Superintendent	3.5	3
Instructional Assistant	3.5	3
School Nurse	1.0	1
General Education Teacher	3.5	3
School Psychologist	3.5	3
Principal	3.4	3

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

MJUSD: SDC Teacher	4	2
Assistant Superintendent	2	1
Instructional Assistant	0.5	1
Occupational Therapist	0.5	1
Principal	3	3
Assistant Principal	2	2
RST	4	3
Counselor	3	2
TBJUSD: RST/SDC	2	3
Assistant Superintendent	2	2
Instructional Assistant	2	2
Principal	2	3
General Education Teacher	2	3

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Record review including IEP, FAA, PBIP, Behavioral Emergency Reports, etc. as well as staff interviews regarding time to produce those documents, duration of meetings, hours of employee time, start of services, duration of services, etc.

Please indicate the time it took for you to complete this survey: 16 hours + business office time

Thank you very much for taking the time to complete this survey.

Mono

SELPA

District

BICM

MOMO
 SELPA: Mono County
 School District (if serving multiple districts, list all): Butte, Eastern Sierra, Mono, and Unified School District,

BSP data not Hughes Bill
 Date: 11/5/2008 Costs
Reported

Name of BICM Completing Survey: Joseph Lyzio
 Title: 1
 Phone Number(s): 760-934-0071 ext 215
 Email Address: jlzyio@monoco.e.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs <u>BSPs</u>?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p> <p><i>DATA collected re: newly reported BSPs</i></p>	<p>1a. <u>210</u></p> <p>1b. <u>8</u></p> <p>1c. <u>13</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>2. <u>1</u></p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with <u>significant</u> others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p><i>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</i></p>	<p>3a. <u>8</u></p> <p>3b. <u>105</u></p> <p>3c. <u>0</u></p> <p>3d. <u>413</u></p> <p>3e. <u>14.13</u></p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <input type="radio"/>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <input type="radio"/>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <input type="radio"/>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <input type="radio"/>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <input type="radio"/>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <input type="radio"/>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Interview with Frances Beem from 2006-2007 (He used notes, computer files, calendar or schedule)
 - Review of RECORDS & BOOKS

Please indicate the time it took for you to complete this survey: 5 hrs 4

Thank you very much for taking the time to complete this survey.

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 12
 7b. 7
 7c. 2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Mammoth / Teachers Evanston / Principal Mammoth / Admin Evanston / Teachers h. 11 / Principal 11 11 / ADMEN	3 3 3 11 11 11	2 2 2 6 6 6
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Mammoth / Teachers 11 11 / AIDES h. 11 / Admin Evanston / Teacher 11 / Principal 11 / ADMIN	14 6 14 3 3 3	13 6 13 3 3 3

Daily while in class
 Daily while in class
 Daily while in class

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>23</u></p> <p>4b. <u>18</u></p> <p>4c. <u>173</u></p> <p>4d. <u>12</u></p> <p>4e. <u>6</u></p> <p>4f. <u>9</u></p> <p>4g. <u>241</u></p> <p>4h. <u>30.13</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>29</u></p> <p>5c. <u>0</u></p> <p>5d. <u>29</u></p> <p>5e. <u>2.23</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>32</u></p> <p>6b. <u>20</u></p> <p>6c. <u>178</u></p> <p>6d. <u>34</u></p> <p>6e. <u>28</u></p> <p>6f. <u>42</u></p> <p>6g. <u>34</u></p> <p>6h. <u>25.7</u></p>

Poway

SELPA

DECLARATION

I, JoAnn Murphy, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Private Consultant
Title of Position
by Previous SELPA Director in Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1/12, 2012, at San Diego, California.
Date *City*

JoAnn Murphy
Signature

JoAnn Murphy
Print Name

jamurphy1@cox.net
E-mail Address

(619) 966-9210
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PRIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Poway Unified

Person Completing Survey: JoAnn Murphy

Date: 2/28/08

Title: Private Consultant (Previous SELPA Director in Poway Unified from 1991-2008)

Phone Number(s): (619)846-0133

Email Address: jamurphy1@cox.net

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	24
2. How many BICM surveys have been returned to you?	23
3. If not all BICM surveys have been returned, please indicate reason.	Both the BICM and the student have moved out of the district. Info not available

4. How many districts are in your SELPA?	1												
5. How many district level surveys have been returned to you?	1												
6. If not all district surveys have been returned, please indicate reason. Part II: SELPA LEVEL ACTIVITIES A. PBIP Procedures in the Local Plan	N/A												
Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.													
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>2004-05</u> b. What is the basis for your estimate? <u>Documentation of Issues and Policies Meetings, staff meetings, CAC meetings etc</u>	<table border="1"> <thead> <tr> <th data-bbox="933 1249 974 1564">Position</th> <th data-bbox="933 1564 974 1900"># of Hours</th> </tr> </thead> <tbody> <tr> <td data-bbox="868 1249 933 1564">SELPA Director</td> <td data-bbox="868 1564 933 1900">10 hours</td> </tr> <tr> <td data-bbox="836 1249 868 1564">Director of SP ED</td> <td data-bbox="836 1564 868 1900">15 hours</td> </tr> <tr> <td data-bbox="803 1249 836 1564">Program Spec</td> <td data-bbox="803 1564 836 1900">5 hours</td> </tr> <tr> <td data-bbox="771 1249 803 1564">Psychologists</td> <td data-bbox="771 1564 803 1900">10 hours</td> </tr> <tr> <td data-bbox="738 1249 771 1564">Admin Asst</td> <td data-bbox="738 1564 771 1900">20 hours</td> </tr> </tbody> </table>	Position	# of Hours	SELPA Director	10 hours	Director of SP ED	15 hours	Program Spec	5 hours	Psychologists	10 hours	Admin Asst	20 hours
Position	# of Hours												
SELPA Director	10 hours												
Director of SP ED	15 hours												
Program Spec	5 hours												
Psychologists	10 hours												
Admin Asst	20 hours												
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>June 2007</u> b. What is the basis for your estimate? <u>Board Minutes, Personal logs</u>	<table border="1"> <tbody> <tr> <td data-bbox="592 1249 657 1564">SELPA Dir</td> <td data-bbox="592 1564 657 1900">4 hours</td> </tr> <tr> <td data-bbox="560 1249 592 1564">Admin Asst</td> <td data-bbox="560 1564 592 1900">2 hours</td> </tr> </tbody> </table>	SELPA Dir	4 hours	Admin Asst	2 hours								
SELPA Dir	4 hours												
Admin Asst	2 hours												
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006-07</u>	<table border="1"> <tbody> <tr> <td data-bbox="300 1249 373 1564">SELPA DIR</td> <td data-bbox="300 1564 373 1900">5 hours</td> </tr> <tr> <td data-bbox="259 1249 300 1564">Psychologists</td> <td data-bbox="259 1564 300 1900">2 hours</td> </tr> </tbody> </table>	SELPA DIR	5 hours	Psychologists	2 hours								
SELPA DIR	5 hours												
Psychologists	2 hours												

<p>b. <u>What is the basis for your estimate?</u> <u>Loes, minutes</u></p> <p>c. <u>How often does your SELPA do this?</u> <u>With Local Plan Revisions and Legislative changes</u></p>	<p><u>Issues/Policies Com</u> <u>Admin Asst</u></p>	<p><u>5 hours</u> <u>2 hours</u></p>
<p>10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>District activities</u></p> <p>c. How often does your SELPA do this? <u>With each Local Plan Revision</u></p> <p>Note: Issues and Policies Committee is composed of representatives from Program Specialists, Dir of SP ED, Psych, CAC parents, teachers and principals</p>	<p>10. <u>Position</u></p> <p><u>Issues and Policies</u> <u>SELPA Dir</u> <u>Program Sp.</u> <u>Psychologists</u> <u>Admin Asst.</u></p>	<p>10. <u># of Hours</u></p> <p><u>4 hours</u> <u>6 hours</u> <u>2 hours</u> <u>1 hour</u> <u>10 hours</u></p>
<p>B. Training</p> <p>Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.</p>		
<p>11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?</p> <p>a. What year did this occur? <u>2004-05</u></p> <p>b. What is the basis for your estimate? <u>Attendance at training</u></p>	<p>11. <u>Position</u></p> <p><u>Psychologist</u></p>	<p>11. <u># of Hours</u></p> <p><u>5 days</u></p>

SELPA 3

00334.00100/55274.1

<p>position, for the most recent update of training for initial BICM certification?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>Attendance at training</u></p> <p>c. How often does your SELPA do this? <u>Annually</u></p>	<p><u>Psychologist</u></p>	<p><u>2 days</u></p>
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>District provided training</u></p> <p>c. How often does your SELPA do this? <u>Annually for new staff</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>Use trainer of trainee</u></p>	<p>13. <u>Psychologist</u></p>	<p>13. <u>4 hours</u></p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>District provided training</u></p> <p>c. How often does your SELPA do this? <u>Annually</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>None</u></p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14. <u>Psychologist</u></p>	<p>14. <u>2 hours</u></p>

<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? <u>2005-06</u></p> <p>b. What is the basis for your estimate? <u>District provided training</u></p>	<p>15.</p> <p><u>Psychologist</u></p>	<p>15.</p> <p><u>4 hours</u></p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>District provided training</u></p> <p>c. How often does your SELPA do this? <u>Annually</u></p>	<p>16.</p> <p><u>Psychologist</u></p>	<p>16.</p> <p><u>2 hours</u></p>
<p>17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers?</p> <p>a. What year did this occur? <u>See # 16</u></p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>17.</p>	<p>17.</p>
<p>18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>District Provided training</u></p>	<p>18.</p> <p><u>Program Specialist</u></p>	<p>18.</p> <p><u>2 days</u></p>

SELPA 5

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<p>19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>District provided training</u></p> <p>c. How often does your SELPA do this? <u>annually</u></p>	<p>19.</p> <p><u>Program Spec</u></p>	<p>19.</p> <p><u>2 days</u></p>
<p>20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>See # 19</u></p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>20.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>20.</p> <p>_____</p> <p>_____</p> <p>_____</p>

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ 3000 For: _____ Substitutes _____
 Cost: \$ _____ For: _____ Paid By: _____ SELPA
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	# Attde.	District/Position	# of Hours
23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23.	Special Education Teachers	2 hours
24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	24.	Psychologists Special Education Teachers	4 hours 4 hours

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 1500.
 a. Is this figure typical of annual costs and for how long has it been typical? For the past 6 years
 b. If not, what have you typically done? _____
 c. What do you intend to do in the future? Continue with the Trainer of trainer model

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. _____ SELPA Director Admin Asst _____ _____	26. _____ 2 hours 2 hours _____ _____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. _____ None _____ _____	27. _____ None _____ _____
28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.		

Please indicate the amount of time in hours or portions thereof spent to complete this document. _____

3 hours

Thank you very much for taking the time to complete this survey.

District

District

SELPA: Poway Unified

Date: 2/25/08

District: Poway Unified School District

Person completing survey: JoAnn Murphy

Title: Private Consultant (Previous SELPA Director in Poway Unified from 1991-2008)

Phone Number(s): (619) 846-0133

Email Address: jamurphy1@cox.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>157</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	Position	# of Hours
a. Performing emergency behavioral interventions.	a. <u>Psychologist</u>	a. <u>5</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>Psychologist</u>	b. <u>36</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>Psychologist</u>	c. <u>48</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>Psychologist</u>	d. <u>14</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>Psychologist</u>	e. <u>15</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>Psychologist</u>	f. <u>12</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>Admin Asst</u>	g. <u>3</u>

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ Executive Director _____ Director _____ Program Sp _____ Psychologists _____	3. _____ 2 2 4 1
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4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____ None
 4a. _____ None

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ None _____ _____ _____	5. _____ None _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ None _____ a. _____ b. _____ c. _____	6. _____ None _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ None _____ a. _____ b. _____ c. _____	7. _____ None _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or	8. _____ None _____	8. _____ None _____

portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?

a. _____	a. _____
b. _____	b. _____
c. _____	c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	No Activities performed by either attorneys or independent contractors			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____ 1 hour _____

Thank you for taking the time to complete this survey.

DECLARATION

I, JoAnn Murphy, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Private Consultant
Title of Position
~~by~~ Previous SELPA Director in Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1/12, 2012, at San Diego, California.
Date *City*

JoAnn Murphy
Signature

JoAnn Murphy
Print Name

jamurphy1@cox.net
E-mail Address

(619) 966-9210
Phone Number

BICM

DECLARATION

I, Michelle Klock, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School psychologist
Title of Position
by PUSD
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4.26., 2012, at San Diego / Poway, California.
Date City

M Klock
Signature

Michelle Klock
Print Name

mklock@powayusd.com
E-mail Address

858.521.2800
Phone Number

SELPA: Palmdale Date: 1/20/08
 School District (if serving multiple districts, list all): PCUSD

Name of BICM Completing Survey: Michelle Klock
 Title: School Psychologist
 Phone Number(s): 888-960-5436
 Email Address: m.klock@palmdalesd.com

<p>1. How many students did you serve in 2006-07 who had PBI's? Of this total, please specify the number of: a. new cases (PBI for first time), and b. preexisting cases (entered 2006-07 with PBI). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>19</u> 1b. <u>1</u> 1c. <u>18</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1</u> 3b. <u>5</u> 3c. <u>3</u> 3d. <u>9</u> 3e. <u>9</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2</u></p> <p>4b. <u>5</u></p> <p>4c. <u>2</u></p> <p>4d. <u>2</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>11</u></p> <p>4h. <u>11</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>18</u></p> <p>5b. <u>30</u></p> <p>5c. <u>108</u></p> <p>5d. <u>18</u></p> <p>5e. <u>18</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>18</u></p> <p>6b. <u>18</u></p> <p>6c. <u>30</u></p> <p>6d. <u>30</u></p> <p>6e. <u>9</u></p> <p>6f. <u>9</u></p> <p>6g. <u>18</u></p> <p>6h. <u>7</u></p>

BICM 3

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: 19

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	MS Staff WWS School Psychologist	1 1	1 1
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	MS Staff WWS School Psychologist	9 9	18 18
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	MS Staff	190	

of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a. Performing emergency behavioral interventions. <u>57</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>19</u>
c. Completing a "Behavioral Emergency Report" for file, forwarding copy to administrator for review. <u>19</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>1</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>5</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>5</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

School Psychologist

Please indicate the time it took for you to complete this survey: 4 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Shelly Fouts, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at San Diego, California.
Date *City*

Sfouts
Signature

Shelly Fouts
Print Name

m.fouts@powayusd.com
E-mail Address

(858) 848-4982
Phone Number

SELPA: _____
 School District (if serving multiple districts, list all): Douglas Unified

Date: 1/30/2008

Name of BICM Completing Survey: Melissa Frank
 Title: Special Psychologist for Non Public School Placements
 Phone Number(s): (858) 484-1300 ext. 3927
 Email Address: M.Frank@pauity.wednet.edu

<p>1. How many students did you serve in 2006-07 who had PIPs? a. _____ Of this total, please specify the number of: b. new cases (PIIP for first time), and c. preexisting cases (entered 2006-07 with PIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>36</u> 1b. <u>5</u> 1c. <u>31</u></p>
<p>2. How many students with PIIPs also received AB3632 mental health services in 2006-07? 2. <u>4</u></p>	<p>2. <u>4</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>8</u> 3b. <u>100</u> 3c. <u>20</u> 3d. <u>128</u> 3e. <u>32</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 4b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>80</u> 4b. <u>12</u> 4c. <u>8</u> 4d. <u>4</u> 4e. <u>8</u> 4f. <u>6</u> 4g. <u>118</u> 4h. <u>23.4</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>31</u> 5b. <u>62</u> 5c. <u>62</u> 5d. <u>155</u> 5e. <u>5</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>31</u> 6b. <u>62</u> 6c. <u>31</u> 6d. <u>31</u> 6e. <u>31</u> 6f. <u>31</u> 6g. <u>217</u> 6h. <u>7</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 31
 7b. 8
 7c. 2

	District/Position:	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

BICM 4

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<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. _____ a. <u>12/4</u> b. <u>31</u> c. <u>47</u> d. <u>10</u> e. <u>10</u> f. <u>12</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendars
Work Schedules
Data Collection
Employee Time Worksheet

Please indicate the time it took for you to complete this survey: 30 min.

Thank you very much for taking the time to complete this survey.

RECEIVED
MAY 10 2012

DECLARATION

BY SPECIAL EDUCATION
INITIALS: e

I, Deidre Hayes, hereby declare as follows:
Print Name

- In the 2007-2008 school year, I was employed as a School Psychologist II
by Poway Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
- In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
- I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/5/12, 2012, at williston, SC 29852
Date *City*
formerly San Diego, California.

Deidre G. Hayes
Signature

Deidre G. Hayes
Print Name

deidreca7@aol.com
E-mail Address

858-603-2879
Phone Number

SELPA: Poway

School District (if serving multiple districts, list all): Poway

Date: 1/30/08

Name of BICM Completing Survey: Deirdre G. Hayes

Title: Psychologist

Phone Number(s): 658-668-4178 District voice mail

Email Address: dhayes@~~psd~~.powayusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>2</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>1</u></p> <p>3a. <u>4</u> 3b. <u>50</u> 3c. <u>8</u> 3d. <u>62</u> 3e. <u>31</u></p>

*Required use of
 intern simulators,
 many of her hours
 mine at home, too*

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>6</u></p> <p>4b. <u>10</u></p> <p>4c. <u>2</u></p> <p>4d. <u>4</u></p> <p>4e. <u>6</u></p> <p>4f. <u>3</u></p> <p>4g. <u>31</u></p> <p>4h. <u>15.2</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions. <i>not pre-act trained</i>	a. <u>2</u> with pre-act
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <i>Handed off to another RICM 104 start of year</i>	b. <u>2</u> personnel
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u> principal
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>2</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>2</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- work log
- files on student
- psych calendar planner

Please indicate the time it took for you to complete this survey: 45 "

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Janice Gaposin, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Psychologist
Title of Position
by Paray Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4.5, 2012, at San Diego, California.
Date City

Janice Gaposin, PsyD
Signature

Janice Gaposin
Print Name

jgapasin@parayusd.com
E-mail Address

(858) 487-2939
Phone Number

SEI/PA: Primo
 School District (if serving multiple districts, list all): Primo Unified School District

Date: 1/28/08

Name of BICM Completing Survey: Janice Capasin
 Title: Psychologist
 Phone Number(s): (858) 448-581 x2418
 Email Address: jjcapasin@primo.usd.edu

<p>1. How many students did you serve in 2006-07 who had PBI/PS? Of this total, please specify the number of: a. new cases (PBI/PS for first time), and b. preexisting cases (entered 2006-07 with PBI/PS). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PBI/PS also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 1
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.			
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Case Manager Program Specialist Admin Rep General Ed Teacher	4 3 2 2	2 2 2 2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Case Manager Program Spec Admin Rep Aide General Ed Teacher	40 4 15 40 1	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>2</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>2</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>CMH Calaveras</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>Computer form</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>1</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendars
- Day Planner
- Activity Worksheet
- Data Worksheets

Please indicate the time it took for you to complete this survey: 45 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Penny Duarte, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3, 2012, at San Diego, California.
Date *City*

Penny Duarte
Signature

Penny Duarte
Print Name

pduarte@powayusd.com
E-mail Address

760-508-8383
Phone Number

SELPA: Poway
 School District (if serving multiple districts, list all): PUSD

Date: 1/30/08

Name of BICM Completing Survey: Penny Duarte
 Title: School Psychologist
 Phone Number(s): 858-268-4188
 Email Address: pduarte@pusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>1</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>2</u> 3b. <u>12</u> 3c. <u>10</u> 3d. <u>20</u> 3e. <u>20</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a. through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>3</u></p> <p>4b. <u>3</u></p> <p>4c. <u>10</u></p> <p>4d. <u>3</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>15</u></p> <p>4h. <u>15</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>8</u></p> <p>5b. <u>8</u></p> <p>5c. <u>4</u></p> <p>5d. <u>14</u></p> <p>5e. <u>14</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>2</u></p> <p>6b. <u>2</u></p> <p>6c. <u>4</u></p> <p>6d. <u>3</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>11</u></p> <p>6h. <u>11</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Parry Spec. Ed. Teacher	<u>2</u>	<u>1</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Parry Program Specialist	<u>2</u>	<u>1</u>
	Parry Gen Ed Teacher	<u>2</u>	<u>1</u>
	Parry School Psychologist	<u>2</u>	<u>1</u>
	Parry Spec. Ed. Teacher	<u>10</u>	<u>10</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>1</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

School Psychologist - BICM

Please indicate the time it took for you to complete this survey: 4 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Laura Valencia, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27/, 2012, at San Diego, California.
Date *City*

Laura C. Valencia
Signature

Laura C Valencia
Print Name

lvalencia@powayusd.com
E-mail Address

(619) 521-2815
Phone Number

SELPA: Poway
 School District (If serving multiple districts, list all): Poway Unified Date: _____

Name of BICM Completing Survey: Laura Valencia
 Title: School Psychologist
 Phone Number(s): (619) 447-3036 & 4814
 Email Address: lvalencia@powayusd.com

1. How many students did you serve in 2006-07 who had PBP? 1
 Of this total, please specify the number of:
 b. new cases (PIP for first time), and 1
 c. preexisting cases (entered 2006-07 with PIP). 0
 Please ensure that the total is an unduplicated count.

2. How many students with PBP also received AB3632 mental health services in 2006-07?
0

3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:

a. Providing parent notice and obtaining consent for assessment.	3a. <u>1.5</u>
b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)	3b. <u>6</u>
c. Writing FAA.	3c. <u>1</u>
d. Total of answers to 3a, 3b, and 3c.	3d. <u>7.5</u>
e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?	3e. <u>7.5</u>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divides total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAAs activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BIGM:f

00314.00/0055274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	RSP Teach Aids	1.5	

11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the activities related to emergency behavioral interventions?

- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to behavioral emergency report, determine necessity for FAAs and determine necessity for in scheduling and holding IEP team meetings for students with PBIPs solely to determine modifications were required due to behavioral emergency.
 - e. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to C
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information various levels of complexity and intensity. Also, please provide three (3) IEPs for student services with all attachments.
- Please provide the sample template for FAAs and PBIPs that you use.

1644

PLEASE NOTE: For questions such as #3 which request data related to time, please list examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey.

CONTINUE FROM PREVIOUS PAGE 002

on the following	# of Hours
11. use of emergency	a. 1
ator for review,	b. 5
ily to review the	c. 1
for interim PBIP.	d. 1
etermine if PBIP	e. 0
t to CDE.	f. 0

(information) from 2006-07 which represent students who have both PBIPs and AB3632

list below the sources of information used.

00334.0010005.5274.1

DECLARATION

I, Kristina Valdez Call, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 9, 2012, at San Diego, California.
Date *City*

Kristina Valdez Call
Signature

Kristina Valdez Call
Print Name

kcall@powayusd.com
E-mail Address

858-286-9740
Phone Number

SELPA: Poway Unified School District Date: 1/23/08

School District (if serving multiple districts, list all): Poway Unified School District

Name of BICM Completing Survey: Painted Rock Elementary, Crestside Elementary

Title: Shel Simpson

Phone Number(s): 958-2487-958-391-1514 ext. 2119

Email Address: ksimpson@powayusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u></p> <p>1b. <u>1</u></p> <p>1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	Classroom Teacher Program Specialist	5 _____ _____ _____	1 _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Classroom Teacher Program Specialist	2 _____ _____ _____	1 _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Classroom Teacher	daily _____ _____ _____	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	<input type="radio"/>
b.	<input type="radio"/>
c.	<input type="radio"/>
d.	<input type="radio"/>
e.	<input type="radio"/>
f.	<input type="radio"/>
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planners

Please indicate the time it took for you to complete this survey: 1.5 hrs.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Erica Khoury, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/11/12, 2012, at San Diego, California.
Date *City*

Erica M Khoury
Signature

Erica Khoury
Print Name

erica.khoury@powayusd.com
E-mail Address

958-243-3383
Phone Number

SELPA: _____
 School District (if serving multiple districts, list all): Paray Unified

Date: 2/6/08

Name of BICM Completing Survey: Erica Anoury
 Title: School Psychologist
 Phone Number(s): 487-2939 XU607
 Email Address: eAnoury@parayusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received ABB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>1 hr.</u></p> <p>3b. <u>15 hrs.</u></p> <p>3c. <u>10 hrs.</u></p> <p>3d. <u>26 hrs.</u></p> <p>3e. <u>2.6 hrs.</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a. through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>5 hrs.</u></p> <p>4b. <u>3 hrs.</u></p> <p>4c. <u>5 hrs.</u></p> <p>4d. <u>3 hrs.</u></p> <p>4e. <u>3 hrs.</u></p> <p>4f. <u>2 hrs.</u></p> <p>4g. <u>2 hrs.</u></p> <p>4h. <u>2 hrs.</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

- a. Number of students requiring 1 IEP team meeting: _____
- b. Number of students requiring 2 IEP team meetings: _____
- c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent:

District/Position	# of Hrs	# IEP Mtgs
PU5D / Teacher - spc	8	3
PU6D / AIDE	8	3
PU5D / Program Specialist	8	3
PU6D / Teacher - spc		

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

_____	0	_____
_____	_____	_____
_____	_____	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

PU5D / Teacher	50	_____
PU5D / AIDE	50	_____
PU5D / Teacher	30	_____
PU5D / AIT Specialist	20	_____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 2 hrs.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Hilary Ward, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-11-, 2012, at San Diego, California.
Date *City*

Hilary Ward
Signature

Hilary Ward
Print Name

ward@powayusd.com
E-mail Address

858-780-2000
Phone Number

SELPA: _____ Date: 1-23-08
 School District (if serving multiple districts, list all): Pasadena Unified School District

Name of BICM Completing Survey: Hi Lam Ward
 Title: School Psychologist - Westwood High School
 Phone Number(s): 858-780-2500 x 3037
 Email Address: ward@pasouajusd.com

RECEIVED
 JAN 25 2008
 BY SPECIAL EDUCATION
 INITIALS: [Signature]

<p>1. a. How many students did you serve in 2006-07 who had PPIPs? Of this total, please specify the number of: b. new cases (PIIP for first time), and c. preexisting cases (entered 2006-07 with PIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	NA PUSD/teacher PUSD/Prag. Sp. PUSD/School Bldg Mother	NA 1 1 1 1	NA 1 1 1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	PUSD/teacher PUSD/ins. aide PUSD/ins. aide PUSD/School Bldg	60 60 60 40	NA 1 1 1 1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use. - Don't have a template	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendars
consult w/ teachers
consult w/ ins. aides

Please indicate the time it took for you to complete this survey: 4 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Holly Barajas Salvatore, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at San Diego, California.
Date *City*

Holly Barajas Salvatore
Signature

Holly Barajas Salvatore
Print Name

hsalvatore@powayusd.com
E-mail Address

619-517-6689
Phone Number

SELPA: Poway Unified Date: 1-30-08
 School District (if serving multiple districts, list all): Poway Unified School District
Garden Road ES + Palmerado ES
 Name of BICM Completing Survey: Holly Barajas
 Title: School Psychologist
 Phone Number(s): 748-8230 x 2167 (Goes) 748-1320 x. ~~211~~ 2132 (POM)
 Email Address: hbarajas@powayusd.com

<p>1. a. How many students did you serve in 2006-07 who had PIPs? Of this total, please specify the number of: b. new cases (PIP for first time), and c. preexisting cases (entered 2006-07 with PIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>3</u> 1c. <u>0</u></p>
<p>2. How many students with PIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.?)</p>	<p>3a. <u>1.5</u> 3b. <u>15</u> 3c. <u>6</u> 3d. <u>205</u> 3e. <u>3.75</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>12 hrs.</u> 4b. <u>16 hrs.</u> 4c. <u>4</u> 4d. <u>2</u> 4e. <u>.5</u> 4f. <u>0</u> 4g. <u>37.5</u> 4h. <u>11.5</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>0</u> 6c. <u>0</u> 6d. <u>0</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>0</u> 6h. <u>0</u></p>

no student pre existing PBIP

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1

7b. 1

7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
SPED Teacher (3)	<u>4</u>	<u>6</u>
Occupational Therapist	<u>3</u>	<u>3</u>
Speech Pathologist	<u>3</u>	<u>3</u>
_____	_____	_____

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

<u>D</u>	<u>6</u>	<u>0</u>
_____	_____	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

SPED Teacher (3)	<u>10</u>	
Instructional Assistant (9)	<u>3</u>	
_____	_____	

Schwartz

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	No Set Template

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar
Case manager check in
memo

Please indicate the time it took for you to complete this survey: 20 mins.

Thank you very much for taking the time to complete this survey.

for on extra

*20 to find
 copy in
 all papers.*

DECLARATION

I, MARTHA INGHAM, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a PSYCHOLOGIST
by P.U.S.D.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3/2012, 2012, at San Diego, California.
Date *City*

Martha Ingham
Signature

MARTHA INGHAM
Print Name

mingham@paucyusd.com
E-mail Address

858-485-4800 x 4516
Phone Number

BICM

SELPA: _____
School District (if serving multiple districts, list all): PUSD

Date: 1/30/08

Name of BICM Completing Survey: MARINA A. EDLHAM, PhD
Title: PUSD PSYCHOLOGIST
Phone Number(s): 858-485-4800
Email Address: marina@pawayusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____</p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>1</u></p> <p>3b. <u>10</u></p> <p>3c. <u>4</u></p> <p>3d. <u>15</u></p> <p>3e. <u>15</u></p>

BICM 2

00334.00100/55274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	RV District/Position	# of Hrs	# IEP Mtes
	RUSD Case Mgrs Prog. Specialist Special Therapist	2 2 2	2 2 2
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	N/A	N/A
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Case Mgrs Classroom Aide	4 4	

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <input type="radio"/></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <input type="radio"/></p> <p>c. Completing a "Behavioral Emergency Report" for file, forwarding copy to administrator for review. <input type="radio"/></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FA/A and determine necessity for interim PBIP. <input type="radio"/></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <input type="radio"/></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <input type="radio"/></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendars

Work Hours

Please indicate the time it took for you to complete this survey: 30 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Sherrie Garceau, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2012, at San Diego, California.
Date *City*

Sherrie Garceau
Signature

Sherrie Garceau
Print Name

sgarceau@powayusd.com
E-mail Address

(858)484-1180 x3139
Phone Number

SELPA: Poway Date: 1-18-08
 School District (if serving multiple districts, list all):
Poway Unified School District
 Name of BICM Completing Survey: Sherrie Garceau
 Title: School Psychologist
 Phone Number(s): (858) 484-9180 x3139
 Email Address: sgarceau@powayusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>4</u> 1b. <u>2</u> 1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AR3632 mental health services in 2006-07? <u>2726</u></p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1 hr.</u> 3b. <u>10 hrs.</u> 3c. <u>12 hrs.</u> 3d. <u>23 hrs.</u> 3e. <u>11.5 hrs.</u></p>
<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	

BICM2

00334.00100/55274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>6 hrs.</u> 4b. <u>4 hrs.</u> 4c. <u>2 hrs.</u> 4d. <u>2 hrs.</u> 4e. <u>0</u> 4f. <u>0</u> 4g. <u>14 hrs.</u> 4h. <u>1 hrs.</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>4 hrs.</u> 6c. <u>2 hrs.</u> 6d. <u>2 hrs.</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>8 hrs.</u> 6h. <u>4 hrs.</u></p>

BICM 3

00334.00100/55274.1

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting:</p> <p>b. Number of students requiring 2 IEP team meetings:</p> <p>c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. <u>2</u></p> <p>7b. <u>2</u></p> <p>7c. <u>0</u></p>															
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time?</u> List by district and position, and show the number of IEP team meetings the hours represent.</p>	<table border="1"> <thead> <tr> <th>District/Position</th> <th># of Hrs</th> <th># IEP Mtes</th> </tr> </thead> <tbody> <tr> <td>Teacher/Case Manager</td> <td>2</td> <td>2</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	District/Position	# of Hrs	# IEP Mtes	Teacher/Case Manager	2	2									
District/Position	# of Hrs	# IEP Mtes														
Teacher/Case Manager	2	2														
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when the student had a preexisting PBIP?</u> List by district and position, and show the number of IEP team meetings the hours represent.</p>	<table border="1"> <thead> <tr> <th>District/Position</th> <th># of Hrs</th> <th># IEP Mtes</th> </tr> </thead> <tbody> <tr> <td>Teacher/Case Manager</td> <td>2</td> <td>2</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	District/Position	# of Hrs	# IEP Mtes	Teacher/Case Manager	2	2									
District/Position	# of Hrs	# IEP Mtes														
Teacher/Case Manager	2	2														
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<table border="1"> <thead> <tr> <th>District/Position</th> <th># of Hrs</th> <th># IEP Mtes</th> </tr> </thead> <tbody> <tr> <td>Teacher/Case Manager</td> <td>25 hrs.</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	District/Position	# of Hrs	# IEP Mtes	Teacher/Case Manager	25 hrs.										
District/Position	# of Hrs	# IEP Mtes														
Teacher/Case Manager	25 hrs.															

BICM 4

00334.00100/55274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planner _____

Please indicate the time it took for you to complete this survey: Survey (30 min); Accumulate
FAAs/PBIPs/IEPs (1 hr. 30 min.) =
2 hrs.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kennie Kwok, hereby declare as follows:
Print Name

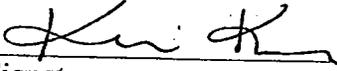
1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at San Diego, California.
Date *City*


Signature

Kennie Kwok
Print Name

kkwok@powayusd.com
E-mail Address

858-521-2800 ext. 2816
Phone Number

SELPA: _____

Date: 1/30/08

School District (if serving multiple districts, list all): Fairway Unified School District

Name of BICM Completing Survey: Kennie Kuok

Title: School Psychologist

Phone Number(s): 858-668-4176

Email Address: KKuok@fairwayusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>.5 hrs</u> 3b. <u>10 hrs</u> 3c. <u>2 hrs</u> 3d. <u>12.5 hrs</u> 3e. <u>18.5 hrs</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a. through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 2 hrs 4b. 4 hrs 4c. 15 hrs 4d. 10 hrs 4e. 2 hrs 4f. 10 hrs 4g. 43 hrs 4h. 43 hrs</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 0 6d. 0 6e. 0 6f. 0 6g. 0 6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBPs).

7a. _____
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBPs by non-BICM personnel (including classified)? List by district and position.	Case manager General ed teacher Assistant principal School psychologist Program specialist	45 20 10 15 4	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <input type="radio"/> _____ b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <input type="radio"/> _____ c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <input type="radio"/> _____ d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <input type="radio"/> _____ e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <input type="radio"/> _____ f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <input type="radio"/> _____
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Special Education file _____
Online IEP Program _____
Cumulative file _____

Please indicate the time it took for you to complete this survey: 25 hrs

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Laura Hulsey, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4, 2012, at San Diego, California.
Date *City*

Laura Hulsey
Signature

Laura Hulsey
Print Name

Lhulsey@powayusd.com
E-mail Address

(858) 487-8474 x4116
Phone Number

SELPA: PUSD
 School District (if serving multiple districts, list all): _____

Date: 1/28/08

RECEIVED
 JAN 30 2008

Name of BICM Completing Survey: LAWRENCE LUTSELSEY
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): (858) 487-8474 ext. 4110
 Email Address: l Lutselsey@pawnyusd.com

BY SPECIAL EDUCATION
 INITIALS: _____

<p>1. How many students did you serve in 2006-07 who had PBI's? Of this total, please specify the number of: a. new cases (PBI for first time), and b. preexisting cases (entered 2006-07 with PBI). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07? <u>Parents denied AB3632.</u></p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1 Hr.</u> 3b. <u>20</u> 3c. <u>8 HRS.</u> 3d. <u>29</u> 3e. <u>29</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>10 hrs.</u> 4b. <u>4 hrs.</u> 4c. <u>8</u> 4d. <u>13</u> 4e. <u>1 hr.</u> 4f. <u>4</u> 4g. <u>36</u> 4h. <u>36</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a <u>preexisting</u> PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>0</u> 6c. <u>0</u> 6d. <u>0</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>0</u> 6h. <u>0</u></p>

BICM 3

00334.00100/5274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 3
 7b. 1
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	D/P	<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	D/P	<u>8</u>	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a.	Performing emergency behavioral interventions.
b.	Notifying parent and/or residential care providers within one school day of use of emergency interventions.
c.	Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
d.	Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
e.	Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
f.	Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	12. Please provide three (3) <u>FAAs/PBIPs</u> (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) <u>IEPs</u> for students who have both PBIPs and AB3632 services with all attachments.
Please provide the <u>sample template</u> for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Data Collection Sheet, Teachers, DSP, Psych, Principal, Parent (mother) & Steel - to look at data in graph table form. grandmother.

Please indicate the time it took for you to complete this survey: 1 hr.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Krista Hahn, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1, 2012, at San Diego, California.
Date *City*

Krista Hahn
Signature

Krista Hahn
Print Name

Krista.hahn19@gmail.com
E-mail Address

858-449-8288
Phone Number

SELPA: PUSD
School District (if serving multiple districts, list all): PUSD

Date: 1-17-08

Name of BICM Completing Survey: Krista Hahn
Title: School Psychologist
Phone Number(s): 858-10108-4175
Email Address: krista.hahn@paucajasa.com

<p>1. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: a. new cases (PBIIP for first time), and b. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>1</u> 1c. <u>1</u></p>
<p>2. How many students with PBIIPs also received <u>AB3632</u> mental health services in 2006-07? 3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>2. <u>1</u> 3a. <u>1</u> hour 3b. <u>8</u> hours 3c. <u>2</u> hours 3d. <u>1</u> hour 3e. <u>1</u> hour</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

EP
PL

* This student is not new to us
I have no access to his IEP
New

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a. through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b). *yes*

4a.	<u>2 hours</u>
4b.	<u>4 hours</u>
4c.	<u>2 hours</u>
4d.	<u>1 hour</u>
4e.	<u>"</u>
4f.	<u>"</u>
4g.	<u>11 hours</u>
4h.	<u>"</u>

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

5a.	<u>N/A - already done in</u>
5b.	<u>2-3 hrs.</u>
5c.	<u>N/A - FAA was already</u>
5d.	<u>2-3 hrs.</u>
5e.	<u>2-3 hrs.</u>

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6a.	<u>N/A - draft already</u>
6b.	<u>2 hrs. - on-going</u>
6c.	<u>2 hrs. meetings</u>
6d.	<u>2 hrs.</u>
6e.	<u>2 hrs. - on-going</u>
6f.	<u>2 hrs. meetings</u>
6g.	<u>14 hrs.</u>
6h.	<u>14 hrs.</u>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 1
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position

of Hrs

IEP Mtgs

PUSD / Prog Specialist
 PUSD / Teacher, SOC
 PUSD / Principal

4
 2
 2

1
 1
 1

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

PUSD / Program Spec.
 " / SOC Teacher
 " / Principal
 " / Speech Path
 " / O.T.

4
 4
 4
 4
 4

4
 4
 4
 4
 4

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

SDC Teacher 3-5
 Raides
 SDC Teacher K-2
 Raides

Implementing a PBIP is every day, all day long throughout the student's school day.

Now, the focus would be according to as long as the student remained at our school.

For example, the new FAA/PBIP I did in 06-07 began in March of 07 (last day of school). The existing PBIP ran from March 07 to March 07, at which time he went to nonpublic.

Handwritten notes at bottom of page:
 Meetings
 1689
 IEP
 non-BICM
 File is
 non-BICM
 non-BICM

a. + b. I personally did not spend in 2006-07 on the following

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 1
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 2
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <i>There is only one student at MLES from 06-07 who is still here and has a FAA/PBIP, and the CMT referral is currently underway for her 1/28/08 IEP meeting.</i>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

IEP records
Day planners
CA-workers

Please indicate the time it took for you to complete this survey: 1 1/2 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Shawn Dee Hartless, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist,
Title of Position
by PUSD,
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 9, 2012, at Poway, California.
Date *City*

Shawn Dee Hartless
Signature

Shawn Dee Hartless
Print Name

shartless@powayusd.com
E-mail Address

353-749-0245 x5132
Phone Number

SELPA: RUSD
 School District (if serving multiple districts, list all): _____
 Date: 7-31-08

Name of BICM Completing Survey: Shawn Dee Hagfors
 Title: School Psychologist
 Phone Number(s): 958-0748-0245 X5122
 Email Address: shahdes5@powayusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>2. <u>0</u> 3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:
- a. Preparing draft of PBIPs for IEP meetings.
 - b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
 - c. Training for and monitoring PBIPs across settings.
 - d. Evaluating PBIPs effectiveness.
 - e. Making modifications to PBIPs in subsequent IEP team meetings.
 - f. Making modifications to PBIPs outside of IEP team meetings.
 - g. Total of answers to 4a. through 4f.
 - h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

4a. _____

4b. _____

4c. _____

4d. _____

4e. _____

4f. _____

4g. _____

4h. _____

5a. _____

5b. _____

5c. _____

5d. _____

5e. _____

6a. _____

6b. _____

6c. _____

6d. _____

6e. _____

6f. _____

6g. _____

6h. _____

BICM 3

00334-00100/5274.1.

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	 	<u>5</u> 	
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	 	<u>0</u> 	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	 	<u>0</u> 	

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file, forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAAs and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. _____</p> <p>a. <u>0</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>0</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

BICM 5

00334.0010055274.1

TOTAL 0 0 0

DECLARATION

I, Diedra Dunn, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District
File of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3, 2012, at San Diego, California.
Date *City*

Diedra D
Signature

Diedra Dunn
Print Name

ddunna@powayusd.com
E-mail Address

(958) 748-0802 x2106
Phone Number

SELPA: Poway Unified School District Date: 1/30/08
 School District (if serving multiple districts, list all):
PUUSD

Name of BICM Completing Survey: Debra Dunn
 Title: School Psychologist
 Phone Number(s): (650) 748-0802 x 2210
 Email Address: ddunn@powayusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	<u>0</u> _____ _____ _____	<u>0</u> _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	<u>0</u> _____ _____ _____	<u>0</u> _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____	<u>0</u> _____ _____ _____	<u>0</u> _____ _____ _____

BICM 4

00334.00100.55274.1

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <input checked="" type="checkbox"/></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <input checked="" type="checkbox"/></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <input checked="" type="checkbox"/></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <input checked="" type="checkbox"/></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <input checked="" type="checkbox"/></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <input checked="" type="checkbox"/></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00100/5274.1

DECLARATION

I, Sharri LePage, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2012, at San Diego, California.
Date *City*

Sharri LePage
Signature

Sharri lePage
Print Name

sharrilepage@gmail.com
E-mail Address

619 223-4025
Phone Number

SEPA: Rowan Unified School District Date: 1/31/08
 School District (if serving multiple districts, list all): Rowan Unified School District
 Name of BICM Completing Survey: Sharon LePage
 Title: Psychologist
 Phone Number(s): RSB) 668-4182 ext 4182
 Email Address: slpage@rowunusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBDs? Of this total, please specify the number of: b. new cases (PBP for first time), and c. preexisting cases (entered 2006-07 with PBP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2

00334.00100.5574.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ <input type="radio"/></p> <p>4b. _____ <input type="radio"/></p> <p>4c. _____ <input type="radio"/></p> <p>4d. _____ <input type="radio"/></p> <p>4e. _____ <input type="radio"/></p> <p>4f. _____ <input type="radio"/></p> <p>4g. _____ <input type="radio"/></p> <p>4h. _____ <input type="radio"/></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <input type="radio"/></p> <p>5b. _____ <input type="radio"/></p> <p>5c. _____ <input type="radio"/></p> <p>5d. _____ <input type="radio"/></p> <p>5e. _____ <input type="radio"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1a.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <input type="radio"/></p> <p>6b. _____ <input type="radio"/></p> <p>6c. _____ <input type="radio"/></p> <p>6d. _____ <input type="radio"/></p> <p>6e. _____ <input type="radio"/></p> <p>6f. _____ <input type="radio"/></p> <p>6g. _____ <input type="radio"/></p> <p>6h. _____ <input type="radio"/></p>

BICM 3

0033400100552M.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 0

7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	Psychologist	<u>0</u>	<u>0</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Psychologist	<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Psychologist	<u>0</u>	<u>0</u>

BICM 4

00334.00100/5274.1

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <input type="radio"/> 0</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <input type="radio"/> 0</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <input type="radio"/> 0</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <input type="radio"/> 0</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <input type="radio"/> 0</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <input type="radio"/> 0</p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00 H005274.1

DECLARATION

I, CAROL MOORE, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by POWAY UNIFIED SCHOOL DISTRICT
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed MAY 4th, 2012, at SAN DIEGO, California.
Date *City*

Carol Moore
Signature

CAROL MOORE
Print Name

C.MOORE @ POWAYUSD.COM
E-mail Address

858-395-9425
Phone Number

SELPA: _____
 School District (if serving multiple districts, list all): POWAY UNIFIED -

Date: 1-28-08
CANYON VIEW ELEMENTARY

Name of BGM Completing Survey: CAROL MOORE
 Title: PSYCHOLOGIST
 Phone Number(s): 958-668-4177
 Email Address: CMOORE@powayusd.com

<p>1. How many students did you serve in 2006-07 who had PIPs? Of this total, please specify the number of: a. new cases (PIBP for first time), and b. preexisting cases (entered 2006-07 with PIBP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PIBPs also received AB3632 mental health services in 2006-07?</p>		<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports, conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0</p> <p>4b. _____ 0</p> <p>4c. _____ 0</p> <p>4d. _____ 0</p> <p>4e. _____ 0</p> <p>4f. _____ 0</p> <p>4g. _____ 0</p> <p>4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____ 0</p> <p>5c. _____ 0</p> <p>5d. _____ 0</p> <p>5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____ 0</p> <p>6c. _____ 0</p> <p>6d. _____ 0</p> <p>6e. _____ 0</p> <p>6f. _____ 0</p> <p>6g. _____ 0</p> <p>6h. _____ 0</p>

BICM.3

00334.00100/5274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 0

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____ _____

BICM 4

00334.00100/55274.1

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	<u>0</u>
b.	<u>0</u>
c.	<u>0</u>
d.	<u>0</u>
e.	<u>0</u>
f.	<u>0</u>
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information	
_____	_____
_____	_____
_____	_____

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, CAROL MOORE, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed MAY 4th, 2012, at SAN DIEGO, California.
Date *City*

Carol Moore
Signature

CAROL MOORE
Print Name

CMOORE@powayusd.com
E-mail Address

858-395-9425
Phone Number

SELPA: _____ Date: 1-28-08

School District (if serving multiple districts, list all): Poway Unified

Name of BICM Completing Survey: Carol Moore TERRA POWAY ELEMENTARY

Title: Psychologist

Phone Number(s): 958-668-4177

Email Address: CMOORE@POWAYUSD.COM

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 8
 7b. 8
 7c. 8

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		<u>8</u>	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, CATHY SUTTER, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
Title of Position
by POWAY UNIFIED
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4, 2012, at San Diego, California.
Date *City*

Cathy Sutter
Signature

CATHY SUTTER
Print Name

csutter@powayusd.com
E-mail Address

858-748-0047
Phone Number

RECEIVED
 JAN 24 2008

Due 1/30/08

1109

SELPA: Poway BY SPECIAL EDUCATION PUUSD Date: 1-22-08
 School District (if serving multiple districts, list all): 23 MIDLAND & PRIVATE SCHOOLS

Name of BICM Completing Survey: CATHY SUTTER
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): 858-668-4189 858-788-0047
 Email Address: csutter@powayusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		0	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	

		# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.	
a. Performing emergency behavioral interventions.	a.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FA&A and determine necessity for interim PBIP.	d.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.		

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 2 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, LaShawn Summerour, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at San Diego, California.
Date *City*

LaShawn Summerour
Signature

LaShawn Summerour
Print Name

lsummerour@powayued.com
E-mail Address

858-485-4850
Phone Number

RECEIVED
 JAN 24 2008

SELPA: POWAY

School District (if serving multiple districts, list all): POWAY

BY SPECIAL EDUCATION
 INITIALS: HEE

Date: 1.23.08

Name of BICM Completing Survey: La Shawn Summerour
 Title: School Psychologist
 Phone Number(s): (858) 1608-4185
 Email Address: lsummerour@powayusd.com

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

00334.0010055274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____

7b. _____

7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. <u>0</u></p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 MINUTES

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Shelley Fuller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Poway Unified School District *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 8th, 2012, at San Diego, California.
Date *City*

Shelley Fuller
Signature

Shelley Fuller
Print Name

sfuller@powayusd.com
E-mail Address

(619) 933-8707
Phone Number

Shorel Weick (RSR & SWI/NSH)
 Highland Park (RSP)

SELPA: Poway Unified School District

Date: 1.22.08

School District (if serving multiple districts, list all): _____

Name of BICM Completing Survey: Shelley Fuller
 Title: School Psychologist
 Phone Number(s): (652) 669-4173
 Email Address: shfuller@powayusd.com

<p>1. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: a. new cases (PBIIP for first time), and b. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>	
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>	

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b):</p>	<p>4a. <input type="radio"/> _____</p> <p>4b. <input type="radio"/> _____</p> <p>4c. <input type="radio"/> _____</p> <p>4d. <input type="radio"/> _____</p> <p>4e. <input type="radio"/> _____</p> <p>4f. <input type="radio"/> _____</p> <p>4g. <input type="radio"/> _____</p> <p>4h. <input type="radio"/> _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <input type="radio"/> _____</p> <p>5b. <input type="radio"/> _____</p> <p>5c. <input type="radio"/> _____</p> <p>5d. <input type="radio"/> _____</p> <p>5e. <input type="radio"/> _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <input type="radio"/> _____</p> <p>6b. <input type="radio"/> _____</p> <p>6c. <input type="radio"/> _____</p> <p>6d. <input type="radio"/> _____</p> <p>6e. <input type="radio"/> _____</p> <p>6f. <input type="radio"/> _____</p> <p>6g. <input type="radio"/> _____</p> <p>6h. <input type="radio"/> _____</p>

BICM 3

00334.00100/55274.1

	7a. <input type="checkbox"/> 7b. <input checked="" type="checkbox"/> 7c. <input type="checkbox"/>
<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: _____</p> <p>b. Number of students requiring 2 IEP team meetings: _____</p> <p>c. Number of students requiring 3 or more IEP team meetings: _____</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. <input type="checkbox"/> 7b. <input checked="" type="checkbox"/> 7c. <input type="checkbox"/></p>
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p> <p><input type="checkbox"/></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p><input type="checkbox"/></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p><input checked="" type="checkbox"/></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

BICM 4

00334.00100/53274.1

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <input type="text" value="0"/> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <input type="text"/> c. Completing a "Behavioral Emergency Report" for file, forwarding copy to administrator for review. <input type="text"/> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <input type="text"/> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <input type="text"/> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <input type="text" value="0"/>
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Monica Flores, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school psychologist
Title of Position
by Poway USD
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4,, 2012, at San Diego, California.
Date *City*

Monica Flores
Signature

Monica Flores
Print Name

moflores@powayusd.com
E-mail Address

658-484-8661 x3719
Phone Number

SELPA: PUUSD

School District (if serving multiple districts, list all): _____

Date: 1-25-08

Name of BICM Completing Survey: Monica Flores
 Title: Senior Behaviorist - Assessment Team ages 7-5
 Phone Number(s): 858-1619-8722 ext. 2119
 Email Address: mflores@puwaysd.com

<p>1. How many students did you serve in 2006-07 who had PIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PIIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>N/A</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

00334.00100/55274.1

	7a. 7b. 7c.	
7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).	_____ _____ _____	_____ _____ _____
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position _____ _____ _____	# of Hrs _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position _____ _____ _____	# of Hrs _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	District/Position _____ _____ _____	# of Hrs _____ _____ _____

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>
a.	
b.	
c.	
d.	
e.	
f.	
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Angela Presley, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Poway Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at San Diego, California.
Date *City*

Angela Presley
Signature

Angela Presley
Print Name

apresley@powayusd.com
E-mail Address

858.484.6064 x 3155
Phone Number

SELPA: PSD
School District (if serving multiple districts, list all): PSD

Date: 1/30/08

Name of BICM Completing Survey: Angela Preley, successor to Berkeley Doucette & Amanda DiFour
Title: School Psychologist
Phone Number(s): 925-41-1004 x 3154 / 81538-8403 x 3155
Email Address: apreye@psdsd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a. through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

BICM 3

00334.00 100/5274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	None	_____ _____ _____	_____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	None	_____ _____ _____	_____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	None	_____ _____ _____	_____ _____ _____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Summary calendar files

Please indicate the time it took for you to complete this survey: 10 minutes

Thank you very much for taking the time to complete this survey.

Date: 1/30/2008

SELPA: POWAY
 School District (if serving multiple districts, list all):
POWAY Unified School District
 Name of BICM Completing Survey: Libby Schellenberg
 Title: School Psychologist
 Phone Number(s): 958 668 4190
 Email Address: lschellenberg@powayusd.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>1</u></p> <p>3b. <u>20</u></p> <p>3c. <u>5</u></p> <p>3d. <u>20</u></p> <p>3e. <u>20</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. <u>33</u> 4b. <u>33</u> 4c. <u>2</u> 4d. <u>1</u> 4e. <u>1</u> 4f. <u>3</u> 4g. <u>13</u> 4h. _____</p>
<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p> <p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p> <p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. _____ 5c. _____ 5d. <u>0</u> 5e. _____</p> <p>6a. <u>0</u> 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. <u>0</u> 6h. _____</p>

1742

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

- a. Number of students requiring 1 IEP team meeting:
- b. Number of students requiring 2 IEP team meetings:
- c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
7b. 1
7c. post PEP mtg

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
	DVA Spec Teacher	qt	3
	SIP OT	10 qt	2 3
	AVT Spec		
	Teacher	5/day	
	T.A SIP OT	1.5/wk 1.5/wk OT	
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u> c. Completing a "Behavioral Emergency Report" for file, forwarding copy to administrator for review. <u>0</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- calendar
- emp act sht.
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

San Joaquin

SELPA

DECLARATION

I, Sharon Brenneise, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Project Administrator
by San Joaquin County Office of Ed., SELPA
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/16/12, 2012, at Stockton, California.
Date *City*

Sharon Brenneise
Signature

Sharon Brenneise
Print Name

sbrenneise@sjcoe.net
E-mail Address

(209) 468-9271
Phone Number

209 468-4907 (secretary)

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: SAN JOAQUIN COUNTY SELPA Date: 2-12-08

Person Completing Survey: Sharon Brenneise

Title: Program Administrator

Phone Number(s): (209) 468-9283

Email Address: sbrenneise@sicoe.net

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	<u>22</u>
2. How many BICM surveys have been returned to you?	<u>13</u>
3. If not all BICM surveys have been returned, please indicate reason. One district returned 1 survey for 3 BICM's who had no Hughes Bill assessments.	<u>BICM's left district</u>
4. How many districts are in your SELPA?	<u>10 + Sp Ed Co Prog</u>
5. How many district level surveys have been returned to you?	<u>11</u>
6. If not all district surveys have been returned, please indicate reason.	

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>1993</u> b. What is the basis for your estimate? <u>Calendars, Interviews with participants.</u>	7. <u>Program Specialists</u> <u>Administrator</u> <u>Teacher</u> <u>Psychologist</u>	7. <u>65</u> <u>90</u> <u>26</u> <u>12</u>
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>1999</u> b. What is the basis for your estimate? <u>Interviews with staff.</u>	8. <u>SELPA Director</u> <u>Executive Assistant</u>	8. <u>3</u> <u>29</u>
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>calendars</u> c. How often does your SELPA do this? <u>Every 6 years</u>	9. <u>Program Specialist</u> <u>Psychologist</u> <u>SELPA Director</u>	9. <u>69 hrs.</u> <u>17.25 hrs</u> <u>5 hrs</u>

Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? <u>2006-07</u> b. What is the basis for your estimate? <u>Interview with parties</u> c. How often does your SELPA do this? <u>Yearly if needed by change in law.</u>	10. _____ <u>SELPA Director</u> <u>Program Specialist</u> <u>Executive Assistant</u> 1 hr 2 hrs 3 hrs

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? <u>1993</u> b. What is the basis for your estimate? <u>Flyer for training, interviews with trainers.</u>	11. _____ <u>Program Specialist</u> _____ _____ _____ 50 hrs
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? <u>2006-07</u> b. What is the basis for your estimate? <u>Records, calendars</u> c. How often does your SELPA do this? <u>Every 2 years</u>	12. _____ <u>Program Specialist</u> <u>Administrative Asst.</u> _____ _____ 12 16

<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? <u>Oct 06 - Feb 07</u></p> <p>b. What is the basis for your estimate? <u>Database of participants</u></p> <p>c. How often does your SELPA do this? <u>Every 2 years</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p><u>\$13,500. Diana Browning-Wright, materials, 4 days of training and testing for BICM's to certify.</u></p>	<p>Position</p> <p><u>Program Specialist</u></p>	<p>13.</p> <p><u>36 hrs</u></p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICM's?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>_____</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14.</p> <p><u>Same as #13</u></p>	<p>14.</p> <p><u>Same as #13</u></p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? <u>1993-1994</u></p> <p>What is the basis for your estimate? <u>Interview with trainers.</u></p>	<p>15.</p> <p><u>Program Specialist</u></p>	<p>15.</p> <p><u>24 hrs</u></p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? <u>n/a</u></p> <p>b. What is the basis for your estimate? <u>n/a</u></p> <p>c. How often does your SELPA do this? <u>BICM's provide on site training for implementers. Training is included in their BICM training.</u></p>	<p>16.</p> <p><u>Psychologist</u> <u>Program Specialist</u></p>	<p>16.</p> <p><u>84 hrs</u> <u>120 hrs.</u></p>

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBHP implementers? a. What year did this occur? <u>n/a</u> b. What is the basis for your estimate? <u>n/a</u> c. How often does your SELPA do this? <u>n/a</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>BICM's provide on site training for implementers. Training is included in their BICM training.</u>	17. <u>n/a</u>	17. <u>n/a</u>
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? <u>1993</u> b. What is the basis for your estimate? <u>Interviews with participants.</u>	18. <u>Program Specialist</u>	18. <u>70 hrs</u>
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>2006</u> b. What is the basis for your estimate? <u>Training Schedule</u> c. How often does your SELPA do this? <u>Annually</u>	19. <u>Program Specialist</u> <u>Psychologist</u>	19. <u>32 hrs</u> <u>32 hrs</u>
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>2007</u> b. What is the basis for your estimate? <u>Training schedule</u> c. How often does your SELPA do this? <u>8-10 times yearly</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>n/a</u>	20. <u>Program Specialist</u>	20. <u>16 hrs</u>

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ 150.00 For: Registration Fee Paid By: _____ Districts _____
 Cost: \$ _____ For: _____ Paid By: _____
 No sub costs because people who were BICM's did not require subs.

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

	# Attde.	District/Position	# of Hours
22.	22	22. Psychologist Program Specialist	22. 26 26

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

23.	0	n/a	n/a

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

24.	1	24. Banta	24. 16 hrs
	47	SICOE-SpEd Co.Prog	752 hrs
	9	Escalon SD	144 hrs
	3	Genesis Beh Ctr	48 hrs
	4	Head start	64 hrs
	6	Jefferson	96 hrs
	17	Lincoln	272 hrs

Please indicate the amount of time in hours or portions thereof spent to complete this document.

Thank you very much for taking the time to complete this survey.

40 hrs.

SJ COUNTY OFFICE OF EDUCATION
Employee Position Detail with Distribution and Benefits

2005 - 2005
Run: 01/12/2006 15:07:17

Position #	DESCRIPTION: ASSISTANT	Job Information	Bargaining Unit	EEO	Classification	Defer Vacancy		
Effective	Start Date	Step Rate	Calendar M / Day	FTE	Days / Year	Salary Step	Shift	Package
07/01/2006	07/01/2006	2031N	6.0000	1.0000	202.0000	Non/001/001	X	PERF CASI
Attachment:	07/01/2006	2031N	6.0000	1.0000	202.0000	1.0000 FTE (use for benefits - yes)		
Position Total:	Base Cost	Additional Cost	Salary Cost	Benefit Cost	AM/001/007	140F		19,531.50
Final Total:	19,531.50	0.00	19,531.50	13,945.46	Salary/benefit Cost			32,180.06

Benefit Distribution	Rate	Salary	H/M	Relief	FICA/Medi	SUI	MCSP	Total	of Total
01-6500-0-5750-1110-3202-109-1020	18,531.50	9,300.24		7,412.80	1,265.22	83.40	586.90	32,180.06	100.0000
01-6500-0-5750-1110-3312-109-1020									
01-6500-0-5750-1110-3322-109-1020									
01-6500-0-5750-1110-3332-109-1020									
01-6500-0-5750-1110-3412-109-1020									
01-6500-0-5750-1110-3522-109-1020									
01-6500-0-5750-1110-3532-109-1020									
01-6500-0-5750-1110-3602-109-1020									
01-6500-0-5750-1110-3722-109-1020									
01-6500-0-5750-1110-3802-109-1020									
Final Total:	18,531.50	9,300.24		7,412.80	1,265.22	83.40	586.90	32,180.06	100.0000

111093
223E
PSYCHOLOGIST
Effective 07/01/2002
Attachment: 06/17/2005
Position # 2031N001
Effective 07/01/2003
Attachment: 07/01/2003

03 COUNTY OFFICE OF EDUCATION

Run: 01/17/2005 15:07:11

2005 - 2006

Employee Total: 44,424.00

Additional Cost: 0.00
 Salary Cost: 44,424.00
 Benefit Cost: 12,308.60
 Salary/Benefit Cost: 56,732.60

Final Total:

Base Cost: 71,140.00
 Additional Cost: 1,500.00
 Salary Cost: 75,640.00
 Benefit Cost: 20,113.30
 Salary/Benefit Cost: 95,753.30

Salary Distribution

01-1350-0-510-1120-1100-112-1110	Salary	H/W	Retire	FICA/Medi	SUI	HNCP	Total	CF Total
01-1350-0-510-1120-1100-112-1110	79,000	0.00	6.24	1.08	0.36	2.40	89.08	0.0000
01-1350-0-510-1120-1100-112-1110	3,550.72	513.30	43.02	43.02	15.96	112.86	4,595.88	4.7151
01-1350-0-5001-1120-1200-209-2500	31,081.08	4,271.58	2,564.16	428.30	139.92	924.36	39,415.60	40.8026
01-1350-0-5001-1120-1200-209-2500	40,238.86	5,903.02	3,176.32	581.22	181.20	1,296.24	52,283.28	51.2758
	75,640.00	10,683.90	6,240.36	1,947.62	340.44	2,095.68	96,353.28	

Benefit Distribution

01-3345-0-510-1120-3100-119-1110	STIP ON 1000 SALARIES	Amount
01-3345-0-510-1120-3100-119-1110	FICA-HEB ON 1000 SALARIES	299.88
01-3345-0-510-1120-3100-119-1110	HEALTH & WELFARE ON 1000 SAL	50.10
01-3345-0-510-1120-3100-119-1110	STATE UNEMPLOY ON 1000 SALARY	422.58
01-3345-0-510-1120-3100-119-1110	WORKERS COMP INS ON 1000 SAL	16.23
01-3345-0-510-1120-3100-119-1110	H & W FUTURE LIABILITY ON 1000	115.08
01-3345-0-510-1120-3100-119-1110	STERN ON 1000 SALARIES	50.72
01-3345-0-510-1120-3100-119-1110	FICA-HEB ON 1000 SALARIES	997.72
01-3345-0-510-1120-3100-119-1110	HEALTH & WELFARE ON 1000 SAL	2,350.36
01-3345-0-510-1120-3100-119-1110	STATE UNEMPLOY ON 1000 SALARY	324.12
01-3345-0-510-1120-3100-119-1110	WORKERS COMP INS ON 1000 SAL	2,280.60
01-3345-0-510-1120-3100-119-1110	H & W FUTURE LIABILITY ON 1000	1,800.24
		20,713.20

Final Total:

Base Cost: 79,140.00
 Additional Cost: 1,500.00
 Salary Cost: 75,640.00
 Benefit Cost: 20,713.20
 Salary/Benefit Cost: 96,353.28

110116

POSITION # 15530003 Language Speech and Hearing Specialist

Effective 07/01/2005
 Start Date 07/01/2005
 Step Rate 18CP
 Calendar Hrs / Day 6,0000
 FTE 1.0000
 Days / Year 182.0000
 Salary Step 182.0000
 Shift STPS
 Refere STPS
 Package CAIT
 Cost

Additional: 01/00/2004
 ICRNK 6.0000
 1.0000
 102.0000
 TCN/CL3/003
 STPS
 42,274.00

Position Title: 47,228.00
 Additional Co-1 0.00
 Salary Cost 47,228.00
 Benefit Cost 15,683.08
 Salary/Benefit Cost 62,911.08

Employee Avail: 07/01/2005
 Start Date 07/01/2005
 Step Rate 1E2
 Calendar Day Type ST STIPEND
 FTE 1.0000
 Days / Year 182.0000
 TCN code MA 1.0000
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23 EQUITY OFFICE OF EDUCATION

2005 - 2006 Run: 01/12/2006 10:07:17

Employee Position Detail with Distribution and Benefits

Final Total:	Base Cost	Additional Cost	Salary Cost	Benefit Cost	Salary/Benefit Cost	Total	of Total
20,349.50	20,349.50	0.00	20,349.50	14,135.56	34,485.06	100,000.00	34.485%
Benefit Distribution							
01-6500-0-5150-1110-3172-109-1020				1,851.10			
01-6500-0-5150-1110-3172-109-1020				1,219.19			
01-6500-0-5150-1110-3172-109-1020				285.13			
01-6500-0-5150-1110-3172-109-1020				8,730.94			
01-6500-0-5150-1110-3172-109-1020				01.50			
01-6500-0-5150-1110-3172-109-1020				643.59			
01-6500-0-5150-1110-3172-109-1020				508.70			
01-6500-0-5150-1110-3172-109-1020				794.49			
Final Total:				14,135.56			

18456

Position # ASSISTANT SUPERINTENDENT
 CONSUMERS SUPPLIERS SUSE Regarding Unit EEO Classification Defer Vacancy
 07/01/2005 07/01/2006 224MS 8.0000 1.0000 224.0000 SUP/AST/001 STS CNA3

Effective	Start Date	Step Date	Calendar	Hrs / Day	FTE	Days / Year	Salary Step	Shift	Retire	Package	Cost
07/01/2005	07/01/2005	07/01/2005	224MS	8.0000	1.0000	224.0000					129,587.53
Accounts:											
01-6500-0-5001-2100-1330-219-2140						10.0000					
01-6500-0-5001-2100-1330-219-2140						50.0000					
01-6500-0-5001-2100-1330-219-2140						5.0000					
01-6500-0-5050-2100-1330-219-2070						25.0000					
01-6500-0-5050-2100-1330-219-2070						10.0000					
Attachment:	07/01/2005		224MS	9.0000	1.0000	224.0000	SUP/AST/001	STS			129,587.53

Position Advt:	Start Date	Stop Date	Calendar	Pay Type	Rule	Type	CE	Percent	Benefit Cost	Salary/Benefit Cost	Amount/	Cost
07/01/2005	07/01/2005	07/01/2005	224MS	SC STIEMD-CREDITA	CE	Shift/Standard	SUP	Code PH	1.0000		159,595.82	3,000.00
Accounts:												
01-6500-0-5001-2100-1330-219-2140						50.0000						
01-6500-0-5001-2100-1330-219-2140						5.0000						
01-6500-0-5050-2100-1330-219-2070						25.0000						
01-6500-0-5050-2100-1330-219-2070						10.0000						

Employee Advt:	Start Date	Stop Date	Calendar	Pay Type	Rule	Type	CE	Percent	Benefit Cost	Salary/Benefit Cost	Amount/	Cost
07/01/2005	07/01/2005	07/01/2005	224MS	SC STIEMD-CREDITA	CE	Shift/Standard	SUP	Code PH	1.0000		159,595.82	3,000.00
Accounts:												
01-6500-0-5001-2100-1330-219-2140						50.0000						
01-6500-0-5001-2100-1330-219-2140						5.0000						
01-6500-0-5050-2100-1330-219-2070						25.0000						
01-6500-0-5050-2100-1330-219-2070						10.0000						

Final Total:	Base Cost	Additional Cost	Salary Cost	Benefit Cost	Salary/Benefit Cost	Total	of Total
129,587.53	129,587.53	6,144.00	131,711.53	30,864.28	167,595.82	167,595.82	99.993%
Salary Distribution							
01-6500-0-5001-2100-1330-219-2140			13,173.16	1,331.07	14,504.23	14,504.23	8.607%
01-6500-0-5001-2100-1330-219-2140			65,865.51	6,670.41	72,535.92	72,535.92	42.771%
01-6500-0-5001-2100-1330-219-2140			6,586.56	667.08	7,253.64	7,253.64	4.271%
01-6500-0-5050-2100-1330-219-2070			32,932.82	3,235.40	36,168.22	36,168.22	21.150%
01-6500-0-5050-2100-1330-219-2070			13,173.06	1,331.69	14,504.75	14,504.75	8.607%
Final Total:			129,587.53	30,864.28	167,595.82	167,595.82	99.993%

Page: 99
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34 COUNTY OFFICE OF EDUCATION
 Employee Position Detail With Distribution and Benefits

Print: 8/11/2009 15:04:17
 2005 - 2006

Final Total:	Base Cost	Additional Cost	Salary Cost	Benefit Cost	Salary/Benefit Cost	Total	of Total
9,090.00	0.00	0.00	9,090.00	5,972.26	15,062.26	15,062.26	100.0000

Benefit Distribution

Code	Rate	Amount
01-6500-0-5750-1110-3202-109-1020		832.66
01-6500-0-5750-1110-3312-109-1020		583.58
01-6500-0-5750-1110-3322-109-1020		131.82
01-6500-0-5750-1110-3412-109-1020		1,575.10
01-6500-0-5750-1110-3502-109-1020		40.92
01-6500-0-5750-1110-3602-109-1020		287.88
01-6500-0-5750-1110-3772-109-1020		189.40
01-6500-0-5750-1110-2801-109-1020		354.00

Final Total:

Base Cost	Additional Cost	Salary Cost	Benefit Cost	Salary/Benefit Cost
9,090.00	0.00	9,090.00	5,972.26	15,062.26

10868
 Position: EXECUTIVE ASSISTANT I
 Effective: 07/01/2005
 Start Date: 07/01/2005
 Step Date: 07/01/2005
 Job Information: SCHEDULE EXST
 Bargaining Unit: M3CL
 EEO: 2E CLASSIFIED COM
 Classification: Non-Instructional
 Defers Vacancy: No
 Account: 01-6500-0-5050-2100-2400-219-2060
 01-7240-0-5001-3600-2400-119-1650
 Rate: 8,000.00
 FTE: 1.0000
 Days / Year: 260.0000
 Salary Step: 0.9500 FTE
 Shift: 0.0500 FTE
 Package: PRDT
 Cost: 0.0000
 CCA/EO1/A: 0.9500 FTE (use for benefits - Yes)
 PRDT: 0.0500 FTE
 CCA/EO1/D: 0.0000
 FURT: 0.0000

Position Total:

Base Cost	Additional Cost	Salary Cost	Benefit Cost	Salary/Benefit Cost
47,856.00	0.00	47,856.00	21,061.60	68,917.60

Final Total:

Base Cost	Additional Cost	Salary Cost	Benefit Cost	Salary/Benefit Cost
47,856.00	0.00	47,856.00	21,061.60	68,917.60

Salary Distribution

Code	Rate	Salary	Benefit	Total
01-6500-0-5050-2100-2400-219-2060		45,483.20	3,919.36	49,402.56
01-7240-0-5001-3600-2400-119-1650		2,372.80	311.52	2,684.32

Benefit Distribution

Code	Rate	Amount
01-6500-0-5050-2100-3202-219-2060		4,144.44
01-6500-0-5050-2100-3312-219-2060		2,440.19
01-6500-0-5050-2100-3322-219-2060		570.68
01-6500-0-5050-2100-3412-219-2060		5,200.20
01-6500-0-5050-2100-3502-219-2060		204.60
01-6500-0-5050-2100-3602-219-2060		1,439.88
01-7240-0-5001-3600-2400-119-1650		1,136.64
01-7240-0-5001-3600-3202-119-1650		1,774.92
01-7240-0-5001-3600-3312-119-1650		236.16
01-7240-0-5001-3600-3412-119-1650		30.00
01-7240-0-5001-3600-3502-119-1650		436.74
01-7240-0-5001-3600-3602-119-1650		10.60
01-7240-0-5001-3600-3602-119-1650		75.84

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 FICA-MED ON 2000 SALARIES
 HEALTH & WELFARE ON 2000 SALARY
 STATE UNEMPLOY ON 2000 SALARY
 WORKER'S COMP INS ON 2000 SAL
 H & W FUTURE LIABILITY ON 2000
 PERM REDUCTION ON 2000 SALARY
 PERM ON 2000 SALARIES
 CASDI ON 2000 SALARIES
 FICA-MED ON 2000 SALARIES
 HEALTH & WELFARE ON 2000 SALARY
 STATE UNEMPLOY ON 2000 SALARY
 WORKER'S COMP INS ON 2000 SAL

STATE OF CALIFORNIA
 COUNTY OFFICE OF EDUCATION
 Employee Position Detail with Distribution and Benefits
 2009 - 2010
 Run: 01/12/2009 15:01:11

Position # ADMINISTRATIVE ASSISTANT
 POSTED TO: ADMINISTRATIVE ASSISTANT
 Effective 07/01/2009
 Start Date 07/01/2009
 Job Information: ADMINISTRATIVE ASSISTANT
 REASON: SW SA CLASSIFIED
 Bargaining Unit: 02
 PROGRESSIVE IN. BENEFITATIONAL
 Defol. Vacancy
 Classification: PRG CN29
 Shift: PRG CN29
 Package
 Cost
 Accounts: 01-6500-0-5050-2100-2400-219-2060
 01-6500-0-5050-2100-2400-219-2070
 01-5010-C-6000-2100-2400-219-2160
 MISC: 8.0000 1.0000 260.0000*
 CYS/MO/IE
 PRD
 39,652.00

Attachment:	07/01/2009	MISC:	8.0000	1.0000	260.0000*	CYS/MO/IE	PRD	39,652.00
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Final Total:	Base Cost	39,652.00	Additional Cost	0.00	Salary Cost	30,651.00	Benefit Cost	19,005.42	Salary/Benefit Cost	57,657.42
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Benefit Distribution	Amount									
01-6500-0-5050-2100-2202-219-2060	PERF ON 2000 SALARIES	2,114.16								
01-6500-0-5050-2100-2112-219-2060	CANDI ON 2000 SALARIES	1,396.78								
01-6500-0-5050-2100-2112-219-2060	FICA-MED ON 2000 SALARIES	328.56								
01-6500-0-5050-2100-2412-219-2060	HEALTH & WELFARE ON 2000 SAL	5,242.12								
01-6500-0-5050-2100-2502-219-2060	STATE UNEMPLOY ON 2000 SALARY	104.28								
01-6500-0-5050-2100-2502-219-2060	WORKER'S COMP INS ON 2000 SAL	734.52								
01-6500-0-5050-2100-2722-219-2060	H & W FUTURE LIABILITY ON 2000	576.84								
01-6500-0-5050-2100-2802-219-2060	PERS REDUCTION ON 2000 SALARY	905.42								
01-6500-0-5050-2100-3202-219-2070	PERS ON 2000 SALARIES	704.76								
01-6500-0-5068-2100-3112-219-2070	ONSDI ON 2000 SALARIES	465.43								
01-6500-0-5069-2100-3112-219-2070	FICA-MED CH 2000 SALARIES	106.82								
01-6500-0-5069-2100-3112-219-2070	HEALTH & WELFARE ON 2000 SAL	1,747.42								
01-6500-0-5069-2100-3112-219-2070	STATE UNEMPLOY ON 2000 SALARY	34.80								
01-6500-0-5069-2100-3112-219-2070	WORKER'S COMP INS ON 2000 SAL	344.80								
01-6500-0-5069-2100-3112-219-2070	H & W FUTURE LIABILITY ON 2000	193.32								
01-6500-0-5069-2100-3112-219-2070	PERS REDUCTION ON 2000 SALARY	301.82								
01-6500-0-5069-2100-3112-219-2070	PERS ON 2000 SALARIES	704.61								
01-9010-0-6000-2100-3112-219-2160	FICA-MED CH 2000 SALARIES	465.44								
01-9010-0-6000-2100-3112-219-2160	HEALTH & WELFARE ON 2000 SAL	1,747.42								
01-9010-0-6000-2100-3112-219-2160	STATE UNEMPLOY ON 2000 SALARY	31.80								
01-9010-0-6000-2100-3112-219-2160	WORKER'S COMP INS ON 2000 SAL	244.87								
01-9010-0-6000-2100-3112-219-2160	H & W FUTURE LIABILITY ON 2000	191.80								
01-9010-0-6000-2100-3112-219-2160	PERS REDUCTION ON 2000 SALARY	301.80								
01-9010-0-6000-2100-3112-219-2160	PERS ON 2000 SALARIES	704.61								
Final Total:	Base Cost	39,652.00	Additional Cost	0.00	Salary Cost	30,651.00	Benefit Cost	19,005.42	Salary/Benefit Cost	57,657.42

District

DECLARATION

I, Debra S. Hopman, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Education
by Jefferson Elementary School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 22, 2012, at Stockton, California.
Date *City*

Debra S. Hopman
Signature

Debra S. Hopman
Print Name

dhopman@sjcoe.net
E-mail Address

209. 471. 3425
Phone Number

SELPA: _____ Date: 1/23/08
 District: Jefferson
 Person Completing Survey: Debra Hopman
 Title: Director Special Education
 Phone Number(s): 209.839.1842
 Email Address: dhopman@sicoe.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 1

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.	2. 2.75
a. Performing emergency behavioral interventions.	a. <u>teacher</u>	a. <u>1.5</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>teacher</u>	b. <u>.25</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>teacher</u>	c. <u>.25</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>n/a</u>	d. <u>n/a</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>n/a</u>	e. <u>n/a</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>teacher</u>	f. <u>.25</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>special ed secretary</u>	g. <u>.25</u>
	<u>special ed director</u>	<u>.25</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. n/a	3. 0

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?</p> <p>a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. <u> 0 </u></p> <p>4a. <u> n/a </u></p>

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u> n/a </u>	5. <u> 0 </u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u> n/a </u>	6. <u> 0 </u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u> n/a </u>	7. <u> 0 </u> a. <u> 0 </u> b. <u> 0 </u> c. <u> 0 </u>
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u> n/a </u>	8. <u> 0 </u> a. <u> 0 </u> b. <u> 0 </u> c. <u> 0 </u>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: .25 hrs

Thank you for taking the time to complete this survey.

DECLARATION

I, Camille Taylor, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Education
Title of Position
by Ripon Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 21, 2012, at Stockton, California.
Date *City*

Camille Taylor
Signature

Camille Taylor
Print Name

senal01@sbeGLOBAL.net
E-mail Address

209-236-1208
Phone Number

SELPA: San Joaquin Date: January 25, 2008

District: Ripon Unified

Person Completing Survey: Camille Taylor

Title: Director of Special Education

Phone Number(s): (209) 599-2131x41

Email Address: cataylor@sicoe.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 10

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2. Autism Specialist Aide	2. <u>1 hour</u> <u>2 hours</u>
a. Performing emergency behavioral interventions.	a. <u>Teacher</u>	a. <u>2 hours</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>Principal</u>	b. <u>2 hours</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>Principal</u>	c. <u>6 hours</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAVA and determine necessity for interim PBIP.	d. <u>Teacher</u> <u>Teacher</u> <u>Psychologist</u>	d. <u>1 hour</u> <u>3 hours</u> <u>6 hours</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>Director of Sp. Ed.</u> <u>Principal</u> <u>Case Manager</u>	e. <u>6 hours</u> <u>6 hours</u> <u>6 hours</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>Psychologist</u> <u>Director of Sp. Ed.</u>	f. <u>6 hours</u> <u>1 hour</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>Director of Sp. Ed.</u>	g. <u>3 hours</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Director of Sp. Ed.</u> <u>Principal</u>	3. <u>3 hours</u> <u>1 hour</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?	4. 1
a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4a. 1

Case #: N2006100409 (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>Attorney for District</u>	5. <u>4 hours</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. a. <u>Director</u> b. c.	6. <u>2 hours</u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>NA</u> a. b. c.	7. <u>NA</u> a. b. c.
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>NA</u> a. b. c.	8. <u>NA</u> a. b. c.

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
NA				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information. Calendars and Date Books

Please indicate the amount of time it took to complete this document: 1 hour

Thank you for taking the time to complete this survey.

2006-07 Data Collection for Certificated Positions

Report USD

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	HRly SR Benefits	HRly H & W	Total Hourly Rate
SMPL: Teacher Position	60,000.00	9,900.00 <small>STRS, PERS, MEDICAL, SURV, WORKERS COMP, UNEMPLOYMENT, SICK LEAVE, OTHER</small>	9,000.00	183	6.5	50.44	8.32	7.57	68.33
<small>This will be for any certificated position, management and non-management that participated in any of the annual processes.</small>	<small>This comes from the salary schedule for the position</small>	<small>Works comp, medical, SURV, UNEMPLOYMENT, SICK LEAVE, OTHER</small>	<small>This includes employer paid medical, dental vision and life insurance</small>	<small>These are the work days associated with the position</small>	<small>These are hours per day for the position (possibly contractual)</small>	<small>This column is automatically calculated and is protected</small>	<small>This column is automatically calculated and is protected</small>	<small>This column is automatically calculated and is protected</small>	<small>This column is automatically calculated and is protected</small>
Director of Special Education	123,507.00	15,376.00	6,414.60	220	8	70.17	8.74	3.64	82.56
RSP Teachers	58,257.00	7,253.00	6,414.60	187	7	44.50	5.54	4.90	54.95
SDC Teachers	42,482.00	5,288.00	6,414.60	187	7	32.45	4.04	4.90	41.39
Psychologists	60,593.00	7,543.00	6,414.60	190	7	45.56	5.67	4.82	56.05
Speech Pathologists	84,759.00	10,552.00	6,414.60	187	7	64.75	8.06	4.90	77.71
Principals	102,502.00	20,012.00	6,414.60	205	8	62.50	12.20	3.91	78.62
Teachers	61,486.00	12,004.00	6,414.60	187	7	46.97	9.17	4.90	61.04

DECLARATION

I, Kim Parrott, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Education
by Lammersville Elementary School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/18, 2012, at Antioch, California.
Date *City*


Signature

Kim Parrott
Print Name

kimberlyparrott@antioch.k12-ca.us
E-mail Address

(925) 628-0280
Phone Number

SELPA: San Joaquin
 District: Lamersville

Date: 1/17/08

Person completing survey: Kim Parrott
 Title: Director of Special Education
 Phone Number(s): (209)836-7418
 Email Address: kparrott@sicoe.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.
- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
 - e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 - f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 - g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

Position	# of Hours
2.	2.
a.	a. <u>0</u>
b.	b. <u>0</u>
c.	c. <u>0</u>
d.	d. <u>0</u>
e.	e. <u>0</u>
f.	f. <u>0</u>
g.	g. <u>0</u>
3.	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. <u>0</u> _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ _____ _____ _____	6. <u>0</u> _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. <u>0</u> a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>0</u> a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
n/a				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level. n/a

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 minutes

Thank you for taking the time to complete this survey.

DECLARATION

I, Kelly Dextraze, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Sp Ed
by Lincoln Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Stockton, California.
Date *City*

Kmdextraze
Signature

Kelly Dextraze
Print Name

kdextraze@stockton.k12.ca.us
E-mail Address

209.933.7120 ext 2561
Phone Number

SELPA: SKOE Date: 1-08
 District: Lincoln Unified
 Person Completing Survey: Kelly Dextar
 Title: Director, Special
 Phone Number(s): 209-953-8726
 Email Address: kdextar3@lued.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	1. <input type="radio"/>	
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	Position 2. <input type="radio"/>	# of Hours 2. <input type="radio"/>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <input type="radio"/>	3. <input type="radio"/>

District 2

00334.00100/5828.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a.

Case #: _____ (use OAH filing number)

7/2/02

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	5.
	a.	
	b.	
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6.	6.
	a.	
	b.	
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7.	7.
	a.	
	b.	
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8.	8.
	a.	
	b.	
	c.	

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
2/2				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: *20 minutes*
 Thank you for taking the time to complete this survey.

DECLARATION

I, Errin Hagen, hereby declare as follows:
Print Name

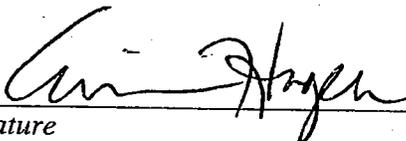
1. In the 2007-2008 school year, I was employed as a Program Administrator
by San Joaquin County Office of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/19/12, 2012, at Columbia, Missouri
Date *City* *California*


Signature

Errin Hagen
Print Name

ehagen@columbia.k12.mo.us
E-mail Address

(573) 239-9961
Phone Number

SELPA: _____ Date: 2/5/08
 District: 2070 & 2071
 Person Completing Survey: Kathleen Shultz, Y. Susan Hagem
 Title: Director of Program Administrator
 Phone Number(s): (2089) 348-5287
 Email Address: ksteeles@STSTE.NET

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 162

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2.	2.
	a.	
	b.	
	c.	
	d.	
	e.	
	f.	
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	3.

Handwritten notes:
 - 2 hours per quarter
 - 4 hours per year x 3 qtrs
 - Stand by

Handwritten signature: Patricia

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

*data made to
 come from self
 and bonds worked
 with Tracy into the
 1000
 on a table
 4 questions
 this was*

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	5.
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. a. b. c.	6.
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. a. b. c.	7.
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. a. b. c.	8.

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	Due process hearing sessions for PALS	841	Matthew Steiner Attorney	\$ 27,166.00
	Review PALS or IEPs at IEP meetings			\$
	Team meetings, due process and mediation			\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 205 hours 2007 2008 2009 2010 2011 2012

Thank you for taking the time to complete this survey.

205 hours 2007 2008 2009 2010 2011 2012

215 hours 2007 2008 2009 2010 2011 2012

205 hours 2007 2008 2009 2010 2011 2012

Sharon,

Data from BICM forms needs to be included in my District information but not sure where.

8. total time on PBIP issues in IEP team meetings by non-BICM personnel for the first time.....

	HOURS
Teacher	61
Program administrator	75
LSH	17
IA	
OT	6
APE	1
Nurse	5.5
Psychologist	5
District Program Specialist	35
MUSD, TUSD, SUSD, Escalon	
District Director	16
Escalon, Ripon, Lincoln	

9. total time preexisting PBIP

Teacher	6.5
Program administrator	6.5
LSH	3.5
IA	
OT	1.5
APE	1.5
Nurse	1.5
Psychologist	3
District Program Specialist	4.5
MUSD, TUSD,	
District Director	2
Lincoln Unified	

10. Implementation/monitoring of PBIP and non-BICM...

Teacher	5400 hours
Program administrator	200 hours
LSH	127 hours
IA	10800 hours
OT	
APE	
Nurse	
Psychologist	
District Program Specialist	
District Director	

DECLARATION

I, Kathleen Steels, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Division Director
Title of Position
by San Joaquin County Office of Ed.
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/17/2012, 2012, at Stockton, California.
Date *City*

Kathleen Steels
Signature

Kathleen Steels
Print Name

Ksteels@STOE.NET
E-mail Address

(209) 468-4925
Phone Number

SELPA: _____ Date: 2/5/08
 District: 2078 & 2079
 Person Completing Survey: Kathleen Shultz, Yuma Region
 Title: District Program Administrator
 Phone Number(s): (360) 468-9287
 Email Address: kshultz@stms.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 162

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.		
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.		
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.		
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.		
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.		
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.		
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.		
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		

Handwritten notes:
 - 2 hour quarterly
 - team meeting 37 weeks per year x 30%
 - Annual task
 - 20 minutes, 200 teachers
 - 200 teachers

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

data needed to come from self and stands with our attack on a back support this case

Case #: ___ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	5.
	6.	6.
	a. b. c.	
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6.	6.
	a. b. c.	
	7.	7.
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7.	7.
	a. b. c.	
	8.	8.
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8.	8.
	a. b. c.	
	8.	8.

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIAs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	Over summer planning sessions FAAs, PBIAs, Review IEPs w/ IEP team, attending team meetings, day process and mediation	341	Malathi Kulkarni Attorney	\$ 27,167.00
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document:
 Thank you for taking the time to complete this survey.

20 hours District Clerk Wagner
 21.5 hours IEP team support
 Xopen Program Adm.


San Joaquin County Special Education Programs
 Hughes Bill Survey. District form

1)	Behavioral Emergency Reports (BER) 2006-07	162
2)	Hours and by position:	
	a. performing Emergency interventions:	
	BCM	4 hours
	Teacher	297 hours
	Instructional assistant(s)	327 hours
	b. Notify parents.....	
	BCM	2.75 hours
	Teacher	59
	Program Administrator	19
	c. BER for file....	
	BCM	5.5
	Teacher	54
	IA	39
	Secretary	2
	d. Scheduling holding IEP ...w/o PBIP	
	BCM	40
	Teacher	71
	Administrator	59
	Secretary	23.5
	e. Scheduling holding IEP..w PBIPs	
	BCM	20
	Director	3
	Teacher	37
	Admin	18
	Secretary	11
	f. BER data to admin for annual report	
	BCM	3
	Teacher	12
	Administrator	21
	g. Review BER forward to SELPA	
	Director	27
	Secretary	11
3.	Informing school personnel of prohibited behavioral intervene..	
	Program Administrator	9
	BCM	42

Sharon,

Data from BICM forms needs to be included in my District information but not sure where.

8. total time on PBIP issues in IEP team meetings by non-BICM personnel for the first time.....

	HOURS
Teacher	61
Program administrator	75
LSH	17
IA	
OT	6
APE	1
Nurse	5.5
Psychologist	5
District Program Specialist	35
MUSD, TUSD, SUSD, Escalon	
District Director	16
Escalon, Ripon, Lincoln	

9. total time preexisting PBIP

Teacher	6.5
Program administrator	6.5
LSH	3.5
IA	
OT	1.5
APE	1.5
Nurse	1.5
Psychologist	3
District Program Specialist	4.5
MUSD, TUSD,	
District Director	2
Lincoln Unified	

10. Implementation/monitoring of PBIP and non-BICM...

Teacher	5400 hours
Program administrator	200 hours
LSH	127 hours
IA	10800 hours
OT	
APE	
Nurse	
Psychologist	
District Program Specialist	
District Director	

DECLARATION

I, Nancy Flynn Hopple, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Special Education Director
Title of Position
by Tracy Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 25, 2012, at Stockton, California.
Date *City*

Nancy Flynn Hopple
Signature

Nancy Flynn Hopple
Print Name

nhopple@sjcoenet
E-mail Address

209-482-0122
Phone Number

Date: 1/25/08

SELPA: San Joaquin County
 District: Tracy Unified School District
 Person completing survey: Nancy Lynn Hopple
 Title: Director, Special Education
 Phone Number(s): 209-830-3270
 Email Address: nlynn@tusd.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 2

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.
- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
 - e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 - f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 - g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

Position	# of Hours
2.	2.
a. <u>BICM, SDC Teachers</u>	a. <u>2 hours</u>
b. <u>SDC teacher</u>	b. <u>1 hour</u>
c. <u>BICM, SDC Teacher, Para-educator</u>	c. <u>2 hours</u>
d. <u>BICM, SDC Teacher</u>	d. <u>2 hours</u>
e. <u>BICM, SDC Teacher</u>	e. <u>2 hours</u>
f. <u>BICM</u>	f. <u>15 mins</u>
g. <u>BICM</u>	g. <u>1 HOUR</u>
3.	3.
<u>BICM</u>	<u>4 days of BICM Training</u>
<u>School Psychologists & BICMS</u>	<u>2 hours (Staff meetings)</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ N/A _____ _____	5. _____ N/A _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. N/A b. _____ c. _____	6. _____ N/A _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. N/A b. _____ c. _____	7. _____ N/A _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. N/A b. _____ c. _____	8. _____ N/A _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	Hughes Bill Assessment, BIP, IEP		Cheryl Markowitz, BCBA	\$ 14,910.00
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 hour

Thank you for taking the time to complete this survey.

SELPA: _____ Date: 2/8/08
 District: New Jersey Salem
 Person Completing Survey: S. Payne
 Title: Principal
 Phone Number(s):
 Email Address:

District

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	N/A	0
a. Performing emergency behavioral interventions.		0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.		0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.		0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.		0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.		0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.		0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.		0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		0

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?	4.	0
a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4a.	0

Case #: ___ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. N/A	0
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6.	0
	a.	
	b.	
	c.	
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7.	0
	a.	
	b.	
	c.	
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8.	0
	a.	
	b.	
	c.	

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities - such as developing FAAs, PBIPs or attending IEP team meetings - please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A	N/A	N/A	N/A	\$ 0
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: **SWIN.**

Thank you for taking the time to complete this survey.

SELPA: San Joaquin County

District: Escalon Unified School District

Person completing survey: Lisa Cheney

Title: Coordinator of Special Education and School Psychologist

Phone Number(s): (209) 838-8910

Email Address: lcheney@sjlcoe.net

Date: 1/14/2008

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. _____

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.

Position

of Hours

- a. Performing emergency behavioral interventions.
- b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
- c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
- d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
- e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
- f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
- g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

2. 0

a. 0

b. 0

c. 0

d. 0

e. 0

f. 0

g. 0

2. 0

a. 0

b. 0

c. 0

d. 0

e. 0

f. 0

g. 0

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

3. 0

3. 0

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 30 minutes

Thank you for taking the time to complete this survey.

SELPA: San Joaquin county _____

Date: 1/14/08

District: Linden Unified School District _____

Person completing survey: Marlene Von Berg _____

Title: Director of Special Education _____

Phone Number(s): (209) 931-2192 _____

Email Address: mvonberg@sjcoe.net _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		2.
a. Performing emergency behavioral interventions.	a. 0	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0	f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.		

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	g. 0 _____ 3. _____ _____ _____	g. 0 _____ 3. 0 _____ _____ _____
--	--	--

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. 0 _____ 4a. 0 _____
--	---------------------------

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. n/a _____ _____ _____	5. n/a _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. n/a _____ a. _____ b. _____ c. _____	6. n/a _____ _____ _____

7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. n/a _____
	a. _____	a. _____
	b. _____	b. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	c. _____	c. _____
	8. _____	8. n/a _____
	a. _____	a. _____
	b. _____	b. _____
	c. _____	c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0		0		\$0
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 25 minutes

Thank you for taking the time to complete this survey.

District 5

00334.00100/55274.1

SELPA: San Joaquin SELPA **Date: 1/22/08**
District: MANTECA USD
Person Completing Survey: Janice Callanan
Title: Director of Special Education
Phone Number(s): (209) 825-3200, ext. 783
Email Address: jcallanan@musd.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1.0
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2.	2.0
	a.	a. 0
	b.	b. 0
	c.	c. 0
	d.	d. 0
	e.	e. 0
	f.	f. 0
	g.	g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. MAB (Management of Assaultive Behavior Trainers)	3. 280 hrs.

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
- a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

Case #: _____ (use OAH filing number)

	Position	# of Hours	
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	5. 0	
	6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6.	6. 0
		a.	
b.			
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7.	7. 0	
	a.		
	b.		
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8.	8. 0	
	a.		
	b.		
	c.		

9. If the district employed attorneys or other independent contractors for due process for Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$ 0
				\$ 0
				\$ 0
				\$ 0
				\$ 0
				\$ 0
				\$ 0
				\$ 0

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: **2 hours**

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Barbara Larson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Curriculum / Behavior Specialist
by Tracy Joint Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/21/12, 2012, at Tracy, California.
Date *City*

Barbara Larson
Signature

Barbara Larson
Print Name

blarson@tUSD.net
E-mail Address

(209) 830-3270
Phone Number

SELPA: San Joaquin County
 School District (if serving multiple districts, list all): Tracy Joint Unified School District

Date: 1/25/08

Name of BICM Completing Survey: Barbara Larson
 Title: Curriculum/Behavior Specialist
 Phone Number(s): 209-830-3270
 Email Address: blarson@tjUSD.net

<p>1. How many students did you serve in 2006-07 who had PBDPs? Of this total, please specify the number of: b. new cases (PBDP for first time), and c. preexisting cases (entered 2006-07 with PBDP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBDPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1</u> hour 3b. <u>12</u> hours 3c. <u>10</u> hours 3d. <u>23</u> hours 3e. <u>23</u> hours</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

4a.	6 hours
4b.	8 hours
4c.	3 hours
4d.	10 hours
4e.	3 hours
4f.	2 hours
4g.	32 hours
4h.	32 hours
5a.	N/A
5b.	N/A
5c.	N/A
5d.	N/A
5e.	N/A
6a.	N/A
6b.	N/A
6c.	N/A
6d.	N/A
6e.	N/A
6f.	N/A
6g.	N/A
6h.	N/A

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 0

7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
School Psychologist	3	1
SDC Teacher	4	2
_____	_____	_____
_____	_____	_____

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

N/A	N/A	N/A
_____	_____	_____
_____	_____	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

SDC Teacher (1) Bi-monthly consultation with BICM	42 hours	6
SDC Teacher (2) Daily Data Collection	_____	_____
1-1 Aide (2) Daily Data Collection	72 Hours	0
_____	_____	_____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. 7 hrs, 45 mins
a. Performing emergency behavioral interventions.	a. 2 hours
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 1 hour
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 30 mins
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 2 hours
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 2 hours
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 15 mins
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar/Day Planner _____

Data collection is dated/timed _____

IEP Notices _____

Please indicate the time it took for you to complete this survey: _____ 30 minutes for survey and 30 minutes for copying/blacking out personally identifiable information _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Amy Monasta, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school psychologist/BICM
by Manteca Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/18, 2012, at Manteca, California.
Date *City*

Amy Monasta
Signature

Amy Monasta
Print Name

amonasta@musd.net
E-mail Address

209-825-3200 x55757
Phone Number

SELPA: San Joaquin SELPA
 School District: Manteca USD
 Name of BICM Completing Survey: Amy Monasta
 Title: School Psychologist/BICM
 Phone Number(s): (209) 234-4812, ext. 1104
 Email Address: amonasta@mUSD.net

Date: 1/22/08

BICM

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 9</p> <p>1b. 7</p> <p>1c. 2</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 4</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 7</p> <p>3b. 280</p> <p>3c. 70</p> <p>3d. 357</p> <p>3e. 51</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2/2/08

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 10.5 4b. 28 4c. 28 4d. 28 4e. 21 4f. 21 4g. 136.5 4h. 19.5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 1 5b. 20 5c. 0 5d. 21 5e. 10.5</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 2 6b. 12 6c. 6 6d. 6 6e. 4 6f. 6 6g. 36 6h. 18</p>

BICM 3

00334.00100/VSS828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 3
 7b. 1
 7c. 3

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Psychologist	56	7
	Sped. Tchr.		
	Gen. Ed. Tchr.		
	Admin.		
	SLP		
	APE		
	OT		
	Prog. Sp.		
	Psychologist	16	2
	Sped. Tchr.		
Gen. Ed. Tchr.			
Admin.			
SLP			
APE			
OT			
Prog. Sp.			

BICM 4

0032400100/55828.1

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

	Psychologist	56	7
	Sped. Tchr.		
	Gen. Ed. Tchr.		
	Admin.		
	SLP		
	APE		
	OT		
	Prog. Sp.		

11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?

- a. Performing emergency behavioral interventions.
- b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
- c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
- d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
- e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
- f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.

12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.

Please provide the sample template for FAAs and PBIPs that you use.

of Hours

- a. 0
- b. 0
- c. 0
- d. 0
- e. 0
- f. 0

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Confidential files

Based on current time spent by BICM and staff for FAA's/PBIP's

Please indicate the time it took for you to complete this survey: 20 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kim Parrott, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Education
by Lammersville Elementary School District.
Type of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/18, 2012, at Antioch, California.
Date *City*

Kim Parrott
Signature

Kim Parrott
Print Name

kimberly.parrott@antioch.k12.ca.us
E-mail Address

(925) 628-0780
Phone Number

SELPA: San Joaquin
 School District (if serving multiple districts, list all): Lawrenceville

Date: 1/18/08

Name of BICM Completing Survey: Kim Parrott
 Title: Director of Special Education
 Phone Number(s): 209-836-7400
 Email Address: kparrott@sjscoe.net

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

BICM 2

00334.00100/55274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 0</p> <p>4b. 0</p> <p>4c. 0</p> <p>4d. 0</p> <p>4e. 0</p> <p>4f. 0</p> <p>4g. 0</p> <p>4h. 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0</p> <p>5b. 0</p> <p>5c. 0</p> <p>5d. 0</p> <p>5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0</p> <p>6b. 0</p> <p>6c. 0</p> <p>6d. 0</p> <p>6e. 0</p> <p>6f. 0</p> <p>6g. 0</p> <p>6h. 0</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. _____ 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____ 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____ 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____ 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____ 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____ 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 mins

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kristina Garcia, hereby declare as follows:
Print Name

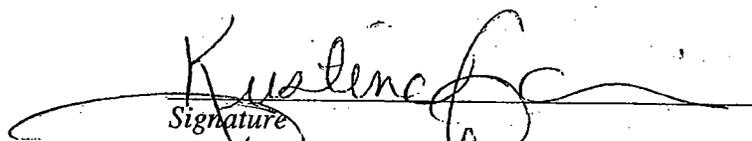
1. In the 2007-2008 school year, I was employed as a school psychologist
by Lincoln Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/21, 2012, at Stockton, California.
Date *City*


Signature
Kristina Garcia
Print Name
kgarcia@lvsd.net
E-mail Address
(209) 953-8726
Phone Number

SELPA: ESJCC Date: 1-08
 School District (if serving multiple districts, list all): Lincoln Unified
 Name of BICM Completing Survey: Shelana Ireland, Kristin Ruffoni, Kristina Garcia
 Title: Benji Analyst, Psychologist, Psychologist
 Phone Number(s): 953-8726
 Email Address: sireland@lwsd.net, kruffoni@lwsd.net, kgarcia@lwsd.net

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="radio"/></p> <p>1b. <input checked="" type="radio"/></p> <p>1c. <input type="radio"/></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <input type="radio"/></p> <p>3a. <input type="radio"/></p> <p>3b. <input type="radio"/></p> <p>3c. <input type="radio"/></p> <p>3d. <input type="radio"/></p> <p>3e. <input type="radio"/></p>

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. <input checked="" type="radio"/> 0</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <input type="radio"/></p> <p>Please provide the sample template for FAAs and PBIPs that you use. <i>See attached.</i></p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: *30 minutes*

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Susan Ireland, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Analyst
by Lincoln Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-21-12, 2012, at Stockton, California.
Date *City*

Susan Ireland
Signature

Susan Ireland
Print Name

sireland@lUSD.net
E-mail Address

209-953-8726
Phone Number

SELPA: SUCGE Date: 1-08
 School District (if serving multiple districts, list all): Lincoln Unified
 Name of BICM Completing Survey: Sueana Melendrez Kristina Ruffoni Kristina Garcia
 Title: Ben's Analyst Psychologist, Psychologist
 Phone Number(s): 953-8426
 Email Address: sirelana@lusa.net, kruffoni@lusa.net, kgarcia@lusa.net

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="radio"/> 1b. <input checked="" type="radio"/> 1c. <input type="radio"/></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <input type="radio"/></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <input type="radio"/> 3b. <input type="radio"/> 3c. <input type="radio"/> 3d. <input type="radio"/> 3e. <input type="radio"/></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM2

00334.00100/55828.1

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. 	<p>11. <input type="radio"/> 0</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <input type="radio"/></p> <p>Please provide the sample template for FAAs and PBIPs that you use. <i>See attached.</i></p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: *30 minutes.*

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00100/55828.1

DECLARATION

I, Kristin Puffoni, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Lincoln Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/11/12, 2012, at Stockton, California.
Date *City*

Kristin Puffoni
Signature

Kristin Puffoni
Print Name

Kruffoni@lUSD.net
E-mail Address

(209) 953-876
Phone Number

SELPA: 6306 Date: 1-08
 School District (if serving multiple districts, list all): Lincoln Unified
 Name of BICM Completing Survey: Suzanna Ireland, Krista Ruffoni, Kristina Garcia
 Title: Ben's Analyst, Psychologist, Psychologist
 Phone Number(s): 953-8726
 Email Address: sirelarna@lunet.net, kruffoni@lunet.net, kgarcia@lunet.net

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="radio"/></p> <p>1b. <input checked="" type="radio"/></p> <p>1c. <input type="radio"/></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <input type="radio"/></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <input type="radio"/></p> <p>3b. <input type="radio"/></p> <p>3c. <input type="radio"/></p> <p>3d. <input type="radio"/></p> <p>3e. <input type="radio"/></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. 0 a. b. c. d. e. f.
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <input type="radio"/>	

Please provide the sample template for FAAs and PBIPs that you use. *See attached.*

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

-
-
-

Please indicate the time it took for you to complete this survey: *30 minutes.*

Thank you very much for taking the time to complete this survey.

BICM 5

00134.00100.55828.1

DECLARATION

I, Ronald Dean Blount, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Linden Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/23/12, 2012, at Linden, California.
Date *City*

R. Dean Blount
Signature

Ronald Dean Blount
Print Name

Rdblount@sjcoe.net
E-mail Address

209 -931 -2192
Phone Number

SELPA: San Joaquin County _____

Date: 1/14/08

School District (if serving multiple districts, list all): _____

Yuba Unified School District

Name of BICM Completing Survey: DEAN BLOUNT

Title: Psychologist

Phone Number(s) (209) 931-2192

Email Address: dblount@sjcoie.net

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>	

BICM 2

00334.00100/SS274.1

3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:
- a. Providing parent notice and obtaining consent for assessment.
 - b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)
 - c. Writing FAA.
 - d. Total of answers to 3a, 3b, and 3c.
 - e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

3a. 0
 3b. 0
 3c. 0
 3d. 0
 3e. 0

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 0</p> <p>4b. 0</p> <p>4c. 0</p> <p>4d. 0</p> <p>4e. 0</p> <p>4f. 0</p> <p>4g. 0</p> <p>4h. 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0</p> <p>5b. 0</p> <p>5c. 0</p> <p>5d. 0</p> <p>5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0</p> <p>6b. 0</p> <p>6c. 0</p> <p>6d. 0</p> <p>6e. 0</p> <p>6f. 0</p> <p>6g. 0</p> <p>6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

a. Number of students requiring 1 IEP team meeting: 7a. 0

b. Number of students requiring 2 IEP team meetings: 7b. 0

c. Number of students requiring 3 or more IEP team meetings: 7c. 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	0 _____ _____ _____	0 _____ _____ _____	0 _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	0 _____ _____ _____	0 _____ _____ _____	0 _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	0 _____ _____ _____	0 _____ _____ _____	0 _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	0

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 25minute

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Clinton Eatman, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Intervention Specialist
Title of Position
by San Joaquin County Office of Education
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/21/12, 2012, at Stockton, California.
Date *City*

Clinton Eatman
Signature

Clinton Eatman
Print Name

ceatman@sjcoe.net
E-mail Address

(209) 649-0521
Phone Number

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): **SUCOP**
 Name of BICM Completing Survey: **Cherie Patton**
 Title: **Behavior Intervention Specialist**
 Phone Number(s): _____
 Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PPIPs? Of this total, please specify the number of: b. new cases (PIIP for first time), and c. preexisting cases (entered 2006-07 with PIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>.5</u> 3b. <u>10</u> 3c. <u>18</u> 3d. <u>28.5</u> 3e. <u>28.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).



<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u> 3 </u> 4b. <u> 3 </u> 4c. <u> 2 </u> 4d. <u> 1 </u> 4e. <u> 4 </u> 4f. <u> 1 </u> 4g. <u> 14 </u> 4h. <u> 14 </u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u> N/A </u> 5b. <u> </u> 5c. <u> </u> 5d. <u> </u> 5e. <u> </u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u> N/A </u> 6b. <u> </u> 6c. <u> </u> 6d. <u> </u> 6e. <u> </u> 6f. <u> </u> 6g. <u> </u> 6h. <u> </u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 1

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	SJCCE TEACHER	3	3
	SJCCE ADMIN	3	3
	Lincoln Director	3	3
	SJCCE Psych	3	3
	SJCCE LSH	3	3
SJCCE OT			3
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A		
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	SJCCE Teacher	1080	
	SJCCE Admin	40	
	SJCCE IA	1080	
	SJCCE IA	1080	

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>
a. <u>1.25</u>	
b. <u>.75</u>	
c. <u>1.5</u>	
d. <u>2</u>	
e. <u>2</u>	
f. <u>0</u>	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendar _____ IEP file _____
- Day Planner _____
- Teacher file _____

Please indicate the time it took for you to complete this survey: 4 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Christine Phillips, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Intervention Specialist
Title of Position
by San Joaquin County Office of Education
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/24/2012, 2012, at Stockton, California.
Date *City*

Christine Phillips
Signature

Christine Phillips
Print Name

chphillips@sjcoe.net
E-mail Address

(209) 931-4047 X139
Phone Number

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): **SICOE**
 Name of BICM Completing Survey: **Christine Phillips**
 Title: Behavior Intervention Specialist
 Phone Number(s): _____
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>7</u> 1b. <u>6</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>3</u> 3b. <u>107.25</u> 3c. <u>90.5</u> 3d. <u>200.75</u> 3e. <u>33.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>18</u> 4b. <u>23</u> 4c. <u>13</u> 4d. <u>9</u> 4e. <u>14</u> 4f. <u>7</u> 4g. <u>84</u> 4h. <u>14</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>.25</u> 5b. <u>2</u> 5c. <u>1</u> 5d. <u>3.25</u> 5e. <u>3.25</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>.5</u> 6b. <u>3</u> 6c. <u>0</u> 6d. <u>0</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>3.5</u> 6h. <u>3.5</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 3
 7b. 1
 7c. 3

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
SJCOE Teacher	26	18
SJCOE Admin	26	18
MUSD PS	4.5	3
SJCOE PSYCH	1	1
SJCOE NURSE	4.5	3
SJCOE APE	1	1
SJCOE LSH	1.7	1
SUSD PS	3.5	3
RIPON Director	8	4
SJCOE OT	1	2
TUSD PS	1	2
Escalon Director	1	2
Escalon PS	3	4
Escalon Principal	4	2
SJCOE TEACHER	1	1
SJCOE ADMIN	2	1
Lincoln Director	2	1
SJCOE SPEECH	2	1
SJCOE Teacher	1080	
SJCOE Admin	40	
SJCOE IA	1080	
SJCOE IA	1080	

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>2.5</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>2</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>4</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>31</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>14</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar
Day planner
Teacher file

IEP file
SEIS

Please indicate the time it took for you to complete this survey: 2 1/2 hours

DECLARATION

I, Melissa D. Logan, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Autism Specialist
Title of Position
by San Joaquin County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/23, 2012, at Stockton, California.
Date *City*


Signature

Melissa D Logan
Print Name

mlogan@sjcoe.net
E-mail Address

(209) 649-0786
Phone Number

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): **STICOP**
 Name of BICM Completing Survey: **WENESSA TORAN**
 Title: **Autism Specialist**
 Phone Number(s): _____
 Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PPIPs? Of this total, please specify the number of: b. new cases (PIBP for first time), and c. preexisting cases (entered 2006-07 with PIBP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 2 1b. 1 1c. 1</p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p>	<p>3a. .25 3b. 15 3c. 5 3d. 20.25 3e. 20.25</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).



<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4 4b. 2 4c. 2 4d. 1 4e. 0 4f. 1 4g. 10 4h. 10</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. .25 5b. 4 5c. 2 5d. 6.25 5e. 6.25</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 2 6b. 1.5 6c. 2 6d. 1 6e. 0 6f. 1 6g. 7.5 6h. 7.5</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 1
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
SJCOE Teacher	2	1
SJCOE Admin	2	1
MUSD PS	2	1
SJCOE LSH	2	1
SJCOE OT	2	1

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

SJCOE Teacher	3	2
SJCOE Admin	3	2
MUSD PS	3	2
SJCOE Psych	1.5	1
SJCOE Nurse	1.5	1

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

SJCOE Teacher	1080
SJCOE Admin	40
SJCOE IA	1080
SJCOE IA	1080

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. 0 a. 0 b. 0 c. 0 d. 2 e. 0 f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendar
- Day planner
- IEP file
- SEIS
-
-

Please indicate the time it took for you to complete this survey: 1 1/2 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, TISSA Lopez-Jewart, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Autism Specialist
Title of Position
by STCOE
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/21/12, 2012, at Stockton, California.
Date *City*

Tissa Lopez-Jewart
Signature

TISSA Lopez-Jewart
Print Name

tlpezjewart@stcoe.net
E-mail Address

649-0721
Phone Number

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): **STCS**
 Name of BICM Completing Survey: **Trisha Lopez, Director**
 Title: **Autism Specialist**
 Phone Number(s): _____
 Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 1 1b. 1 1c. 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <ul style="list-style-type: none"> a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)? 	<p>3a. 5 3b. 1.5 3c. 3.5 3d. 15 3e. 15</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BIGM 2

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 2 4b. 6 4c. 2 4d. 1 4e. 4 4f. 2 4g. 17 4h. 17</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. N/A 5b. N/A 5c. N/A 5d. N/A 5e. N/A</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. N/A 6b. N/A 6c. N/A 6d. N/A 6e. N/A 6f. N/A 6g. N/A 6h. N/A</p>

BICM 3

00334.00100/55828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	STCOE/Teacher	4	3
	STCOE/Adm'n.	4	3
	TUSD/Psychologist	1	1
	TUSD/Director	1	1
	STCOE/Speech	3	2
	STCOE/OT	3	2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	STCOE/Nurse	1	1
	→ 0		
	STCOE Teacher STCOE Adm'n STCOE IA STCOE IA	1080 40 1080 1080	

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. 	<p>11.</p> <ul style="list-style-type: none"> a. <input type="radio"/> b. <input type="radio"/> c. <input type="radio"/> d. <input checked="" type="radio"/> 2 e. <input type="radio"/> f. <input type="radio"/>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendar
- day Planner
- Student file
- IEP notes
- Behavior Emergency reports

Please indicate the time it took for you to complete this survey: 4 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Cara Schroers Rodoni hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Tracy Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 21, 2012, at Tracy, California.
Date *City*

Cara Schroers Rodoni
Signature

Cara Schroers Rodoni
Print Name

crodoni@tusd.net
E-mail Address

(209) 830-3315 x7551
Phone Number

SELPA: San Joaquin County
 School District (if serving multiple districts, list all): Hayward Unified School District

Date: 1/22/08

Name of BICM Completing Survey: Carla Schroers Rodoni
 Title: School Psychologist
 Phone Number(s): 209 830-3315 x 7551
 Email Address: cschroers@tusd.net

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>la. <u>1</u> lb. <u>1</u> lc. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>30 min.</u> 3b. <u>6 hours</u> 3c. <u>4 hours</u> 3d. <u>10 hours, 30 min.</u> 3e. <u>10 hours, 30 min.</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2/07

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 2 hours 4b. _____ 3 hours 4c. _____ 1 hour 4d. _____ 1 hour 4e. _____ 1 hour 4f. _____ 1 hour 4g. _____ 9 hours 4h. _____ 9 hours</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ N/A 5b. _____ N/A 5c. _____ N/A 5d. _____ N/A 5e. _____ N/A</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ N/A 6b. _____ N/A 6c. _____ N/A 6d. _____ N/A 6e. _____ N/A 6f. _____ N/A 6g. _____ N/A 6h. _____ N/A</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 1

7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
	9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Teacher - SDC	3
Principal		3	1
SLP		3	1
APE Specialist		3	1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	0

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. _____ 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____ 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____ 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____ 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____ 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____ 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar (Outlook) on PDA _____

Please indicate the time it took for you to complete this survey: _____ 25 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, RUXANDRA MANU, hereby declare as follows:
Print Name

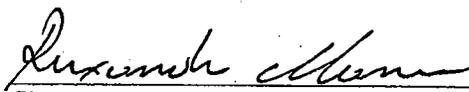
1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
Title of Position
by JEFFERSON ELEMENTARY SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey, ~~regarding the Hughes Bill mandate.~~ When answering the survey questions, I ~~consulted various records and sources.~~
I DID NOT KNOW WHAT THIS SURVEY WAS FOR / PURPOSE OF SURVEY.
~~NO I DID NOT, BECAUSE THERE WERE NO STUDENTS AT THAT TIME ON A PBIP.~~

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability. ~~AND KNOWLEDGE BASE AT THAT TIME.~~

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 05-29-2012, 2012, at TRACY, California.
Date *City*


Signature

RUXANDRA MANU
Print Name

Rmanu@sjcoe.net
E-mail Address

209-833-9300
Phone Number

SELPA: _____ Date: 1/23/08
 School District (if serving multiple districts, list all): Jefferson
 Name of BICM Completing Survey: ROY MANN
 Title: Psychologist
 Phone Number(s): 209.839.1842
 Email Address: rmanu@sjicoe.net

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>n/a</u> 1c. <u>n/a</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>n/a</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>n/a</u> 3b. <u>n/a</u> 3c. <u>n/a</u> 3d. <u>n/a</u> 3e. <u>n/a</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u> </u> n/a 4b. <u> </u> n/a 4c. <u> </u> n/a 4d. <u> </u> n/a 4e. <u> </u> n/a 4f. <u> </u> n/a 4g. <u> </u> n/a 4h. <u> </u> n/a</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u> </u> n/a 5b. <u> </u> n/a 5c. <u> </u> n/a 5d. <u> </u> n/a 5e. <u> </u> n/a</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u> </u> n/a 6b. <u> </u> n/a 6c. <u> </u> n/a 6d. <u> </u> n/a 6e. <u> </u> n/a 6f. <u> </u> n/a 6g. <u> </u> n/a 6h. <u> </u> n/a</p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. <u> </u> n/a 7b. <u> </u> n/a 7c. <u> </u> n/a</p>		
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p> <p><u> </u> 0 hrs</p>	<p># of Hrs</p>	<p># IEP Mtgs</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p><u> </u> 0 hrs</p>		
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p><u> </u> 0 hrs</p>		

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. 0 a. 0 b. 0 c. 0 d. 0 e. 0 f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): STOBE
 Name of BICM Completing Survey: TRISHA MCKINITE
 Title: Autism Specialist
 Phone Number(s): _____
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>1</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>.5</u> 3b. <u>30</u> 3c. <u>20</u> 3d. <u>50.5</u> 3e. <u>50.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u> 3 </u> 4b. <u> 4 </u> 4c. <u> 2 </u> 4d. <u> 2 </u> 4e. <u> 30 </u> 4f. <u> 5 </u> 4g. <u> 46 </u> 4h. <u> 46 </u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u> .5 </u> 5b. <u> 3 </u> 5c. <u> 2 </u> 5d. <u> 5.5 </u> 5e. <u> 5.5 </u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u> 2 </u> 6b. <u> 2.5 </u> 6c. <u> 2 </u> 6d. <u> 1 </u> 6e. <u> 4 </u> 6f. <u> 2 </u> 6g. <u> 13.5 </u> 6h. <u> 13.5 </u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	SJCQE Teacher	<u>22</u>	<u>11</u>
	SJCQE Admin	<u>22</u>	<u>11</u>
	TUSD Teacher	<u>4</u>	<u>2</u>
	TUSD PS	<u>22</u>	<u>11</u>
	TUSD LSH	<u>2</u>	<u>1</u>
	SJCQE LSH	<u>2</u>	<u>1</u>
	SJCQE Teacher	<u>1.5</u>	<u>1</u>
	SJCQE Admin	<u>1.5</u>	<u>1</u>
	TUSD PS	<u>1.5</u>	<u>1</u>
	SJCQE Psych	<u>1.5</u>	<u>1</u>
SJCQE APE	<u>1.5</u>	<u>1</u>	
SJCQE LSH	<u>1.5</u>	<u>1</u>	
SJCQE OT	<u>1.5</u>	<u>1</u>	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	SJCQE Teacher	<u>1080</u>	
	SJCQE Admin	<u>40</u>	
	SJCQE IA	<u>1080</u>	
	SJCQE IA	<u>1080</u>	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 3
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 4
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar _____
 Day planner _____
 Student file _____

IEP file _____
 SEIS _____

Please indicate the time it took for you to complete this survey: 35 hours

Thank you very much for taking the time to complete this survey.

SELPA: San Joaquin Date: January 25, 2008
 School District (if serving multiple districts, list all): Ripon Unified
 Name of BICM Completing Survey: Garet Brandt
 Title: Psychologist
 Phone Number(s): (209) 599-2131x41
 Email Address: gbrandt@sjcoe.net

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>6</u></p> <p>1b. <u>2</u></p> <p>1c. <u>4</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>12</u></p> <p>3b. <u>27</u></p> <p>3c. <u>16</u></p> <p>3d. <u>55</u></p> <p>3e. <u>27.5</u></p>

BICM 2/08

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>16</u> 4b. <u>9</u> 4c. <u>72</u> 4d. <u>36</u> 4e. <u>7</u> 4f. <u>4</u> 4g. <u>144</u> 4h. <u>72</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>8</u> 5b. <u>42</u> 5c. <u>24</u> 5d. <u>74</u> 5e. <u>18.5</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>24</u> 6b. <u>34</u> 6c. <u>144</u> 6d. <u>72</u> 6e. <u>15</u> 6f. <u>7</u> 6g. <u>296</u> 6h. <u>74</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 6

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	RUSD/Teachers	<u>7</u>	<u>16</u>
	RUSD/SLPs	<u>7</u>	<u>16</u>
	RUSD/OTs	<u>0</u>	<u>0</u>
	RUSD/RSPs	<u>7</u>	<u>16</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	RUSD/Teachers	<u>270</u>	<u>18</u>
	RUSD/SLPs	<u>270</u>	<u>18</u>
	RUSD/OTs	<u>12</u>	<u>18</u>
	RUSD/RSPs	<u>270</u>	<u>18</u>
	RUSD/1:1 Aides	<u>6,480 hrs.</u>	<u>NA</u>
	Teachers	<u>2,160 hrs.</u>	<u>NA</u>
	SLPs	<u>108 hrs.</u>	<u>NA</u>
	OTs	<u>90 hrs.</u>	<u>NA</u>
	RSPs	<u>216 hrs.</u>	<u>NA</u>

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a. <u>5</u>	c. <u>14</u>
b. <u>7</u>	d. <u>2</u>
e. <u>6</u>	f. <u>7</u>
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendars _____
- Day Planners _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 2 hours

Thank you very much for taking the time to complete this survey.

SELPA: _____ Date: 2/8/08
 School District (if serving multiple districts, list all): New Jerusalem
 Name of BICM Completing Survey: N/A
 Title:
 Phone Number(s):
 Email Address:

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="text"/> 0 1b. <input type="text"/> 0 1c. <input type="text"/> 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <input type="text"/> 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <input type="text"/> 0 3b. <input type="text"/> 0 3c. <input type="text"/> 0 3d. <input type="text"/> 0 3e. <input type="text"/> 0</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2/08

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <input type="radio"/></p> <p>4b. <input type="radio"/></p> <p>4c. <input type="radio"/></p> <p>4d. <input type="radio"/></p> <p>4e. <input type="radio"/></p> <p>4f. <input type="radio"/></p> <p>4g. <input type="radio"/></p> <p>4h. <input type="radio"/></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <input type="radio"/></p> <p>5b. <input type="radio"/></p> <p>5c. <input type="radio"/></p> <p>5d. <input type="radio"/></p> <p>5e. <input type="radio"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <input type="radio"/></p> <p>6b. <input type="radio"/></p> <p>6c. <input type="radio"/></p> <p>6d. <input type="radio"/></p> <p>6e. <input type="radio"/></p> <p>6f. <input type="radio"/></p> <p>6g. <input type="radio"/></p> <p>6h. <input type="radio"/></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	N/A	0	0

BICM 4

00334/010055828.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	0
a. Performing emergency behavioral interventions.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB5632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 5 min.

Thank you very much for taking the time to complete this survey.

SELPA: San Joaquin County Office
 School District (if serving multiple districts, list all) San Joaquin Unified School District

Date: 1/14/2008

Name of BICM Completing Survey: JISH Cheney
 Title: Coordinator of Special Education and School Psychologist
 Phone Number(s): (209) 838-8910
 Email Address: lcheney@sjicoe.net

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

FILED 2

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. 0 4b. 0 4c. 0 4d. 0 4e. 0 4f. 0 4g. 0 4h. 0</p>
<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p> <p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p> <p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p>	<p>6a. 0 6b. 0 6c. 0 6d. 0 6e. 0 6f. 0 6g. 0 6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 _____ _____ _____ _____	0 _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 _____ _____ _____ _____	0 _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 _____ _____ _____ _____	_____ _____ _____ _____ _____

11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	# of Hours
a. Performing emergency behavioral interventions.	11. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	a. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	b. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	c. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	d. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	e. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	f. 0

Please provide the sample template for FAAs and PBIPs that you use. 0

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Phone Consult _____
- Files _____
- Planner _____

Please indicate the time it took for you to complete this survey: 30 min _____

Thank you very much for taking the time to complete this survey.

SELPA: San Joaquin County
 School District (if serving multiple districts, list all): Gravelly United School District

Date: 1/28/08

Name of BICM Completing Survey: CHERYL VILKOVITZ-VIARA
 Title: Executive Director & Behavior Consultant
 Phone Number(s): 415-259-0307
 Email Address: www.playbc.biz

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>1</u> 1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1</u> 3b. <u>9</u> 3c. <u>6</u> 3d. <u>16</u> 3e. <u>16</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>14</u> 4b. <u>13.5</u> 4c. <u>32</u> 4d. <u>82</u> 4e. <u>7</u> 4f. <u>15.5</u> 4g. <u>164</u> 4h. <u>164</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. <u>195+234 = 429</u> 5e. <u>214</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. <u>120</u> 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position; and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. 	<p>11. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Invoice Billing _____

Please indicate the time it took for you to complete this survey: 4 Hrs. (to research by planners, etc. would be an inordinate amt. of time spent away from directly serving clients. Although we/I understand the importance of this request in the budget crisis and continuing rise in Autism and related disorders, to investigate the specifics of the questions on p.4 & 5 would require

researching and analyzing consultant planners, etc. and unfortunately with only one week to submit the information, it is an unreasonable request. More time should have been allotted for these very detailed queries.

Thank you very much for taking the time to complete this survey.

SELPA: San Joaquin County
 School District (if serving multiple districts, list all): Tracy Unified School District

Date: 1/24/08

Name of BICM Completing Survey: Walter Strong

Title: School Psychologist

Phone Number(s): 209 830-3270 District 209 831-5289 school site

Email Address: mstrong@tUSD.net

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first-time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1</u> 3b. <u>8</u> 3c. <u>24</u> 3d. <u>33</u> 3e. <u>33</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

a. Preparing draft of PBIPs for IEP meetings.	4a. 22
b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.	4b. 3
c. Training for and monitoring PBIPs across settings.	4c. 0
d. Evaluating PBIPs effectiveness.	4d. 0
e. Making modifications to PBIPs in subsequent IEP team meetings.	4e. 0
f. Making modifications to PBIPs outside of IEP team meetings.	4f. 0
g. Total of answers to 4a through 4f.	4g. 25
h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?	4h. 25

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. _____	0
5b. _____	
5c. _____	
5d. _____	
5e. _____	

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. _____	0
6b. _____	
6c. _____	
6d. _____	
6e. _____	0
6f. _____	
6g. _____	
6h. _____	

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1

7b. 0

7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	TUSD RSP SELPA HOH Itinerant TUSD Program Specialist	3 3 3	1 1 1
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		0	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- 2006-07 Calendar/Planner _____
- TUSD Spec. Ed. Confidential File _____
- TUSD Program Specialist _____

Please indicate the time it took for you to complete this survey: 6 hrs.

Thank you very much for taking the time to complete this survey.

Solano

SELPA

DECLARATION

I, Sam Neustadt, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Assistant Superintendent, SELPA,
Title of Position
by Solano County Office of Education.
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at Fairfield, California.
Date *City*

Sam Neustadt
Signature

Sam Neustadt
Print Name

sneustadt@solanocoe.net
E-mail Address

707.399.4460
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at mlenahan@gmail.com.

SELPA: Solano County Date: 2/29/08
 Person Completing Survey: Carol Uecker
 Title: Coordinator
 Phone Number(s): 707-399-4463
 Email Address: cueckert@solanoco.net

Part I: SELPA DATA SUMMARY:	
Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.	
1. How many total BICMs are in your SELPA?	9
2. How many BICM surveys have been returned to you?	9
3. If not all BICM surveys have been returned, please indicate reason.	na
4. How many districts are in your SELPA?	6
5. How many district level surveys have been returned to you?	6
6. If not all district surveys have been returned, please indicate reason.	na

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)?	7.	7.
a. What year did this occur? _____ 1993	Program Specialist Program Specialist	14 14
b. What is the basis for your estimate? _____ Inquiry to committee members		
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)?	8.	8.
a. What year did this occur? _____ 1993	6 Superintendents 6 Directors 6 LEA Boards Asst. Supt	1.5 6 3 1
b. What is the basis for your estimate? _____		
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures?	9.	9.
a. What year did this occur? _____ 2007	Coordinator	25
b. What is the basis for your estimate? _____ Inquiry to committee members	5 Behavior Specialists	25
c. How often does your SELPA do this? _____ Each local plan update		

10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?
 a. What year did this occur? 2005
 b. What is the basis for your estimate? _____
 c. How often does your SELPA do this? Each Local Plan Update

Position	# of Hours
10. <u>6 Directors</u>	10. <u>6</u>
<u>6 Superintendents</u>	<u>3</u>
<u>Asst. Supl.</u>	<u>1</u>
<u>6 LEA Boards</u>	<u>3</u>

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?
 a. What year did this occur? 06-07
 b. What is the basis for your estimate? Daily planner

Position	# of Hours
11. <u>Coordinator</u>	11. <u>40</u>

12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?
 a. What year did this occur? 06-07
 b. What is the basis for your estimate? _____
 c. How often does your SELPA do this? yearly

Position	# of Hours
12. <u>NA no update</u>	12. _____

<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>Inservice schedule</u></p> <p>c. How often does your SELPA do this? <u>As needed</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>_____</p>	<p>Position</p> <p><u>Coordinator</u></p>	<p>13.</p> <p><u>12</u></p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? <u>07-08</u></p> <p>b. What is the basis for your estimate? <u>Daily Planner</u></p> <p>c. How often does your SELPA do this? <u>Every 2 months</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p><u>NA</u></p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14.</p> <p><u>Coordinator</u></p>	<p>14.</p> <p><u>4</u></p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? <u>06-07</u></p> <p>b. What is the basis for your estimate? <u>Daily planner</u></p>	<p>15.</p> <p><u>Coordinator</u></p>	<p>15.</p> <p><u>4</u></p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? <u>06-07</u></p> <p>b. What is the basis for your estimate? <u>Daily Planner</u></p> <p>c. How often does your SELPA do this? <u>Yearly</u></p>	<p>16.</p> <p><u>Coordinator</u></p>	<p>16.</p> <p><u>4</u></p>

SELPA 4

00334.00100/SS274.1

	Position	# of Hours
<p>17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers?</p> <p>a. What year did this occur? <u>06-07</u></p> <p>b. What is the basis for your estimate? <u>Daily planner</u></p> <p>c. How often does your SELPA do this? <u>yearly</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>NA</u></p>	<p>17. Coordinator</p>	<p>17. 1.5</p>
<p>18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?</p> <p>a. What year did this occur? <u>1993</u></p> <p>b. What is the basis for your estimate? <u>Inquiry to Program Specialist</u></p>	<p>18. Program Specialist</p>	<p>18. 10</p>
<p>19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>07-08</u></p> <p>b. What is the basis for your estimate? <u>Daily Planner</u></p> <p>c. How often does your SELPA do this? <u>4 x a year</u></p>	<p>19. Program Specialist</p>	<p>19. 2</p>
<p>20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>07-08</u></p> <p>b. What is the basis for your estimate? <u>Calendar</u></p> <p>c. How often does your SELPA do this? <u>4x a year</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>NA</u></p>	<p>20. Program Specialist</p>	<p>20. 2</p>

SELPA 5

00334.00100/55274.1

<p>21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.</p> <p>Cost: \$ <u>7100</u> For: <u>Behavior Intervention Sp.</u> Paid By: <u>Districts</u> Cost: \$ <u>11960</u> For: <u>Psychologists</u> Paid By: <u>Districts</u> Cost: \$ _____ For: _____ Paid By: _____ Cost: \$ _____ For: _____ Paid By: _____ Cost: \$ _____ For: _____ Paid By: _____</p>			
<p>22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).</p>	<p># Attgd. 22. <u>10</u> <u>16</u></p>	<p>District/Position 22. <u>Behavior Specialists</u> <u>Psychologists</u></p>	<p># of Hours 22. <u>12</u> <u>12</u></p>
<p>23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.</p>	<p>23. <u>80</u> <u>4</u></p>	<p>23. <u>SCOE Teachers</u> <u>SCOE Principals</u></p>	<p>23. <u>4</u> <u>4</u></p>
<p>24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.</p>	<p>24. <u>2</u> <u>1</u></p>	<p>24. <u>Teachers</u> <u>Psychologists</u></p>	<p>24. <u>12</u> <u>12</u></p>

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ _____
 na _____

a. Is this figure typical of annual costs and for how long has it been typical? _____
 b. If not, what have you typically done? _____
 c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. Coordinator _____ _____ _____	26. 1.6 _____ _____ _____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. Program Specialist Asst. Supt _____ _____ _____	27. 3 2 _____ _____ _____

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. _____ 5 hours

Thank you very much for taking the time to complete this survey.

Solano County Office of Education
2006-2007
Assistant Superintendent's Salary Schedule AAS
220 Days

\$1025.00 Master's Stipend
\$1025.00 Doctoral Stipend

STEP RANGE	1	2	3	4	5
1	\$135,903.00	\$137,887.00	\$139,871.00	\$141,855.00	\$143,839.00

Assistant Superintendent, Educational Services
Assistant Superintendent, SELPA

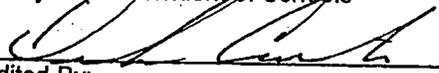
Longevity based on placement on the salary schedule, excluding stipends. Credit of up to fourteen years experience towards longevity:

- 1.00% at 15 years
- 2.00% additional at 20 years
- 2.00% additional at 24 years
- 2.00% additional at 30 years
- 2.00% additional at 35 years



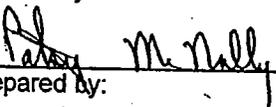
Dee Alarcón
County Superintendent of Schools

12/15/06
Date



Audited By:

12/13/06
Date



Prepared by:

12/11/06
Date

Mileage stipend added to base salary
6.25% increase over 2005-2006
AST220

Solano County Office of Education
2006-2007
Program Specialist Salary Schedule PS
206 Days

\$1025.00 Master's Stipend (Pro-Rated)
\$1025.00 Doctoral Stipend (Pro-Rated)
\$750.00 Special Education Stipend

<u>STEP</u>	<u>LEVEL 1</u>
1	\$66,877.00
2	\$68,933.00
3	\$70,989.00
4	\$73,045.00
5	\$75,101.00
6	\$77,157.00
7	\$79,213.00
8	\$81,269.00

Longevity based on placement on the salary schedule, excluding stipends.
Credit of up to fourteen years experience towards longevity:

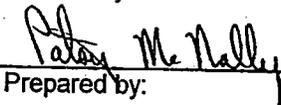
- 1% at 15 years
- 2% additional at 20 years
- 2% additional at 24 years
- 2% additional at 30 years
- 2% additional at 35 years



Dee Alarcón
County Superintendent of Schools

2/8/07
Date

Audited By:



Patsy Mc Nally

Date

2/2/07
Date

6.25% increase over 2005-2006
PRS206

Soiano County Office of Education
 2006-2007
 Administrative Salary Schedule A

\$1025.00 Master's Stipend
 \$1025.00 Doctoral Stipend

STEP RANGE	1	2	3	4	5
5	\$80,802.00	\$82,786.00	\$84,770.00	\$86,754.00	\$88,738.00
6A	\$82,786.00	\$84,770.00	\$86,754.00	\$88,738.00	\$90,722.00
6	\$82,786.00	\$84,770.00	\$86,754.00	\$88,738.00	\$90,722.00
7	\$85,505.00	\$87,489.00	\$89,473.00	\$91,457.00	\$93,441.00
8	\$88,721.00	\$90,705.00	\$92,689.00	\$94,673.00	\$96,657.00
9	\$91,846.00	\$93,830.00	\$95,814.00	\$97,798.00	\$99,782.00

Range 5	Manager, Occupational Therapy	205 days
Range 6A	Program Manager, Special Education	210 days
Range 6	ROP/Workforce Development Manager	215 days
Range 6	Program Manager, Workforce Development	215 days
Range 6	Visiting Educator	215 days
Range 7	SELPA Coordinator	210 days
Range 7	Related Services Coordinator/SELPA	210 days
Range 9	Principal	210 days

Longevity based on placement on the salary schedule, excluding stipends. Credit of up to fourteen years experience towards longevity:

- 1.00% at 15 years
- 2.00% additional at 20 years
- 2.00% additional at 24 years
- 2.00% additional at 30 years
- 2.00% additional at 35 years

Dee Alarcón
 Dee Alarcón
 County Superintendent of Schools

12/15/06
 Date

[Signature]
 Audited By:

12/13/06
 Date

[Signature]
 Prepared by:

12/11/06
 Date

6.25% increase over 2005-2006
 CMG 210- SMG215-CMG205

Solano County Office of Education
 2006-2007
 Teachers Salary Schedule I
 183 Days
 \$1025.00 Master's Stipend
 \$1025.00 Doctoral Stipend
 \$750.00 or \$1500.00 Special Education Stipend

LEVEL STEP	1	2	3	4	5	6
1	\$37,311.00	\$40,286.00	\$41,660.00	\$43,195.00	\$44,725.00	\$46,268.00
2	\$39,262.00	\$40,526.00	\$43,611.00	\$45,146.00	\$46,676.00	\$48,219.00
3	\$41,213.00	\$42,477.00	\$45,562.00	\$47,097.00	\$48,627.00	\$50,170.00
4	\$43,164.00	\$44,428.00	\$47,513.00	\$49,048.00	\$50,578.00	\$52,121.00
5	\$45,115.00	\$46,379.00	\$49,464.00	\$50,999.00	\$52,529.00	\$54,072.00
6	\$47,066.00	\$48,330.00	\$51,415.00	\$52,950.00	\$54,480.00	\$56,023.00
7	\$49,017.00	\$50,281.00	\$53,366.00	\$54,901.00	\$56,431.00	\$57,974.00
8	\$50,968.00	\$52,232.00	\$55,317.00	\$56,852.00	\$58,382.00	\$59,925.00
9	\$52,919.00	\$54,183.00	\$57,268.00	\$58,803.00	\$60,333.00	\$61,876.00
10	\$54,870.00	\$56,134.00	\$59,219.00	\$60,754.00	\$62,284.00	\$63,827.00
11	\$56,821.00	\$58,085.00	\$61,170.00	\$62,705.00	\$64,235.00	\$65,778.00
12		\$60,036.00	\$63,121.00	\$64,656.00	\$66,186.00	\$67,729.00
13			\$65,072.00	\$66,607.00	\$68,137.00	\$69,680.00
14					\$70,088.00	\$71,631.00

All new members will be placed on the salary schedule by the Superintendent, with credit of up to fourteen years of experience for step placement and longevity and full credit for units to a maximum of 75.

- Level 1 No Bachelor's Degree
- Level 2 Bachelor's Degree
- Level 3 Bachelor's Degree plus 30 units
- Level 4 Bachelor's Degree plus 45 units
- Level 5 Bachelor's Degree plus 60 units
- Level 6 Bachelor's Degree plus 75 units

Speech/Language Therapist

Longevity based on placement on the salary schedule, excluding stipends. Credit of up to fourteen years experience towards longevity: 1% at 15 years 2% additional at 20 years
 2% additional at 24 years 2% additional at 30 years 2% additional at 35 years

Dee Alarcón

Dee Alarcón
 County Superintendent of Schools

2/8/07
 Date

Audited By:

Patsy Mc Nelly
 Prepared by:

Date

2/2/07
 Date

6.25% increase over 2005-2006
 TEA183-TRS183-NURS183

JOB CLASSIFICATIONS—Appendix B

Review	Title	Range	FTE	Days	Month
4/04	Accountant	30	(8)	260	12
* 11/05	Assistive Technology Assistant	17	(7)	183	10
× 10/05	Behavior Assistant	16	(7)	183	10
7/99	Behavior Intervention Specialist (183 days-12 mos.)	52	(8)	183	12
10/05	Campus Monitor	07	(7)	183	10
3/03	Classroom Specialist (ROP) Computer Information Systems	13	(7)	183	10
3/03	Classroom Specialist (ROP) Health Occupations	13	(7)	183	10
9/03	Classroom Specialist (ROP) Industrial Technology	13	(7)	183	10
9/03	Classroom Specialist (ROP) Paraeducator	13	(7)	183	10
7/06	Classroom Specialist (ROP) Computer Information Systems/48 Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Health Occupations/48 Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Industrial Technology/48Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Paraeducator/48 Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Computer Information Systems/AA Degree	15	(7)	183	10
7/06	Classroom Specialist (ROP) Health Occupations/AA Degree	15	(7)	183	10
7/06	Classroom Specialist (ROP) Industrial Technology/AA Degree	15	(7)	183	10
7/06	Classroom Specialist (ROP) Paraeducator/AA Degree	15	(7)	183	10
* 7/06	Classroom Specialist (ROP) Computer Information Systems/BA Degree	16	(7)	183	10
7/06	Classroom Specialist (ROP) Health Occupations/BA Degree	16	(7)	183	10
7/06	Classroom Specialist (ROP) Industrial Technology/BA Degree	16	(7)	183	10
7/06	Classroom Specialist (ROP) Paraeducator/BA Degree	16	(7)	183	10
7/87	Clerk II	13	(8)	260	12
4/04	Computer Technician	28	(8)	260	12
4/04	Dispatcher/Office Technician	16	(8)	260	12
10/04	Distribution Clerk	12	(8)	260	12
4/03	Educational Interpreter/DHH-Level II	25	(7)	183	10
4/03	Educational Interpreter/DHH-Level III	33	(7)	183	10
12/05	Educational Translator/Interpreter Level I	16	(7)	183	10
10/05	Educational Translator/Interpreter Level II	25	(7)	183	10
9/06	Educational Translator/Interpreter Level III	33	(7)	183	10
01/06	Employment Training Specialist	17	(8)	183	12
11/05	Facilities/Maintenance Coordinator	39	(8)	260	12
05/04	Grounds/Maintenance Person	19	(8)	260	12
4/04	Human Resources Analyst	23	(8)	260	12
5/06	Human Resources Technician	20	(8)	260	12
1/94	Job Developer	23	(8)	200	12
* 10/03	Lifeguard	13	(7)	183	12

Review	Title	Range	FTE	Days	Months
11/05	Maintenance/Construction Tradesperson	30	(8)	260	12
7/96	Maintenance Custodian	16	(8)	260	12
x 7/96	Maintenance Mechanic	16	(7)	183	10
7/98	Occupational Therapist	52	(8)	183	12
4/04	Office Assistant	14	(8)	260	12
4/04	Office Technician	16	(8)	260	12
7/99	Paraeducator-CS	13	(7)	183	10
7/99	Paraeducator-SE	13	(7)	183	10
7/06	Paraeducator-CS/48 Units	14	(7)	183	10
7/06	Paraeducator-SE/48 Units	14	(7)	183	10
7/06	Paraeducator-CS/AA Degree	15	(7)	183	10
7/06	Paraeducator-SE/AA Degree	15	(7)	183	10
7/06	Paraeducator-CS/BA Degree	16	(7)	183	10
7/06	Paraeducator-SE/BA Degree	16	(7)	183	10
7/06	Paraeducator, Deaf and Hard of Hearing	16	(7)	183	10
4/04	Payroll and Retirement Services Analyst	30	(8)	260	12
4/02	Physical Therapist	52	(8)	183	12
10/03	Pool Maintenance Specialist	18	(8)	260	12
5/06	School Intervention Specialist	23	(7)	183	10
4/04	School Secretary	19	(8)	210	12
4/04	Secretary	17	(8)	260	12
4/04	Secretary/Program Analyst	23	(8)	260	12
6/05	Senior Account Clerk	20	(8)	260	12
4/04	Senior Accountant	38	(8)	260	12
5/06	Senior Human Resources Analyst	28	(8)	260	12
12/05	Senior Payroll and Benefits Analyst	36	(8)	260	12
10/04	Senior Payroll and Retirement Services Analyst	36	(8)	260	12
7/06	Senior Print Shop and Distribution Specialist	25	(8)	260	12
4/04	Senior Secretary	20	(8)	260	12
4/04	Student Information Technician	19	(8)	260	12
4/02	Transportation Assistant	13	(7)	183	10
11/93	Vocational Specialist	23	(8)	200	12
3/06	Youth Activities Specialist	21	(8)	183	10
11/05	Youth Outreach Specialist	07	(8)	183	10

1. Substitutes and short-term employees are not part of the CSEA bargaining unit.
2. Range placements may be subject to change.
3. CSEA and the Superintendent/designee will jointly agree upon the movement of any job classifications to the inactive list.

Solano County Office of Education
 2006-2007
 Hourly CSEA Classified Employees Salary Schedule C

STEP RANGE	1	2	3	4	5	6
4	\$11.07	\$11.62	\$12.20	\$12.81	\$13.45	\$14.12
5	\$11.35	\$11.91	\$12.51	\$13.13	\$13.79	\$14.48
6	\$11.62	\$12.20	\$12.81	\$13.45	\$14.12	\$14.83
7	\$11.91	\$12.51	\$13.13	\$13.79	\$14.48	\$15.20
8	\$12.20	\$12.81	\$13.45	\$14.12	\$14.83	\$15.57
9	\$12.51	\$13.13	\$13.79	\$14.48	\$15.20	\$15.96
10	\$12.81	\$13.45	\$14.12	\$14.83	\$15.57	\$16.35
11	\$13.13	\$13.79	\$14.48	\$15.20	\$15.96	\$16.76
12	\$13.45	\$14.12	\$14.83	\$15.57	\$16.35	\$17.17
13	\$13.79	\$14.48	\$15.20	\$15.96	\$16.76	\$17.60
14	\$14.12	\$14.83	\$15.57	\$16.35	\$17.17	\$18.03
15	\$14.48	\$15.20	\$15.96	\$16.76	\$17.60	\$18.48
16	\$14.83	\$15.57	\$16.35	\$17.17	\$18.03	\$18.93
17	\$15.20	\$15.96	\$16.76	\$17.60	\$18.48	\$19.40
18	\$15.57	\$16.35	\$17.17	\$18.03	\$18.93	\$19.88
19	\$15.96	\$16.76	\$17.60	\$18.48	\$19.40	\$20.37
20	\$16.35	\$17.17	\$18.03	\$18.93	\$19.88	\$20.87
21	\$16.76	\$17.60	\$18.48	\$19.40	\$20.37	\$21.39
22	\$17.17	\$18.03	\$18.93	\$19.88	\$20.87	\$21.91
23	\$17.60	\$18.48	\$19.40	\$20.37	\$21.39	\$22.46
24	\$18.03	\$18.93	\$19.88	\$20.87	\$21.91	\$23.01
25	\$18.48	\$19.40	\$20.37	\$21.39	\$22.46	\$23.58
26	\$18.93	\$19.88	\$20.87	\$21.91	\$23.01	\$24.16
27	\$19.40	\$20.37	\$21.39	\$22.46	\$23.58	\$24.76
28	\$19.88	\$20.87	\$21.91	\$23.01	\$24.16	\$25.37
29	\$20.37	\$21.39	\$22.46	\$23.58	\$24.76	\$26.00
30	\$20.87	\$21.91	\$23.01	\$24.16	\$25.37	\$26.64
31	\$21.39	\$22.46	\$23.58	\$24.76	\$26.00	\$27.30
32	\$21.91	\$23.01	\$24.16	\$25.37	\$26.64	\$27.97
33	\$22.46	\$23.58	\$24.76	\$26.00	\$27.30	\$28.67
34	\$23.01	\$24.16	\$25.37	\$26.64	\$27.97	\$29.37
35	\$23.58	\$24.76	\$26.00	\$27.30	\$28.67	\$30.10
36	\$24.16	\$25.37	\$26.64	\$27.97	\$29.37	\$30.84
37	\$24.76	\$26.00	\$27.30	\$28.67	\$30.10	\$31.61
38	\$25.37	\$26.64	\$27.97	\$29.37	\$30.84	\$32.38
39	\$26.00	\$27.30	\$28.67	\$30.10	\$31.61	\$33.19
40	\$26.64	\$27.97	\$29.37	\$30.84	\$32.38	\$34.00

41	\$27.30	\$28.67	\$30.10	\$31.61	\$33.19	\$34.85
42	\$27.97	\$29.37	\$30.84	\$32.38	\$34.00	\$35.70
43	\$28.67	\$30.10	\$31.61	\$33.19	\$34.85	\$36.59
44	\$29.37	\$30.84	\$32.38	\$34.00	\$35.70	\$37.49
45	\$30.10	\$31.61	\$33.19	\$34.85	\$36.59	\$38.42
46	\$30.84	\$32.38	\$34.00	\$35.70	\$37.49	\$39.37
47	\$31.61	\$33.19	\$34.85	\$36.59	\$38.42	\$40.34
48	\$32.38	\$34.00	\$35.70	\$37.49	\$39.37	\$41.34
49	\$33.19	\$34.85	\$36.59	\$38.42	\$40.34	\$42.36
50	\$34.00	\$35.70	\$37.49	\$39.37	\$41.34	\$43.41
51	\$34.85	\$36.59	\$38.42	\$40.34	\$42.36	\$44.48
52	\$35.70	\$37.49	\$39.37	\$41.34	\$43.41	\$45.58
53	\$36.59	\$38.42	\$40.34	\$42.36	\$44.48	\$46.70

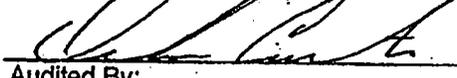
Longevity based on placement on the salary schedule and years of service:

5 years	2.50%
10 years	5.00%
15 years	8.00%
20 years	10.50%
25 years	13.00%
30 years	15.50%
35 years	18.00%



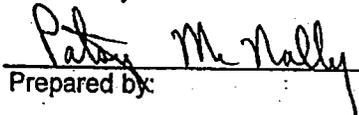
Dee Alarcón
 County Superintendent of Schools

12/15/06
 Date



Audited By:

12/15/06
 Date



Prepared by:

12/11/06
 Date

6.25% increase over 2005-2006

CHR260-CLX183-CLA183-CLA200-CLA210

Solano County Office of Education
 2006-2007
 Monthly CSEA Classified Employees Salary Schedule C

STEP RANGE	1	2	3	4	5	6
4	\$1,919.00	\$2,015.00	\$2,116.00	\$2,222.00	\$2,333.00	\$2,449.00
5	\$1,967.00	\$2,065.00	\$2,168.00	\$2,276.00	\$2,390.00	\$2,510.00
6	\$2,015.00	\$2,116.00	\$2,222.00	\$2,333.00	\$2,449.00	\$2,571.00
7	\$2,065.00	\$2,168.00	\$2,276.00	\$2,390.00	\$2,510.00	\$2,636.00
8	\$2,116.00	\$2,222.00	\$2,333.00	\$2,449.00	\$2,571.00	\$2,700.00
9	\$2,168.00	\$2,276.00	\$2,390.00	\$2,510.00	\$2,636.00	\$2,767.00
10	\$2,222.00	\$2,333.00	\$2,449.00	\$2,571.00	\$2,700.00	\$2,835.00
11	\$2,276.00	\$2,390.00	\$2,510.00	\$2,636.00	\$2,767.00	\$2,905.00
12	\$2,333.00	\$2,449.00	\$2,571.00	\$2,700.00	\$2,835.00	\$2,977.00
13	\$2,390.00	\$2,510.00	\$2,636.00	\$2,767.00	\$2,905.00	\$3,050.00
14	\$2,449.00	\$2,571.00	\$2,700.00	\$2,835.00	\$2,977.00	\$3,126.00
15	\$2,510.00	\$2,636.00	\$2,767.00	\$2,905.00	\$3,050.00	\$3,203.00
16	\$2,571.00	\$2,700.00	\$2,835.00	\$2,977.00	\$3,126.00	\$3,282.00
17	\$2,636.00	\$2,767.00	\$2,905.00	\$3,050.00	\$3,203.00	\$3,363.00
18	\$2,700.00	\$2,835.00	\$2,977.00	\$3,126.00	\$3,282.00	\$3,446.00
19	\$2,767.00	\$2,905.00	\$3,050.00	\$3,203.00	\$3,363.00	\$3,531.00
20	\$2,835.00	\$2,977.00	\$3,126.00	\$3,282.00	\$3,446.00	\$3,618.00
21	\$2,905.00	\$3,050.00	\$3,203.00	\$3,363.00	\$3,531.00	\$3,708.00
22	\$2,977.00	\$3,126.00	\$3,282.00	\$3,446.00	\$3,618.00	\$3,799.00
23	\$3,050.00	\$3,203.00	\$3,363.00	\$3,531.00	\$3,708.00	\$3,893.00
24	\$3,126.00	\$3,282.00	\$3,446.00	\$3,618.00	\$3,799.00	\$3,989.00
25	\$3,203.00	\$3,363.00	\$3,531.00	\$3,708.00	\$3,893.00	\$4,088.00
26	\$3,282.00	\$3,446.00	\$3,618.00	\$3,799.00	\$3,989.00	\$4,189.00
27	\$3,363.00	\$3,531.00	\$3,708.00	\$3,893.00	\$4,088.00	\$4,292.00
28	\$3,446.00	\$3,618.00	\$3,799.00	\$3,989.00	\$4,189.00	\$4,399.00
29	\$3,531.00	\$3,708.00	\$3,893.00	\$4,088.00	\$4,292.00	\$4,507.00
30	\$3,618.00	\$3,799.00	\$3,989.00	\$4,189.00	\$4,399.00	\$4,619.00
31	\$3,708.00	\$3,893.00	\$4,088.00	\$4,292.00	\$4,507.00	\$4,732.00
32	\$3,799.00	\$3,989.00	\$4,189.00	\$4,399.00	\$4,619.00	\$4,850.00
33	\$3,893.00	\$4,088.00	\$4,292.00	\$4,507.00	\$4,732.00	\$4,969.00
34	\$3,989.00	\$4,189.00	\$4,399.00	\$4,619.00	\$4,850.00	\$5,092.00
35	\$4,088.00	\$4,292.00	\$4,507.00	\$4,732.00	\$4,969.00	\$5,218.00
36	\$4,189.00	\$4,399.00	\$4,619.00	\$4,850.00	\$5,092.00	\$5,347.00
37	\$4,292.00	\$4,507.00	\$4,732.00	\$4,969.00	\$5,218.00	\$5,479.00
38	\$4,399.00	\$4,619.00	\$4,850.00	\$5,092.00	\$5,347.00	\$5,614.00
39	\$4,507.00	\$4,732.00	\$4,969.00	\$5,218.00	\$5,479.00	\$5,753.00

40	\$4,619.00	\$4,850.00	\$5,092.00	\$5,347.00	\$5,614.00	\$5,895.00
41	\$4,732.00	\$4,969.00	\$5,218.00	\$5,479.00	\$5,753.00	\$6,041.00
42	\$4,850.00	\$5,092.00	\$5,347.00	\$5,614.00	\$5,895.00	\$6,190.00
43	\$4,969.00	\$5,218.00	\$5,479.00	\$5,753.00	\$6,041.00	\$6,343.00
44	\$5,092.00	\$5,347.00	\$5,614.00	\$5,895.00	\$6,190.00	\$6,500.00
45	\$5,218.00	\$5,479.00	\$5,753.00	\$6,041.00	\$6,343.00	\$6,660.00
46	\$5,347.00	\$5,614.00	\$5,895.00	\$6,190.00	\$6,500.00	\$6,825.00
47	\$5,479.00	\$5,753.00	\$6,041.00	\$6,343.00	\$6,660.00	\$6,993.00
48	\$5,614.00	\$5,895.00	\$6,190.00	\$6,500.00	\$6,825.00	\$7,166.00
49	\$5,753.00	\$6,041.00	\$6,343.00	\$6,660.00	\$6,993.00	\$7,343.00
50	\$5,895.00	\$6,190.00	\$6,500.00	\$6,825.00	\$7,166.00	\$7,524.00
51	\$6,041.00	\$6,343.00	\$6,660.00	\$6,993.00	\$7,343.00	\$7,710.00
52	\$6,190.00	\$6,500.00	\$6,825.00	\$7,166.00	\$7,524.00	\$7,900.00
53	\$6,343.00	\$6,660.00	\$6,993.00	\$7,343.00	\$7,710.00	\$8,095.00

Longevity based on placement on the salary schedule and years of service:

5 years	2.50%
10 years	5.00%
15 years	8.00%
20 years	10.50%
25 years	13.00%
30 years	15.50%
35 years	18.00%



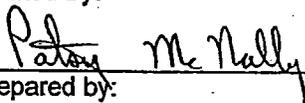
Dee Alarcón
 County Superintendent of Schools

12/15/06
 Date



Audited By:

12/13/06
 Date



Prepared by:

12/11/06
 Date

6.25% increase over 2005-2006
 CMO260

Solano County SELPA Professional Development Behavior Intervention Case Manager (BICM) Training Certification

September 14 and 15, 2006, 8:30 – 3:30
SCOE – Blue Rock Springs Room

Target Audience:

District and County appointed school psychologists, resource specialists, or teachers who frequently deal with behavioral problems

Course Description:

- This training will meet the State Department of Education requirements for SELPA designation of individuals to serve as Behavior Intervention Case Managers (BICMs). At the end of this training, participants will have learned theory and practice of applied behavioral analysis, including positive behavioral interventions, and will be designated as qualified to conduct functional analysis assessments (FAA) and develop behavior intervention plans (BIPs).
- Participants must have been nominated/appointed by their director of special education in order to attend.
- Participants must attend both full days of training in order to receive their Solano SELPA BICM qualification certificate.

** Note: Existing behavior specialists employed by the Districts or County will have a modified version of this training and are not expected to be appointed for attendance here. This intensive training is intended to train additional staff to act as BICMs.*

Facilitator:

Carol Ueckert, SELPA Program Coordinator

Contact:

Carol Ueckert
(707) 399-4463

cueckert@solanocoe.k12.ca.us

Total trained as potential BICM's = 16

Behavior specialists trained this day = 6

↳ 4 Behavior Specialists trained separately in 9/06

District

DECLARATION

I, Gail Pizzo, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Special Education Director
Title of Position
by Fairfield-Suisun Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2012, at Fairfield, California.
Date *City*

Gail Pizzo
Signature

Gail Pizzo
Print Name

Gpizzo@solanocoe.net
E-mail Address

707 399-4847
Phone Number

SELPA: Solano County SELPA
 District: Fairfield-Suisun Unified School District
 Person completing survey: Gail Pizzo, Director, Sue Warnock-Brooks, Coordinator

Date: January 28, 2008

Title: Director

Phone Number(s): 707-399-5070

Email Address: Gail.Pi@fsusd.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	a. <u>0</u>
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP.	d. <u>3</u> <u>9</u>
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>18</u> <u>54</u>
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u> <u>27</u>
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>54</u>
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 1

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 1

Case #: N2007020179 (OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u> </u> Clerical <u> </u>	5. <u> </u> <u> </u> 1
	<u> </u> Director <u> </u>	<u> </u> <u> </u> 2
	<u> </u>	<u> </u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u> </u> Clerical <u> </u>	6. <u> </u> <u> </u> 2
	<u> </u> Director <u> </u>	<u> </u> <u> </u> 4
	<u> </u>	<u> </u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation? Mediation waived	7. <u> </u> Clerical <u> </u>	7. <u> </u> <u> </u> .5
	<u> </u> Mediation <u> </u>	<u> </u> <u> </u> 1
	<u> </u>	<u> </u>
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing? Hearing not held in 06-07	8. <u> </u>	8. <u> </u> <u> </u> 0
	<u> </u>	<u> </u>
	<u> </u>	<u> </u>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities -- such as developing FAAs, PBIPs or attending IEP team meetings -- please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	Resolution attempts, motions filed	31	Van Vu, Attorney	\$ 4668.14
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 6 hours

Thank you for taking the time to complete this survey.



Fairfield-Suisun Unified School District

2490 Hilborn Rd. • Fairfield, California • Telephone (707) 399-5015

Governing Board

- Gary Falati
Board President
- Anne M. Griffin
Vice President
- Kathy Marianno
Clerk
- Dave Gaut
Ivan Meadows, M.D.
Charles B. Wood
- Superintendent**
Arnold W. Carter

TO: Department Administrations, Principals,
Program Managers, and Secretaries

FROM: Stephnie Norvas, Staff Accountant

SUBJECT: 2007 – 2008 Benefits

DATE: May 16, 2007

When submitting budget transfers for salaries, benefits should also be included. Below are the benefits for Classified and Certificated positions with the corresponding object code and rates for the 2007/2008 school year.

Classified:

22.998%

<u>Benefits</u>	<u>Object Code</u>	<u>Rate</u>
PERS Contribution	3202	9.306%
OASDI	3302	6.20%
Medicare	3312	1.45%
SUI	3502	.05%
Worker's Comp.	3602	2.278%
PERS Reduction	3802	3.714%

Use all rates when transferring funds to classified extra hourly. When transferring funds to classified substitutes, you usually do not need to budget for PERS Contribution or PERS Reduction.

Certificated:

12.028%

<u>Benefits</u>	<u>Object Code</u>	<u>Rate</u>
STRS	3101	8.25%
Medicare	3311	1.45%
SUI	3501	.05%
Worker's Comp.	3601	2.278%

When transferring funds to certificated salary, substitute, stipends, or extra hourly, use all four rates (STRS, Medicare, SUI, and Worker's Comp.).

"Our Mission is to Provide a Quality Educational System that Assures Opportunities for Every Student to Learn and Meet the Challenges of the Future"

FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
C.S.E.A. OFFICE, TECHNICAL, BUSINESS SERVICES - HOURLY
 2006 - 2007

Lane	STEP 1 Hour	STEP 2 Hour	STEP 3 Hour	STEP 4 Hour	STEP 5 Hour	STEP 6 Hour	STEP 10 Hour	STEP 14 Hour	STEP 18 Hour	STEP 21 Hour	STEP 24 Hour	STEP 27 Hour
1	\$ 9.79	\$ 10.31	\$ 10.76	\$ 11.21	\$ 11.70	\$ 12.25	\$ 12.61	\$ 12.73	\$ 12.98	\$ 13.23	\$ 13.47	\$ 13.72
2	\$ 10.03	\$ 10.50	\$ 10.97	\$ 11.47	\$ 12.01	\$ 12.56	\$ 12.93	\$ 13.06	\$ 13.30	\$ 13.56	\$ 13.81	\$ 14.07
3	\$ 10.31	\$ 10.76	\$ 11.21	\$ 11.70	\$ 12.25	\$ 12.87	\$ 13.25	\$ 13.38	\$ 13.63	\$ 13.89	\$ 14.15	\$ 14.41
4	\$ 10.50	\$ 10.97	\$ 11.47	\$ 12.01	\$ 12.56	\$ 13.12	\$ 13.51	\$ 13.64	\$ 13.90	\$ 14.16	\$ 14.43	\$ 14.70
5	\$ 10.76	\$ 11.21	\$ 11.70	\$ 12.25	\$ 12.87	\$ 13.42	\$ 13.82	\$ 13.95	\$ 14.22	\$ 14.48	\$ 14.76	\$ 15.03
6	\$ 10.97	\$ 11.47	\$ 12.01	\$ 12.56	\$ 13.12	\$ 13.75	\$ 14.15	\$ 14.29	\$ 14.57	\$ 14.85	\$ 15.12	\$ 15.40
7	\$ 11.21	\$ 11.70	\$ 12.25	\$ 12.87	\$ 13.42	\$ 14.06	\$ 14.47	\$ 14.61	\$ 14.90	\$ 15.18	\$ 15.46	\$ 15.74
8	\$ 11.47	\$ 12.01	\$ 12.56	\$ 13.12	\$ 13.75	\$ 14.36	\$ 14.78	\$ 14.92	\$ 15.21	\$ 15.50	\$ 15.78	\$ 16.07
9	\$ 11.70	\$ 12.25	\$ 12.87	\$ 13.42	\$ 14.06	\$ 14.71	\$ 15.14	\$ 15.29	\$ 15.58	\$ 15.88	\$ 16.17	\$ 16.46
10	\$ 12.01	\$ 12.56	\$ 13.12	\$ 13.75	\$ 14.36	\$ 15.00	\$ 15.44	\$ 15.58	\$ 15.89	\$ 16.19	\$ 16.49	\$ 16.78
11	\$ 12.25	\$ 12.87	\$ 13.42	\$ 14.06	\$ 14.71	\$ 15.36	\$ 15.82	\$ 15.98	\$ 16.28	\$ 16.58	\$ 16.89	\$ 17.20
12	\$ 12.56	\$ 13.12	\$ 13.75	\$ 14.36	\$ 15.00	\$ 15.70	\$ 16.17	\$ 16.33	\$ 16.64	\$ 16.95	\$ 17.26	\$ 17.58
13	\$ 12.87	\$ 13.42	\$ 14.06	\$ 14.71	\$ 15.36	\$ 16.09	\$ 16.58	\$ 16.73	\$ 17.06	\$ 17.38	\$ 17.70	\$ 18.02
14	\$ 13.12	\$ 13.75	\$ 14.36	\$ 15.00	\$ 15.70	\$ 16.49	\$ 16.99	\$ 17.15	\$ 17.49	\$ 17.82	\$ 18.15	\$ 18.48
15	\$ 13.42	\$ 14.06	\$ 14.71	\$ 15.36	\$ 16.09	\$ 16.89	\$ 17.39	\$ 17.56	\$ 17.90	\$ 18.24	\$ 18.57	\$ 18.91
16	\$ 13.75	\$ 14.36	\$ 15.00	\$ 15.70	\$ 16.49	\$ 17.26	\$ 17.77	\$ 17.96	\$ 18.30	\$ 18.64	\$ 18.99	\$ 19.33
17	\$ 14.06	\$ 14.71	\$ 15.36	\$ 16.09	\$ 16.89	\$ 17.68	\$ 18.21	\$ 18.38	\$ 18.74	\$ 19.10	\$ 19.45	\$ 19.80
18	\$ 14.36	\$ 15.00	\$ 15.70	\$ 16.49	\$ 17.26	\$ 18.08	\$ 18.63	\$ 18.82	\$ 19.17	\$ 19.53	\$ 19.89	\$ 20.26
19	\$ 14.71	\$ 15.36	\$ 16.09	\$ 16.89	\$ 17.68	\$ 18.48	\$ 19.02	\$ 19.21	\$ 19.59	\$ 19.95	\$ 20.33	\$ 20.69
20	\$ 15.00	\$ 15.70	\$ 16.49	\$ 17.26	\$ 18.08	\$ 18.95	\$ 19.52	\$ 19.71	\$ 20.09	\$ 20.47	\$ 20.84	\$ 21.21
21	\$ 15.36	\$ 16.09	\$ 16.89	\$ 17.68	\$ 18.48	\$ 19.41	\$ 19.99	\$ 20.18	\$ 20.58	\$ 20.97	\$ 21.35	\$ 21.74
22	\$ 15.70	\$ 16.49	\$ 17.26	\$ 18.08	\$ 18.95	\$ 19.84	\$ 20.44	\$ 20.64	\$ 21.03	\$ 21.43	\$ 21.82	\$ 22.23
23	\$ 16.09	\$ 16.89	\$ 17.68	\$ 18.48	\$ 19.41	\$ 20.30	\$ 20.91	\$ 21.12	\$ 21.52	\$ 21.93	\$ 22.33	\$ 22.74
24	\$ 16.49	\$ 17.26	\$ 18.08	\$ 18.95	\$ 19.84	\$ 20.78	\$ 21.41	\$ 21.61	\$ 22.02	\$ 22.44	\$ 22.87	\$ 23.27
25	\$ 16.89	\$ 17.68	\$ 18.48	\$ 19.41	\$ 20.30	\$ 21.23	\$ 21.86	\$ 22.08	\$ 22.50	\$ 22.93	\$ 23.36	\$ 23.77
26	\$ 17.26	\$ 18.08	\$ 18.95	\$ 19.84	\$ 20.78	\$ 21.80	\$ 22.45	\$ 22.67	\$ 23.11	\$ 23.55	\$ 23.98	\$ 24.42
27	\$ 17.68	\$ 18.48	\$ 19.41	\$ 20.30	\$ 21.23	\$ 22.31	\$ 22.98	\$ 23.21	\$ 23.64	\$ 24.10	\$ 24.54	\$ 24.98
28	\$ 18.08	\$ 18.95	\$ 19.84	\$ 20.78	\$ 21.80	\$ 22.85	\$ 23.54	\$ 23.76	\$ 24.22	\$ 24.68	\$ 25.13	\$ 25.59
29	\$ 18.48	\$ 19.41	\$ 20.30	\$ 21.23	\$ 22.31	\$ 23.38	\$ 24.08	\$ 24.31	\$ 24.78	\$ 25.25	\$ 25.72	\$ 26.19
30	\$ 18.95	\$ 19.84	\$ 20.78	\$ 21.80	\$ 22.85	\$ 23.91	\$ 24.62	\$ 24.87	\$ 25.34	\$ 25.83	\$ 26.31	\$ 26.77
31	\$ 19.41	\$ 20.30	\$ 21.23	\$ 22.31	\$ 23.38	\$ 24.43	\$ 25.16	\$ 25.41	\$ 25.89	\$ 26.38	\$ 26.87	\$ 27.36
32	\$ 19.84	\$ 20.78	\$ 21.80	\$ 22.85	\$ 23.91	\$ 25.07	\$ 25.82	\$ 26.07	\$ 26.56	\$ 27.07	\$ 27.57	\$ 28.07
33	\$ 20.30	\$ 21.23	\$ 22.31	\$ 23.38	\$ 24.43	\$ 25.66	\$ 26.43	\$ 26.69	\$ 27.20	\$ 27.71	\$ 28.23	\$ 28.73
34	\$ 20.78	\$ 21.80	\$ 22.85	\$ 23.91	\$ 25.07	\$ 26.21	\$ 27.00	\$ 27.26	\$ 27.79	\$ 28.31	\$ 28.84	\$ 29.35
35	\$ 21.23	\$ 22.31	\$ 23.38	\$ 24.43	\$ 25.66	\$ 26.84	\$ 27.65	\$ 27.91	\$ 28.45	\$ 28.99	\$ 29.53	\$ 30.05

Employees assigned to a work calendar of less than 10 months (typically 182 work days) will be paid the appropriate hourly rate identified on the above schedule.

PROFESSIONAL GROWTH PAY SCHEDULE

Average Hours		Plan I	Plan II	Plan III	Plan IV	Plan V	Plan VI	Plan VII
Per Wk	Per Day	(10 Units)	(20 Units)	(30 Units)	(40 Units)	(50 Units)	(60 Units)	(70 Units)
30-40	6-8	\$ 711	\$ 1,420	\$ 2,134	\$ 2,828	\$ 3,531	\$ 4,239	\$ 4,944
20-29	4-5+	536	1,061	1,588	2,121	2,649	3,179	3,707
1-19	1-3+	358	711	1,059	1,400	1,768	2,121	2,475

All increments shall be equally divided by the number of months the employees are paid in accordance to their regular assignment.

1. Each amount is based on the percentage salary increased given to each unit.
2. 20-29 hours is 75% of the full amount, and 1-19 hours is based on 50% of full amount.

FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
C.S.E.A. OFFICE, TECHNICAL, BUSINESS SERVICES - MONTHLY
2006 - 2007

Lane	STEP 1 Month	STEP 2 Month	STEP 3 Month	STEP 4 Month	STEP 5 Month	STEP 6 Month	STEP 10 Month	STEP 14 Month	STEP 18 Month	STEP 21 Month	STEP 24 Month	STEP 27 Month
1	\$ 1,702	\$ 1,791	\$ 1,869	\$ 1,949	\$ 2,036	\$ 2,129	\$ 2,192	\$ 2,213	\$ 2,256	\$ 2,298	\$ 2,341	\$ 2,385
2	\$ 1,747	\$ 1,829	\$ 1,904	\$ 1,994	\$ 2,086	\$ 2,184	\$ 2,249	\$ 2,272	\$ 2,316	\$ 2,360	\$ 2,403	\$ 2,447
3	\$ 1,791	\$ 1,869	\$ 1,949	\$ 2,036	\$ 2,129	\$ 2,238	\$ 2,305	\$ 2,327	\$ 2,372	\$ 2,416	\$ 2,461	\$ 2,507
4	\$ 1,829	\$ 1,904	\$ 1,994	\$ 2,086	\$ 2,184	\$ 2,282	\$ 2,352	\$ 2,374	\$ 2,420	\$ 2,465	\$ 2,511	\$ 2,557
5	\$ 1,869	\$ 1,949	\$ 2,036	\$ 2,129	\$ 2,238	\$ 2,334	\$ 2,405	\$ 2,428	\$ 2,475	\$ 2,521	\$ 2,569	\$ 2,615
6	\$ 1,904	\$ 1,994	\$ 2,086	\$ 2,184	\$ 2,282	\$ 2,388	\$ 2,459	\$ 2,484	\$ 2,530	\$ 2,578	\$ 2,626	\$ 2,674
7	\$ 1,949	\$ 2,036	\$ 2,129	\$ 2,238	\$ 2,334	\$ 2,445	\$ 2,519	\$ 2,543	\$ 2,591	\$ 2,640	\$ 2,689	\$ 2,738
8	\$ 1,994	\$ 2,086	\$ 2,184	\$ 2,282	\$ 2,388	\$ 2,498	\$ 2,574	\$ 2,600	\$ 2,649	\$ 2,699	\$ 2,749	\$ 2,799
9	\$ 2,036	\$ 2,129	\$ 2,238	\$ 2,334	\$ 2,445	\$ 2,555	\$ 2,633	\$ 2,657	\$ 2,708	\$ 2,759	\$ 2,811	\$ 2,862
10	\$ 2,086	\$ 2,184	\$ 2,282	\$ 2,388	\$ 2,498	\$ 2,608	\$ 2,686	\$ 2,713	\$ 2,765	\$ 2,816	\$ 2,869	\$ 2,921
11	\$ 2,129	\$ 2,238	\$ 2,334	\$ 2,445	\$ 2,555	\$ 2,670	\$ 2,750	\$ 2,776	\$ 2,830	\$ 2,884	\$ 2,936	\$ 2,991
12	\$ 2,184	\$ 2,282	\$ 2,388	\$ 2,498	\$ 2,608	\$ 2,731	\$ 2,812	\$ 2,839	\$ 2,895	\$ 2,949	\$ 3,003	\$ 3,058
13	\$ 2,238	\$ 2,334	\$ 2,445	\$ 2,555	\$ 2,670	\$ 2,799	\$ 2,882	\$ 2,911	\$ 2,966	\$ 3,022	\$ 3,079	\$ 3,135
14	\$ 2,282	\$ 2,388	\$ 2,498	\$ 2,608	\$ 2,731	\$ 2,870	\$ 2,956	\$ 2,985	\$ 3,043	\$ 3,099	\$ 3,157	\$ 3,214
15	\$ 2,334	\$ 2,445	\$ 2,555	\$ 2,670	\$ 2,799	\$ 2,935	\$ 3,024	\$ 3,053	\$ 3,112	\$ 3,171	\$ 3,229	\$ 3,288
16	\$ 2,388	\$ 2,498	\$ 2,608	\$ 2,731	\$ 2,870	\$ 3,001	\$ 3,092	\$ 3,122	\$ 3,181	\$ 3,242	\$ 3,302	\$ 3,362
17	\$ 2,445	\$ 2,555	\$ 2,670	\$ 2,799	\$ 2,935	\$ 3,076	\$ 3,168	\$ 3,199	\$ 3,259	\$ 3,321	\$ 3,382	\$ 3,444
18	\$ 2,498	\$ 2,608	\$ 2,731	\$ 2,870	\$ 3,001	\$ 3,144	\$ 3,239	\$ 3,270	\$ 3,332	\$ 3,395	\$ 3,458	\$ 3,521
19	\$ 2,555	\$ 2,670	\$ 2,799	\$ 2,935	\$ 3,076	\$ 3,211	\$ 3,307	\$ 3,340	\$ 3,404	\$ 3,468	\$ 3,532	\$ 3,597
20	\$ 2,608	\$ 2,731	\$ 2,870	\$ 3,001	\$ 3,144	\$ 3,296	\$ 3,395	\$ 3,428	\$ 3,493	\$ 3,559	\$ 3,625	\$ 3,691
21	\$ 2,670	\$ 2,799	\$ 2,935	\$ 3,076	\$ 3,211	\$ 3,372	\$ 3,473	\$ 3,506	\$ 3,575	\$ 3,642	\$ 3,709	\$ 3,776
22	\$ 2,731	\$ 2,870	\$ 3,001	\$ 3,144	\$ 3,296	\$ 3,447	\$ 3,552	\$ 3,586	\$ 3,655	\$ 3,723	\$ 3,792	\$ 3,862
23	\$ 2,799	\$ 2,935	\$ 3,076	\$ 3,211	\$ 3,372	\$ 3,530	\$ 3,636	\$ 3,672	\$ 3,742	\$ 3,813	\$ 3,883	\$ 3,954
24	\$ 2,870	\$ 3,001	\$ 3,144	\$ 3,296	\$ 3,447	\$ 3,615	\$ 3,722	\$ 3,758	\$ 3,832	\$ 3,903	\$ 3,976	\$ 4,048
25	\$ 2,935	\$ 3,076	\$ 3,211	\$ 3,372	\$ 3,530	\$ 3,692	\$ 3,804	\$ 3,840	\$ 3,914	\$ 3,988	\$ 4,062	\$ 4,135
26	\$ 3,001	\$ 3,144	\$ 3,296	\$ 3,447	\$ 3,615	\$ 3,791	\$ 3,905	\$ 3,944	\$ 4,019	\$ 4,095	\$ 4,171	\$ 4,247
27	\$ 3,076	\$ 3,211	\$ 3,372	\$ 3,530	\$ 3,692	\$ 3,878	\$ 3,995	\$ 4,033	\$ 4,111	\$ 4,188	\$ 4,265	\$ 4,343
28	\$ 3,144	\$ 3,296	\$ 3,447	\$ 3,615	\$ 3,791	\$ 3,970	\$ 4,090	\$ 4,129	\$ 4,209	\$ 4,288	\$ 4,368	\$ 4,446
29	\$ 3,211	\$ 3,372	\$ 3,530	\$ 3,692	\$ 3,878	\$ 4,065	\$ 4,188	\$ 4,228	\$ 4,309	\$ 4,390	\$ 4,472	\$ 4,554
30	\$ 3,296	\$ 3,447	\$ 3,615	\$ 3,791	\$ 3,970	\$ 4,157	\$ 4,281	\$ 4,323	\$ 4,406	\$ 4,490	\$ 4,572	\$ 4,656
31	\$ 3,372	\$ 3,530	\$ 3,692	\$ 3,878	\$ 4,065	\$ 4,248	\$ 4,376	\$ 4,418	\$ 4,503	\$ 4,588	\$ 4,672	\$ 4,757
32	\$ 3,447	\$ 3,615	\$ 3,791	\$ 3,970	\$ 4,157	\$ 4,357	\$ 4,489	\$ 4,532	\$ 4,619	\$ 4,705	\$ 4,793	\$ 4,880
33	\$ 3,530	\$ 3,692	\$ 3,878	\$ 4,065	\$ 4,248	\$ 4,460	\$ 4,593	\$ 4,638	\$ 4,728	\$ 4,817	\$ 4,906	\$ 4,996
34	\$ 3,615	\$ 3,791	\$ 3,970	\$ 4,157	\$ 4,357	\$ 4,560	\$ 4,697	\$ 4,742	\$ 4,833	\$ 4,925	\$ 5,016	\$ 5,107
35	\$ 3,692	\$ 3,878	\$ 4,065	\$ 4,248	\$ 4,460	\$ 4,667	\$ 4,807	\$ 4,853	\$ 4,947	\$ 5,041	\$ 5,133	\$ 5,227

Employees assigned to a work calendar of 10 months, 10.5 months, 11 months, or 12 months will be paid the appropriate monthly pay rate listed on the above schedule.

PROFESSIONAL GROWTH PAY SCHEDULE

Average Hours Per Wk	Per Day	Plan I	Plan II	Plan III	Plan IV	Plan V	Plan VI	Plan VII
		(10 Units)	(20 Units)	(30 Units)	(40 Units)	(50 Units)	(60 Units)	(70 Units)
30-40	6-8	\$ 711	\$ 1,420	\$ 2,134	\$ 2,828	\$ 3,531	\$ 4,239	\$ 4,944
20-29	4-5+	\$ 536	\$ 1,061	\$ 1,588	\$ 2,121	\$ 2,649	\$ 3,179	\$ 3,707
1-19	1-3+	\$ 358	\$ 711	\$ 1,059	\$ 1,400	\$ 1,768	\$ 2,121	\$ 2,475

All increments shall be equally divided by the number of months the employees are paid in accordance to their regular assignment.

1. Each amount is based on the percentage salary increased given to each unit.
2. 20-29 hours is 75% of the full amount, and 1-19 hours is based on 50% of full amount.

Fairfield-Suisun Unified School District

OFFICE, TECHNICAL, BUSINESS SERVICES

2006-2007

<u>LANE</u>	<u>POSITION</u>
21	Account Clerk
20	Alternate Chief GED Examiner
14	Attendance/Typist Clerk (Elementary)
15	Attendance Clerk
24	Benefits Technician
30	Buyer
14	Clerk/Dispatcher
21	Custodial Operations Secretary
15	Data Processing Control Clerk
15	District IMC Media Technician (Title Change, was Textbook Library Clerk)
23	Fiscal Services Technician
15	Health Technician
23	Maintenance Secretary
13	Microfilm Records Clerk
28	Payroll Technician
23	Personnel Specialist I (was Personnel Clerk)
28	Personnel Specialist II (was Personnel Specialist)
21	Purchasing Clerk
23	Purchasing Vendor Technician
14	Receptionist
28	Recruitment Specialist
19	Registrar
15	Scheduling Clerk
18	Scheduling/Data Control Clerk
16	Scheduling/Data Control Clerk (Middle School)
13	School Library Media Technician/K-8 (Title Change, was Library Clerk)
15	School Library Media Technician/9-12 (Title Change, was Instructional Media Technician)
18	Secretary to School Principal (A) (Small Elementary)
21	Secretary to School Principal (B) (Elementary and Continuation)
22	Secretary to School Principal (C) (Middle School/Adult School)
25	Secretary to School Principal (D) (High School)
18	Secretary I
21	Secretary II
23	Secretary III
19	Secretary/Dispatcher
34	Staff Accountant
21	Stockroom Technician
16	Secretary to the Summer School Coordinator (or Equivalent)
17	Treasurer
13	Typist Clerk
22	Work Control Technician

**FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
CERTIFICATED MANAGEMENT SALARY SCHEDULE
2006-2007**

Lane	A Annual	B Annual	C Annual	D Annual	E Annual	F Annual	G Annual	H Annual	I Annual	J Annual	K Annual	L Annual	M Annual	N Annual	O Annual	P Annual
1	\$ 82,787	\$ 84,319	\$ 85,910	\$ 87,563	\$ 89,279	\$ 91,064	\$ 92,888	\$ 94,707	\$ 96,528	\$ 98,351	\$ 100,171	\$ 101,993	\$ 103,813	\$ 105,635	\$ 107,457	\$ 109,277
2	\$ 84,568	\$ 86,134	\$ 87,759	\$ 89,446	\$ 91,200	\$ 93,023	\$ 94,885	\$ 96,745	\$ 98,606	\$ 100,467	\$ 102,327	\$ 104,188	\$ 106,048	\$ 107,908	\$ 109,768	\$ 111,629
3	\$ 91,090	\$ 92,777	\$ 94,527	\$ 96,345	\$ 98,234	\$ 100,198	\$ 102,204	\$ 104,207	\$ 106,211	\$ 108,215	\$ 110,219	\$ 112,222	\$ 114,227	\$ 116,232	\$ 118,235	\$ 120,239
4	\$ 93,285	\$ 95,013	\$ 96,806	\$ 98,668	\$ 100,602	\$ 102,614	\$ 104,667	\$ 106,719	\$ 108,771	\$ 110,824	\$ 112,875	\$ 114,929	\$ 116,980	\$ 119,033	\$ 121,085	\$ 123,138
5	\$ 95,708	\$ 97,480	\$ 99,319	\$ 101,230	\$ 103,214	\$ 105,279	\$ 107,384	\$ 109,491	\$ 111,596	\$ 113,701	\$ 115,806	\$ 117,912	\$ 120,017	\$ 122,122	\$ 124,229	\$ 126,335
6	\$ 107,302	\$ 109,289	\$ 111,351	\$ 113,492	\$ 115,718	\$ 118,032	\$ 120,393	\$ 122,753	\$ 125,113	\$ 127,474	\$ 129,835	\$ 132,195	\$ 134,557	\$ 136,918	\$ 139,278	\$ 141,639
7	\$ 114,548	\$ 116,669	\$ 118,871	\$ 121,157	\$ 123,532	\$ 126,002	\$ 128,523	\$ 131,043	\$ 133,563	\$ 136,084	\$ 138,604	\$ 141,124	\$ 143,643	\$ 146,164	\$ 148,684	\$ 151,204
8	\$ 120,660	\$ 122,895	\$ 125,213	\$ 127,621	\$ 130,124	\$ 132,726	\$ 135,381	\$ 138,036	\$ 140,690	\$ 143,345	\$ 146,000	\$ 148,653	\$ 151,308	\$ 153,963	\$ 156,617	\$ 159,272

Lane 1 (205 Days)
Assistant Elementary Principal
Assistant Reform Principal

Lane 2 (208 Days)
Middle School Assistant Principal

Lane 3 (214 Days)
Assistant Principal Adult School
Assistant Principal Alternative School
Coordinator I (Educational Technology)
Coordinator I (Pupil Services)
Coordinator I (School Readiness)
Coordinator I (Special Education)
Coordinator I (Instructional Support Services)
Coordinator I (School Facilities)
Coordinator I (Independent Study)

Lane 4 (210 Days)
Elementary School Principal
Assistant High School Principal

Lane 5 (214 Days)
Middle School Principal
Adult School Principal
Alternative School Principal
Assistant Director of Special Education
Coordinators II (Curriculum & Assessment)
Coordinators II (Differentiated Instruction)
Coordinators II (IMC)
Coordinators II (Staff Development & PAR/BTSA)

Lane 6 (220 Days)
High School Principal

Lane 7 (224 Days)
Director I (Administrative Services)
Director I (Assessment and Accountability)
Director I (Human Resources)
Director I (Information Services)
Director I (Special Education)
Director I (Instructional Support Services)

Lane 8 (224 Days)
Director II (Elementary and Secondary Education)
Director II (Curriculum and Assessment)

Doctoral Degree \$ 1,658 Stipends
Administrators who do not have a MA or MS will have \$ 1,124 deducted from their Annual Salary

All increments shall be equally divided by the number of months the employees are paid in accordance to their regular assignment. Each amount is based on the percentage salary increases given to each unit.

FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
CERTIFICATED MANAGEMENT SALARY SCHEDULE
2006-2007 no MA or MS

Lane	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Annual															
1	\$ 81,663	\$ 83,195	\$ 84,736	\$ 86,439	\$ 88,155	\$ 89,940	\$ 91,762	\$ 93,583	\$ 95,404	\$ 97,227	\$ 99,047	\$ 100,869	\$ 102,689	\$ 104,511	\$ 106,333	\$ 108,153
2	\$ 83,444	\$ 85,010	\$ 86,636	\$ 88,322	\$ 90,076	\$ 91,899	\$ 93,761	\$ 95,621	\$ 97,482	\$ 99,343	\$ 101,203	\$ 103,064	\$ 104,924	\$ 106,784	\$ 108,644	\$ 110,505
3	\$ 89,966	\$ 91,653	\$ 93,403	\$ 95,221	\$ 97,110	\$ 99,074	\$ 101,080	\$ 103,083	\$ 105,087	\$ 107,091	\$ 109,095	\$ 111,098	\$ 113,103	\$ 115,108	\$ 117,111	\$ 119,115
4	\$ 92,161	\$ 93,869	\$ 95,662	\$ 97,544	\$ 99,478	\$ 101,490	\$ 103,543	\$ 105,595	\$ 107,647	\$ 109,700	\$ 111,751	\$ 113,805	\$ 115,858	\$ 117,909	\$ 119,961	\$ 122,014
5	\$ 94,584	\$ 96,356	\$ 98,195	\$ 100,106	\$ 102,090	\$ 104,155	\$ 106,260	\$ 108,367	\$ 110,472	\$ 112,577	\$ 114,682	\$ 116,788	\$ 118,893	\$ 120,998	\$ 123,105	\$ 125,211
6	\$ 106,178	\$ 108,165	\$ 110,227	\$ 112,368	\$ 114,594	\$ 116,908	\$ 119,269	\$ 121,629	\$ 123,989	\$ 126,350	\$ 128,711	\$ 131,071	\$ 133,433	\$ 135,794	\$ 138,154	\$ 140,515
7	\$ 113,424	\$ 115,545	\$ 117,747	\$ 120,033	\$ 122,408	\$ 124,878	\$ 127,399	\$ 129,919	\$ 132,439	\$ 134,960	\$ 137,480	\$ 140,000	\$ 142,519	\$ 145,040	\$ 147,560	\$ 150,080
8	\$ 119,536	\$ 121,771	\$ 124,089	\$ 126,497	\$ 129,000	\$ 131,602	\$ 134,257	\$ 136,912	\$ 139,568	\$ 142,221	\$ 144,876	\$ 147,529	\$ 150,184	\$ 152,839	\$ 155,493	\$ 158,148

Lane 1 (205 Days)
Assistant Elementary Principal
Assistant Reform Principal

Lane 2 (208 Days)
Middle School Assistant Principal

Lane 3 (214 Days)
Assistant Principal Adult School
Assistant Principal Alternative School
Coordinator I (Educational Technology)
Coordinator I (Pupil Services)
Coordinator I (School Readiness)
Coordinator I (Special Education)
Coordinator I (Instructional Support Services)
Coordinator I (School Facilities)
Coordinator I (Independent Study)

Lane 4 (210 Days)
Elementary School Principal
Assistant High School Principal

Lane 5 (214 Days)
Middle School Principal
Adult School Principal
Alternative School Principal
Assistant Director of Special Education
Coordinators II (Curriculum & Assessment)
Coordinators II (Differentiated Instruction)
Coordinators II (IMC)
Coordinators II (Staff Development & PAR/BTSA)

Lane 6 (220 Days)
High School Principal

Lane 7 (224 Days)
Director I (Administrative Services)
Director I (Assessment and Accountability)
Director I (Human Resources)
Director I (Information Services)
Director I (Special Education)
Director I (Instructional Support Services)

Lane 8 (224 Days)
Director II (Elementary and Secondary Education)
Director II (Curriculum and Assessment)

Doctoral Degree \$ 1,658 Stipends
Administrators who do not have a MA or MS will have
\$ 1,124 deducted from their Annual Salary

All increments shall be equally divided by the number of months the employees are paid in accordance to their regular assignment. Each amount is based on the percentage salary increases given to each unit.

**FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
CLASSIFIED MANAGEMENT SALARY SCHEDULE
2006 - 2007**

Lane	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Annual															
1	\$ 47,445	\$ 48,394	\$ 49,362	\$ 50,348	\$ 51,356	\$ 52,383	\$ 53,430	\$ 54,499	\$ 55,589	\$ 56,702	\$ 57,835	\$ 58,991	\$ 60,173	\$ 61,374	\$ 62,603	\$ 63,864
2	\$ 55,484	\$ 56,573	\$ 57,704	\$ 58,868	\$ 60,035	\$ 61,235	\$ 62,460	\$ 63,710	\$ 64,984	\$ 66,285	\$ 67,610	\$ 68,961	\$ 70,342	\$ 71,749	\$ 73,183	\$ 74,646
3	\$ 63,481	\$ 64,751	\$ 66,048	\$ 67,366	\$ 68,713	\$ 70,088	\$ 71,490	\$ 72,920	\$ 74,379	\$ 75,866	\$ 77,384	\$ 78,931	\$ 80,509	\$ 82,120	\$ 83,762	\$ 85,436
4	\$ 71,500	\$ 72,930	\$ 74,388	\$ 75,877	\$ 77,395	\$ 78,942	\$ 80,521	\$ 82,130	\$ 83,773	\$ 85,449	\$ 87,157	\$ 88,901	\$ 90,679	\$ 92,493	\$ 94,342	\$ 96,227
5	\$ 79,517	\$ 81,107	\$ 82,730	\$ 84,384	\$ 86,072	\$ 87,793	\$ 89,592	\$ 91,341	\$ 93,167	\$ 95,031	\$ 96,931	\$ 98,870	\$ 100,847	\$ 102,865	\$ 104,921	\$ 107,020
6	\$ 87,537	\$ 89,287	\$ 91,073	\$ 92,894	\$ 94,752	\$ 96,647	\$ 98,580	\$ 100,552	\$ 102,563	\$ 104,614	\$ 106,706	\$ 108,841	\$ 111,018	\$ 113,238	\$ 115,502	\$ 117,812
7	\$ 95,553	\$ 97,465	\$ 99,414	\$ 101,402	\$ 103,431	\$ 105,500	\$ 107,609	\$ 109,761	\$ 111,957	\$ 114,196	\$ 116,479	\$ 118,809	\$ 121,186	\$ 123,609	\$ 126,081	\$ 128,600
8	\$ 103,572	\$ 105,644	\$ 107,757	\$ 109,912	\$ 112,111	\$ 114,352	\$ 116,641	\$ 118,972	\$ 121,351	\$ 123,779	\$ 126,255	\$ 128,780	\$ 131,355	\$ 133,982	\$ 136,662	\$ 139,395

Lane 7
Assistant Director of Information Services (224)

Lane 8
Director of Fiscal Services (224)

Masters Degree \$ 1,124 Stipend
Doctoral Degree \$ 1,658 Stipend

Lane 4
Assistant Dir. Of Maintenance/Operations (224)
Director of Accounting (224)
Network Administrator (224)

Lane 5
Technical Support Manager (224)

Lane 6
Director of Food Services (224)
Director of Maintenance & Operations (224)
Director of Purchasing/Warehouse (224)
Facilities Planner (224)

Lane 1
Credentials Analyst (224)
Administrative Secretary 1 - Confidential (224)

Lane 2
Executive Assistant to Supt. (224)

Lane 3
Behavior Intervention Specialist (194)
Custodial Operations Manager (224)
Database Administrator/Analyst (224)
Director of Transportation (224)
District Accountant (224)
Energy Manager (224)
Occupational Therapist (194)
Truancy Prevention Specialist (214 days)

All increments shall be equally divided by the number of months the employees are paid in accordance to their regular assignment. Each amount is based on the percentage salary increases given to each unit.

FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
 C.S.E.A. FOOD SERVICES - INSTRUCTIONAL ASSISTANTS - SUPPORT UNIT - MONTHLY
 2006 - 2007

Lane	STEP 1 Month	STEP 2 Month	STEP 3 Month	STEP 4 Month	STEP 5 Month	STEP 6 Month	STEP 10 Month	STEP 14 Month	STEP 18 Month	STEP 21 Month	STEP 24 Month
1	\$ 1,656	\$ 1,753	\$ 1,832	\$ 1,923	\$ 2,022	\$ 2,120	\$ 2,144	\$ 2,167	\$ 2,193	\$ 2,215	\$ 2,240
2	\$ 1,709	\$ 1,796	\$ 1,879	\$ 1,980	\$ 2,076	\$ 2,177	\$ 2,201	\$ 2,229	\$ 2,248	\$ 2,271	\$ 2,296
3	\$ 1,753	\$ 1,832	\$ 1,923	\$ 2,022	\$ 2,120	\$ 2,233	\$ 2,258	\$ 2,284	\$ 2,308	\$ 2,332	\$ 2,357
4	\$ 1,796	\$ 1,879	\$ 1,980	\$ 2,076	\$ 2,177	\$ 2,287	\$ 2,310	\$ 2,336	\$ 2,360	\$ 2,386	\$ 2,411
5	\$ 1,832	\$ 1,923	\$ 2,022	\$ 2,120	\$ 2,233	\$ 2,336	\$ 2,361	\$ 2,386	\$ 2,412	\$ 2,438	\$ 2,462
6	\$ 1,879	\$ 1,980	\$ 2,076	\$ 2,177	\$ 2,287	\$ 2,399	\$ 2,425	\$ 2,452	\$ 2,478	\$ 2,506	\$ 2,532
7	\$ 1,923	\$ 2,022	\$ 2,120	\$ 2,233	\$ 2,336	\$ 2,455	\$ 2,485	\$ 2,512	\$ 2,538	\$ 2,563	\$ 2,591
8	\$ 1,980	\$ 2,076	\$ 2,177	\$ 2,287	\$ 2,399	\$ 2,517	\$ 2,543	\$ 2,572	\$ 2,598	\$ 2,626	\$ 2,656
9	\$ 2,022	\$ 2,120	\$ 2,233	\$ 2,336	\$ 2,455	\$ 2,580	\$ 2,608	\$ 2,638	\$ 2,667	\$ 2,694	\$ 2,721
10	\$ 2,076	\$ 2,177	\$ 2,287	\$ 2,399	\$ 2,517	\$ 2,653	\$ 2,683	\$ 2,711	\$ 2,743	\$ 2,772	\$ 2,800
11	\$ 2,120	\$ 2,233	\$ 2,336	\$ 2,455	\$ 2,580	\$ 2,707	\$ 2,739	\$ 2,769	\$ 2,798	\$ 2,827	\$ 2,857
12	\$ 2,177	\$ 2,287	\$ 2,399	\$ 2,517	\$ 2,653	\$ 2,778	\$ 2,809	\$ 2,839	\$ 2,868	\$ 2,901	\$ 2,930
13	\$ 2,233	\$ 2,336	\$ 2,455	\$ 2,580	\$ 2,707	\$ 2,847	\$ 2,877	\$ 2,906	\$ 2,938	\$ 2,969	\$ 3,001
14	\$ 2,287	\$ 2,399	\$ 2,517	\$ 2,653	\$ 2,778	\$ 2,916	\$ 2,949	\$ 2,980	\$ 3,015	\$ 3,045	\$ 3,079
15	\$ 2,336	\$ 2,455	\$ 2,580	\$ 2,707	\$ 2,847	\$ 2,991	\$ 3,021	\$ 3,054	\$ 3,086	\$ 3,120	\$ 3,151
16	\$ 2,399	\$ 2,517	\$ 2,653	\$ 2,778	\$ 2,916	\$ 3,060	\$ 3,096	\$ 3,129	\$ 3,161	\$ 3,195	\$ 3,230
17	\$ 2,455	\$ 2,580	\$ 2,707	\$ 2,847	\$ 2,991	\$ 3,139	\$ 3,174	\$ 3,208	\$ 3,242	\$ 3,276	\$ 3,313
18	\$ 2,517	\$ 2,653	\$ 2,778	\$ 2,916	\$ 3,060	\$ 3,214	\$ 3,250	\$ 3,287	\$ 3,321	\$ 3,357	\$ 3,392
19	\$ 2,580	\$ 2,707	\$ 2,847	\$ 2,991	\$ 3,139	\$ 3,293	\$ 3,328	\$ 3,364	\$ 3,402	\$ 3,435	\$ 3,472
20	\$ 2,653	\$ 2,778	\$ 2,916	\$ 3,060	\$ 3,214	\$ 3,381	\$ 3,421	\$ 3,456	\$ 3,492	\$ 3,533	\$ 3,568
21	\$ 2,707	\$ 2,847	\$ 2,991	\$ 3,139	\$ 3,293	\$ 3,456	\$ 3,493	\$ 3,534	\$ 3,570	\$ 3,609	\$ 3,647
22	\$ 2,778	\$ 2,916	\$ 3,060	\$ 3,214	\$ 3,380	\$ 3,546	\$ 3,586	\$ 3,624	\$ 3,664	\$ 3,702	\$ 3,740
23	\$ 2,847	\$ 2,991	\$ 3,139	\$ 3,293	\$ 3,456	\$ 3,630	\$ 3,670	\$ 3,710	\$ 3,751	\$ 3,790	\$ 3,831
24	\$ 2,916	\$ 3,060	\$ 3,214	\$ 3,380	\$ 3,546	\$ 3,723	\$ 3,766	\$ 3,806	\$ 3,848	\$ 3,888	\$ 3,930
25	\$ 2,991	\$ 3,139	\$ 3,293	\$ 3,456	\$ 3,630	\$ 3,819	\$ 3,862	\$ 3,902	\$ 3,945	\$ 3,986	\$ 4,029
26	\$ 3,060	\$ 3,214	\$ 3,380	\$ 3,546	\$ 3,723	\$ 3,913	\$ 3,956	\$ 3,999	\$ 4,042	\$ 4,086	\$ 4,129
27	\$ 3,139	\$ 3,293	\$ 3,456	\$ 3,630	\$ 3,819	\$ 4,010	\$ 4,056	\$ 4,100	\$ 4,143	\$ 4,189	\$ 4,230
28	\$ 3,214	\$ 3,380	\$ 3,546	\$ 3,723	\$ 3,913	\$ 4,113	\$ 4,157	\$ 4,201	\$ 4,246	\$ 4,295	\$ 4,339
29	\$ 3,293	\$ 3,456	\$ 3,630	\$ 3,819	\$ 4,010	\$ 4,212	\$ 4,257	\$ 4,306	\$ 4,351	\$ 4,396	\$ 4,442
30	\$ 3,380	\$ 3,546	\$ 3,723	\$ 3,913	\$ 4,113	\$ 4,319	\$ 4,364	\$ 4,412	\$ 4,460	\$ 4,504	\$ 4,554
31	\$ 3,456	\$ 3,630	\$ 3,819	\$ 4,010	\$ 4,212	\$ 4,418	\$ 4,466	\$ 4,516	\$ 4,566	\$ 4,610	\$ 4,660
32	\$ 3,546	\$ 3,723	\$ 3,913	\$ 4,113	\$ 4,319	\$ 4,527	\$ 4,578	\$ 4,630	\$ 4,679	\$ 4,726	\$ 4,777
33	\$ 3,630	\$ 3,819	\$ 4,010	\$ 4,212	\$ 4,418	\$ 4,634	\$ 4,684	\$ 4,736	\$ 4,786	\$ 4,839	\$ 4,889
34	\$ 3,723	\$ 3,913	\$ 4,113	\$ 4,319	\$ 4,527	\$ 4,745	\$ 4,796	\$ 4,850	\$ 4,901	\$ 4,952	\$ 5,006
35	\$ 3,819	\$ 4,010	\$ 4,212	\$ 4,418	\$ 4,634	\$ 4,863	\$ 4,914	\$ 4,968	\$ 5,020	\$ 5,075	\$ 5,128
36	\$ 3,915	\$ 4,111	\$ 4,318	\$ 4,528	\$ 4,750	\$ 4,984	\$ 5,040	\$ 5,094	\$ 5,148	\$ 5,204	\$ 5,259
37	\$ 4,013	\$ 4,213	\$ 4,426	\$ 4,641	\$ 4,869	\$ 5,109	\$ 5,165	\$ 5,222	\$ 5,278	\$ 5,334	\$ 5,390
38	\$ 4,114	\$ 4,319	\$ 4,536	\$ 4,757	\$ 4,990	\$ 5,237	\$ 5,294	\$ 5,353	\$ 5,410	\$ 5,468	\$ 5,524
39	\$ 4,216	\$ 4,427	\$ 4,650	\$ 4,877	\$ 5,114	\$ 5,368	\$ 5,427	\$ 5,486	\$ 5,545	\$ 5,604	\$ 5,664
40	\$ 4,322	\$ 4,537	\$ 4,765	\$ 4,999	\$ 5,242	\$ 5,503	\$ 5,564	\$ 5,624	\$ 5,684	\$ 5,745	\$ 5,805

Employees assigned to a work calendar of 10 months, 10.5 months, 11 months, or 12 months will be paid the appropriate monthly pay rate listed on the above schedule.

PROFESSIONAL GROWTH PAY SCHEDULE

Average Hours		Plan I	Plan II	Plan III	Plan IV	Plan V	Plan VI	Plan VII	Plan VIII
Per Wk	Per Day	(10 Units)	(20 Units)	(30 Units)	(40 Units)	(50 Units)	(60 Units)	(70 Units)	(80 Units)
30-40	6-8	\$ 734	\$ 1,455	\$ 2,180	\$ 2,905	\$ 3,633	\$ 4,348	\$ 5,076	\$ 5,804
20-29	4-5+	\$ 548	\$ 1,093	\$ 1,637	\$ 2,180	\$ 2,725	\$ 3,264	\$ 3,807	\$ 4,351
1-19	1-3+	\$ 368	\$ 734	\$ 1,093	\$ 1,455	\$ 1,819	\$ 2,178	\$ 2,541	\$ 2,889

All increments shall be equally divided by the number of months the employees are paid in accordance to their regular assignment.

1. Each amount is based on the percentage salary increased given to each unit.
2. 20-29 hours is 75% of the full amount; and 1-19 hours is based on 50% of full amount.

FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
C.S.E.A. FOOD SERVICES - INSTRUCTIONAL ASSISTANTS - SUPPORT UNIT - HOURLY
2006 - 2007

Lane	STEP 1 Hour	STEP 2 Hour	STEP 3 Hour	STEP 4 Hour	STEP 5 Hour	STEP 6 Hour	STEP 10 Hour	STEP 14 Hour	STEP 18 Hour	STEP 21 Hour	STEP 24 Hour
1	\$ 9.53	\$ 10.07	\$ 10.53	\$ 11.08	\$ 11.62	\$ 12.22	\$ 12.32	\$ 12.48	\$ 12.60	\$ 12.74	\$ 12.88
2	\$ 9.82	\$ 10.32	\$ 10.80	\$ 11.37	\$ 11.95	\$ 12.51	\$ 12.64	\$ 12.79	\$ 12.92	\$ 13.08	\$ 13.18
3	\$ 10.07	\$ 10.53	\$ 11.08	\$ 11.62	\$ 12.22	\$ 12.85	\$ 12.98	\$ 13.13	\$ 13.27	\$ 13.41	\$ 13.54
4	\$ 10.32	\$ 10.80	\$ 11.37	\$ 11.95	\$ 12.51	\$ 13.14	\$ 13.28	\$ 13.42	\$ 13.56	\$ 13.71	\$ 13.88
5	\$ 10.53	\$ 11.08	\$ 11.62	\$ 12.22	\$ 12.85	\$ 13.42	\$ 13.56	\$ 13.72	\$ 13.88	\$ 14.00	\$ 14.16
6	\$ 10.80	\$ 11.37	\$ 11.95	\$ 12.51	\$ 13.14	\$ 13.79	\$ 13.95	\$ 14.09	\$ 14.24	\$ 14.42	\$ 14.56
7	\$ 11.08	\$ 11.62	\$ 12.22	\$ 12.85	\$ 13.42	\$ 14.12	\$ 14.28	\$ 14.45	\$ 14.60	\$ 14.76	\$ 14.90
8	\$ 11.37	\$ 11.95	\$ 12.51	\$ 13.14	\$ 13.79	\$ 14.47	\$ 14.62	\$ 14.79	\$ 14.93	\$ 15.12	\$ 15.26
9	\$ 11.62	\$ 12.22	\$ 12.85	\$ 13.42	\$ 14.12	\$ 14.85	\$ 15.00	\$ 15.18	\$ 15.34	\$ 15.50	\$ 15.67
10	\$ 11.95	\$ 12.51	\$ 13.14	\$ 13.79	\$ 14.47	\$ 15.25	\$ 15.44	\$ 15.58	\$ 15.75	\$ 15.94	\$ 16.09
11	\$ 12.22	\$ 12.85	\$ 13.42	\$ 14.12	\$ 14.85	\$ 15.56	\$ 15.74	\$ 15.91	\$ 16.08	\$ 16.26	\$ 16.41
12	\$ 12.51	\$ 13.14	\$ 13.79	\$ 14.47	\$ 15.25	\$ 15.98	\$ 16.12	\$ 16.34	\$ 16.51	\$ 16.66	\$ 16.84
13	\$ 12.85	\$ 13.42	\$ 14.12	\$ 14.85	\$ 15.56	\$ 16.36	\$ 16.55	\$ 16.69	\$ 16.90	\$ 17.07	\$ 17.26
14	\$ 13.14	\$ 13.79	\$ 14.47	\$ 15.25	\$ 15.98	\$ 16.77	\$ 16.95	\$ 17.15	\$ 17.34	\$ 17.52	\$ 17.70
15	\$ 13.42	\$ 14.12	\$ 14.85	\$ 15.56	\$ 16.36	\$ 17.19	\$ 17.39	\$ 17.55	\$ 17.75	\$ 17.95	\$ 18.14
16	\$ 13.79	\$ 14.47	\$ 15.25	\$ 15.98	\$ 16.77	\$ 17.63	\$ 17.79	\$ 17.98	\$ 18.19	\$ 18.35	\$ 18.57
17	\$ 14.12	\$ 14.85	\$ 15.56	\$ 16.36	\$ 17.19	\$ 18.04	\$ 18.24	\$ 18.46	\$ 18.63	\$ 18.84	\$ 19.03
18	\$ 14.47	\$ 15.25	\$ 15.98	\$ 16.77	\$ 17.63	\$ 18.50	\$ 18.69	\$ 18.87	\$ 19.10	\$ 19.30	\$ 19.51
19	\$ 14.85	\$ 15.56	\$ 16.36	\$ 17.19	\$ 18.04	\$ 18.94	\$ 19.14	\$ 19.34	\$ 19.57	\$ 19.77	\$ 19.97
20	\$ 15.25	\$ 15.98	\$ 16.77	\$ 17.63	\$ 18.50	\$ 19.44	\$ 19.66	\$ 19.88	\$ 20.10	\$ 20.33	\$ 20.51
21	\$ 15.56	\$ 16.36	\$ 17.19	\$ 18.04	\$ 18.94	\$ 19.88	\$ 20.10	\$ 20.33	\$ 20.52	\$ 20.76	\$ 20.96
22	\$ 15.98	\$ 16.77	\$ 17.63	\$ 18.50	\$ 19.44	\$ 20.38	\$ 20.62	\$ 20.84	\$ 21.06	\$ 21.28	\$ 21.49
23	\$ 16.36	\$ 17.19	\$ 18.04	\$ 18.94	\$ 19.88	\$ 20.88	\$ 21.12	\$ 21.33	\$ 21.54	\$ 21.79	\$ 22.02
24	\$ 16.77	\$ 17.63	\$ 18.50	\$ 19.44	\$ 20.38	\$ 21.42	\$ 21.65	\$ 21.90	\$ 22.11	\$ 22.35	\$ 22.59
25	\$ 17.19	\$ 18.04	\$ 18.94	\$ 19.88	\$ 20.88	\$ 21.97	\$ 22.23	\$ 22.45	\$ 22.68	\$ 22.94	\$ 23.17
26	\$ 17.63	\$ 18.50	\$ 19.44	\$ 20.38	\$ 21.42	\$ 22.52	\$ 22.75	\$ 22.99	\$ 23.24	\$ 23.49	\$ 23.74
27	\$ 18.04	\$ 18.94	\$ 19.88	\$ 20.88	\$ 21.97	\$ 23.08	\$ 23.33	\$ 23.57	\$ 23.81	\$ 24.07	\$ 24.32
28	\$ 18.50	\$ 19.44	\$ 20.38	\$ 21.42	\$ 22.52	\$ 23.64	\$ 23.90	\$ 24.18	\$ 24.43	\$ 24.69	\$ 24.94
29	\$ 18.94	\$ 19.88	\$ 20.88	\$ 21.97	\$ 23.08	\$ 24.23	\$ 24.50	\$ 24.76	\$ 25.03	\$ 25.29	\$ 25.55
30	\$ 19.44	\$ 20.38	\$ 21.42	\$ 22.52	\$ 23.64	\$ 24.83	\$ 25.11	\$ 25.38	\$ 25.63	\$ 25.91	\$ 26.19
31	\$ 19.88	\$ 20.88	\$ 21.97	\$ 23.08	\$ 24.23	\$ 25.41	\$ 25.70	\$ 25.95	\$ 26.24	\$ 26.52	\$ 26.81
32	\$ 20.38	\$ 21.42	\$ 22.52	\$ 23.64	\$ 24.83	\$ 26.04	\$ 26.34	\$ 26.60	\$ 26.88	\$ 27.17	\$ 27.48
33	\$ 20.88	\$ 21.97	\$ 23.08	\$ 24.23	\$ 25.41	\$ 26.66	\$ 26.94	\$ 27.23	\$ 27.53	\$ 27.82	\$ 28.12
34	\$ 21.42	\$ 22.52	\$ 23.64	\$ 24.83	\$ 26.04	\$ 27.29	\$ 27.58	\$ 27.89	\$ 28.20	\$ 28.49	\$ 28.79
35	\$ 21.97	\$ 23.08	\$ 24.23	\$ 25.41	\$ 26.66	\$ 27.97	\$ 28.27	\$ 28.57	\$ 28.88	\$ 29.18	\$ 29.49
36	\$ 22.51	\$ 23.65	\$ 24.84	\$ 26.04	\$ 27.32	\$ 28.66	\$ 28.98	\$ 29.30	\$ 29.61	\$ 29.93	\$ 30.24
37	\$ 23.08	\$ 24.25	\$ 25.45	\$ 26.69	\$ 28.00	\$ 29.38	\$ 29.70	\$ 30.02	\$ 30.35	\$ 30.67	\$ 30.99
38	\$ 23.65	\$ 24.86	\$ 26.09	\$ 27.36	\$ 28.70	\$ 30.12	\$ 30.45	\$ 30.78	\$ 31.11	\$ 31.44	\$ 31.77
39	\$ 24.25	\$ 25.47	\$ 26.74	\$ 28.04	\$ 29.42	\$ 30.86	\$ 31.20	\$ 31.55	\$ 31.89	\$ 32.23	\$ 32.57
40	\$ 24.86	\$ 26.11	\$ 27.41	\$ 28.74	\$ 30.15	\$ 31.64	\$ 31.99	\$ 32.33	\$ 32.68	\$ 33.04	\$ 33.38

Employees assigned to a work calendar of less than 10 months (typically 182 work days) will be paid the appropriate hourly pay rate identified on the above schedule.

PROFESSIONAL GROWTH PAY SCHEDULE

Average Hours		Plan I	Plan II	Plan III	Plan IV	Plan V	Plan VI	Plan VII	Plan VIII
Per Wk	Per Day	(10 Units)	(20 Units)	(30 Units)	(40 Units)	(50 Units)	(60 Units)	(70 Units)	(80 Units)
30-40	6-8	\$ 734	\$ 1,455	\$ 2,180	\$ 2,905	\$ 3,633	\$ 4,348	\$ 5,076	\$ 5,804
20-29	4-5+	\$ 548	\$ 1,093	\$ 1,637	\$ 2,180	\$ 2,725	\$ 3,264	\$ 3,807	\$ 4,351
1-19	1-3+	\$ 368	\$ 734	\$ 1,093	\$ 1,455	\$ 1,819	\$ 2,178	\$ 2,541	\$ 2,889

All increments shall be equally divided by the number of months the employees are paid in accordance to their regular assignment.

1. Each amount is based on the percentage salary increased given to each unit.
2. 20-29 hours is 75% of the full amount; and 1-19 hours is based on 50% of full amount.

SUPPORT/OPERATIONS

Lane	Position	Lane	Position
6	Cafeteria Assistant	13	Paraprofessional (AA Degree/48 Semester Units of College Level)
13	Cafeteria Leadperson	14	Paraprofessional/Bilingual/English Lang. Learner (AA Degree/48 Semester Units of College Level)
9	Campus Monitor	14	Paraprofessional/Special Education (AA Degree/48 Semester Units of College Level)
20	Career Center Technician	5	Parent Volunteer Coordinator
17	CASAS Assessment/Enrollment/Acct. Tech.	19	Parts Delivery/Assistant
13	Central Production Leadperson	31	Pest Control Specialist
29	Certified Occupational Therapy Assistant	20	Piano Accompanist
22	Community Outreach Liaison	17	Print Department Scheduler
29	Computer/Network Technician I	15	Reprographics Bindery Assistant
34	Computer/Network Technician II	19	Reprographics Operator/Technician
19	Custodian Grade I (Day Shift)	31	Safety Technician
20	Custodian Grade I (Swing Shift)	33	Senior Help Desk Technician
20	Custodian Grade II (Day Shift)	18	Special Education Instructional Interpreter for the Deaf and/or Hard of Hearing (Level I)
21	Custodian Grade II (Swing Shift)	25	Special Education Instructional Interpreter for the Deaf and/or Hard of Hearing (Level II)
18	Custodian - High School (Day Shift)	29	Special Education Instructional Interpreter for the Deaf and/or Hard of Hearing (Level III)
19	Custodian - High School (Swing Shift)	15	Special Education Transcriber for Blind and Visually Impaired (Level I)
37	Database Specialist/Programmer	18	Special Education Transcriber for Blind and Visually Impaired (Level II)
12	Early Mental Health Initiative Child Assistant	29	Special Education Transcriber for Blind and Visually Impaired (Level III)
25	Equipment Maintenance/Operator/Mechanic	35	Statistical Technician
21	Food Service Delivery Driver	37	Statistical Technician II
17	General Maintenance	20	Swimming Pool Maintenance
18	Groundskeeper Custodian (Day Shift)	11	Transportation Assistant
19	Groundskeeper Custodian (Swing Shift)	21	Warehouse Person/Delivery Driver
20	Groundskeeper - High School		
30	Health Care Specialist I		
33	Heating and Air Conditioning Specialist		
29	Help Desk Technician		
10	In-House Suspension Monitor		
11	Instructional Assistant		
12	Instructional Assistant/Special Education		
14	Instructional Tutor		
21	Mail Delivery Driver		
22	Maintenance I (Day Shift)		
23	Maintenance I (Swing Shift)		
28	Maintenance II (Day Shift)		
29	Maintenance II (Swing Shift)		
29	Maintenance Carpenter (Not Active)		
31	Maintenance Electrician		
33	Maintenance Electrician/Electronics Technician		
20	Maintenance Groundskeeper I		
23	Maintenance Groundskeeper II		
34	Maintenance Leadperson (Day Shift)		
35	Maintenance Leadperson (Swing Shift)		
31	Maintenance Locksmith		
31	Maintenance Painter		

<u>TRANSPORTATION</u>	
<u>Column</u>	<u>Position</u>
02	Bus Driver
03	Bus Driver Trainer
02	Dispatcher
04	Mechanic
01	Mechanic's Helper

Board Approved: 08/17/06
Revised: August 2006

**FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT
FAIRFIELD-SUISUN UNIFIED TEACHERS SALARY SCHEDULE
2006-2007**

Unit members holding a preliminary, professional clear, clear or life credential are considered to have a "clear" credential.

Step	Column 01		Column 02		Column 03		Column 04		Column 05		Column 06	
	BA w/o clear Credential	BA clear Credential	BA + 15 w/o clear Credential	BA + 15 clear Credential	BA + 30 w/o clear Credential	BA + 30 clear Credential	BA + 45 or MA + 5 w/o clear Credential	BA + 45 or MA + 5 clear Credential	BA + 60 or MA + 20 w/o clear Credential	BA + 60 or MA + 20 clear Credential	BA + 75 or MA + 35 w/o clear Credential	BA + 75 or MA + 35 clear Credential
1	\$ 37,410	\$ 44,486	\$ 39,317	\$ 44,487	\$ 41,224	\$ 44,488	\$ 43,133	\$ 44,490	\$ 45,041	\$ 45,041	\$ 45,041	\$ 45,041
2	\$ 39,075	\$ 44,487	\$ 40,979	\$ 44,488	\$ 42,891	\$ 44,490	\$ 44,787	\$ 44,797	\$ 46,703	\$ 46,703	\$ 46,703	\$ 46,703
3	\$ 40,738	\$ 44,488	\$ 42,644	\$ 44,490	\$ 44,552	\$ 44,552	\$ 46,460	\$ 46,460	\$ 48,367	\$ 48,367	\$ 50,273	\$ 50,273
4	\$ 42,400	\$ 44,490	\$ 44,309	\$ 44,493	\$ 46,216	\$ 46,216	\$ 48,122	\$ 48,122	\$ 50,029	\$ 50,029	\$ 51,936	\$ 51,936
5	\$ 44,065	\$ 44,493	\$ 45,972	\$ 45,972	\$ 47,878	\$ 47,878	\$ 49,783	\$ 49,783	\$ 51,692	\$ 51,692	\$ 53,599	\$ 53,599
6	\$ 45,728	\$ 45,728	\$ 47,635	\$ 47,635	\$ 49,542	\$ 49,542	\$ 51,450	\$ 51,450	\$ 53,354	\$ 53,354	\$ 55,263	\$ 55,263
7	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 51,204	\$ 51,204	\$ 53,113	\$ 53,113	\$ 55,020	\$ 55,020	\$ 56,927	\$ 56,927
8	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 54,774	\$ 54,774	\$ 56,681	\$ 56,681	\$ 58,589	\$ 58,589
9	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 56,440	\$ 56,440	\$ 58,346	\$ 58,346	\$ 60,253	\$ 60,253
10	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 58,104	\$ 58,104	\$ 60,013	\$ 60,013	\$ 61,918	\$ 61,918
11	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 59,769	\$ 59,769	\$ 61,675	\$ 61,675	\$ 63,584	\$ 63,584
12	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 65,245	\$ 65,245
13	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 65,245	\$ 65,245
14	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 66,932	\$ 66,932
15	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 66,932	\$ 66,932
16	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 68,591	\$ 68,591
17	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 68,591	\$ 68,591
18	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 70,255	\$ 70,255
19	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 70,255	\$ 70,255
20	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 71,919	\$ 71,919
21	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 71,919	\$ 71,919
22	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 73,579	\$ 73,579
23	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 73,579	\$ 73,579
24	\$ 45,728	\$ 45,728	\$ 49,297	\$ 49,297	\$ 52,871	\$ 52,871	\$ 61,429	\$ 61,429	\$ 63,337	\$ 63,337	\$ 75,245	\$ 75,245

1. Master's degree award - \$1102.-; Doctorate award - \$1239.-
2. Entering teachers will be granted credit and experience up to Step 08/Column 06. Semester units must be taken after degree has been awarded to count toward salary placement.*
3. Employees will be advanced one step for each year of service from 1 through 24.
4. Salary Schedule Includes one staff development day added to the work calendar for a total of 185 days effective 7-1-2000.

For the purpose of determining salary for department chairpersons, extended day activity, and any other salary schedules, the salary shall be \$ 37,410

*Any new employee shall be given credit for each full year of service in public schools of California, another state or in an accredited private school in grades K-12. No experience credit shall be given for practice teaching, military service, summer school, college level experience or adult school experience.

IMPLEMENTING STATES JACK O'CONNELL BEGINNING TEACHER SALARY INCENTIVE PROGRAM, FISCAL YEAR 1999-2000

NEW BENEFIT RATES

PROVIDER LEVEL	PLAN CODE	APA - Psychologist			Adult School Teachers			FSUTA-Teachers			Mama	
		SINGLE	2-PARTY	FAMILY	SINGLE	2-PARTY	FAMILY	SINGLE	2-PARTY	FAMILY	SINGLE	2-P
Dist Cont/Cash In lieu (partial/full)		+ \$67.00	\$50.00	\$192.09	n/a	n/a	n/a	up to \$650-	\$75.00	\$233.00	ALL	
Blue Shield Net Value												
	282x	478.22	956.44	1243.37	478.22	956.44	1243.37	478.22	956.44	1243.37	478.22	
	Emp cost	0.00	411.22	698.15	0.00	306.44	593.37	0.00	306.44	593.37	0.00	
	Dist cost	478.22	545.22	545.22	478.22	650.00	650.00	478.22	650.00	650.00	478.22	
BLUE SHIELD-HMO												
	301x	632.93	1065.86	1385.62	632.93	1065.86	1385.62	632.93	1065.86	1385.62	632.93	
	Emp cost	0.00	466.83	785.69	0.00	415.86	735.62	0.00	415.86	735.62	0.00	
	Dist cost	632.93	599.93	599.93	632.93	650.00	650.00	632.93	650.00	650.00	632.93	
KAISER-HMO												
	305x	470.67	941.34	1223.74	470.67	941.34	1223.74	470.67	941.34	1223.74	470.67	
	Emp cost	0.00	403.67	686.07	0.00	291.34	573.74	0.00	291.34	573.74	0.00	
	Dist cost	470.67	537.67	537.67	470.67	650.00	650.00	470.67	650.00	650.00	470.67	
PERSICARE (PPO)												
	325x	749.83	1499.66	1949.56	749.83	1499.66	1949.56	749.83	1499.66	1949.56	749.83	
	Emp cost	0.00	682.83	1,132.73	0.00	59.83	849.66	0.00	849.66	1,298.56	216.90	
	Dist cost	749.83	816.83	816.83	650.00	650.00	650.00	650.00	650.00	650.00	532.93	
PERSCHOICE (PPO)												
	320x	482.48	964.96	1254.45	482.48	964.96	1254.45	482.48	964.96	1254.45	482.48	
	Emp cost	0.00	415.48	704.97	0.00	314.96	604.45	0.00	314.96	604.45	0.00	
	Dist cost	482.48	549.48	549.48	482.48	650.00	650.00	482.48	650.00	650.00	482.48	
PERSSELECT (PPO)												
	320x	467.18	934.36	1214.67	467.18	934.36	1214.67	467.18	934.36	1214.67	467.18	
	Emp cost	0.00	400.18	680.49	0.00	284.36	564.67	0.00	284.36	564.67	0.00	
	Dist cost	467.18	534.18	534.18	467.18	650.00	650.00	467.18	650.00	650.00	467.18	
DELTA DENTAL												
GROUP # 7010		Family Plan	N/A	N/A	101.92	N/A	N/A	101.92	N/A	N/A	101.92	N/A
			0015		0012			0012				0
LIFE INSURANCE												
		Basic	1 Addt	2 Addt	Basic	1 Addt	2 Addt	Basic	1 Addt	2 Addt	Basic	1 Addt
	Value	25,000.00	50,000.00	75,000.00	N/A	N/A	N/A	30,000.00	60,000.00	90,000.00	60,000.00	100,000.00
	Emp Cost	0.00	5.00	10.00				0.00	6.00	12.00		0.00
5												
6												
8												
Vision Service Plan												
	3074101 Div 0137	X	X	X	X	X	X	X	X	X	X	X
	3074101 Div 0138											
126 plan numbers												
	benefit code		502	AP		503	CE		503	CE		

DECLARATION

I, M.P. Whelan-Miille, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Education
by Dixon Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.*

Executed May 7, 2012, at Los Gatos, California.
Date *City*

M.P. Whelan-Miille
Signature

M.P. Whelan-Miille
Print Name

w-miille@cal.net
E-mail Address

530.750-1074
Phone Number

* See attached Adendum

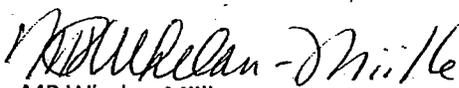
7
May 16, 2012

Adendum to Declaration

To Whom It May Concern,

While completing the PBIP Survey during the 2006-07 school year, an error was inadvertently made on the Data Collection For Certificated Positions form. In the box requesting the annual work days for the Behavior Specialist, the number 114 was incorrectly entered. The correct number of work days was 214. I did not see that mistake until just recently reviewing the survey in order to sign the declaration of accuracy. This portion of the survey was sent to the business office for completion (as they had the information about salary and benefits) and I did not notice the error when I signed the original survey.

Therefore, I am signing under penalty of perjury, that at the time I completed and signed that survey, I believed it to be correct; only after review 4 years later did I see the error of days mentioned above.



MP Whelan-Miille

Former Director of Special Education

Dixon Unified School District

District

SELPA: Solano County Date: 01/23/08
 District: Dixon
 Person completing survey: MP Whelan-Mille
 Title: Director of Special Education
 Phone Number(s): 707-678-4061
 Email Address: myhelan-mille@dixonusd.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.	2.
a. Performing emergency behavioral interventions.	a. Principal	a. 2 hours
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. Principal	b. 1 hour
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. Principal	c. 1 1/2 hours
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	d.
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. n/a	e.
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. BICM	f. 1/4 hours
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. BICM	g. 1/4 hours
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. BICM	3. 32 hours

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. n/a _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
n/a				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Sources: IEP records with dates/times included

Please indicate the amount of time it took to complete this document: Approx 1.75 hours

Thank you for taking the time to complete this survey.

Regulation 3310.1

Dixon Unified School District
ADMINISTRATIVE MANAGEMENT SALARY SCHEDULE
 2006/07

**Chief
Business Official
 261 Work Days**

STEP	
1	\$99,748
2	\$101,898
3	\$104,048
4	\$106,198
5	\$108,347
6	\$110,497

**Asst. Supt.
Curriculum & Instruction
 224 Work Days**

STEP	
1	\$102,615
2	\$105,481
3	\$108,347
4	\$111,214
5	\$114,081
6	\$116,947

**Senior
Director
 216 Work Days**

STEP	
1	\$91,150
2	\$94,016
3	\$96,881
4	\$99,748
5	\$102,615
6	\$105,481

**Principal
Secondary
 217 Work Days**

STEP	
1	\$87,153
2	\$90,123
3	\$93,096
4	\$96,067
5	\$99,037
6	\$101,962

**Director
 216 Work Days**

STEP	
1	\$85,417
2	\$88,284
3	\$91,150
4	\$94,016
5	\$96,881
6	\$99,746

**Principal:
Intermediate
 216 Work Days**

STEP	
1	\$81,987
2	\$84,781
3	\$87,577
4	\$90,372
5	\$93,165
6	\$95,959

**Principal:
Elementary-Traditional
 206 Work Days**

STEP	
1	\$77,210
2	\$79,841
3	\$82,472
4	\$85,104
5	\$87,738
6	\$90,369

**Vice Principal:
Secondary
 206 Work Days**

STEP	
1	\$74,590
2	\$77,133
3	\$79,676
4	\$82,217
5	\$84,761
6	\$87,305

**Vice Principal:
Intermediate
 206 Work Days**

STEP	
1	\$72,363
2	\$74,829
3	\$77,296
4	\$79,763
5	\$82,230
6	\$84,697

**Director:
Health Services
 196 Work Days**

STEP	
1	\$68,040
2	\$70,384
3	\$72,726
4	\$75,070
5	\$77,414
6	\$79,847

**Director of
Information Technology
 261 Work Days**

STEP	
1	\$85,417
2	\$88,284
3	\$91,150
4	\$94,016
5	\$96,881
6	\$99,746

**Behavior
Specialist
 214 Work Days**

STEP	
1	\$51,803
2	\$55,850
3	\$59,897
4	\$63,944
5	\$67,992
6	\$72,040

MANAGEMENT STIPENDS

Master's Degree:	\$1,000	Annual Stipend
Doctorate Degree:	\$1,000	Annual Stipend
Professional Growth:	\$1,000	One-time Stipend *

* for each 15-unit increment earned during DUSD employment beyond BA+90, MA+45 or Ph.D.

2006/07 changes effective 01/01/07, 4% adjustment (not retroactive to July 2006)

DIXON UNIFIED SCHOOL DISTRICT

2006-2007 TEACHER SALARY SCHEDULE

OUTSIDE EXPERIENCE	PLACEMENT	A RANGE 10	B RANGE 11	C RANGE 12	D RANGE 13	E RANGE 14	F RANGE 15	G RANGE 16
YEARS	STEP							
0	1	35,779	38,375	38,376	38,377	39,627	41,786	43,947
1	2	35,779	38,376	38,377	39,121	41,280	43,439	45,598
2	3	35,779	38,377	38,610	40,771	42,390	45,090	47,249
3	4	35,779	38,378	40,265	42,425	44,585	46,744	48,905
4	5		38,379	41,917	44,076	46,237	48,386	50,558
5	6			43,571	45,731	47,890	50,051	52,211
6	7			45,225	47,382	49,544	51,704	53,865
7	8			46,877	49,037	51,198	53,357	55,517
8	9			48,530	50,691	52,851	55,011	57,169
9	10			50,183	52,344	54,503	56,664	58,823
10	11				53,997	56,157	58,317	60,477
11	12					57,810	59,972	62,551
12+	13						62,043	64,625
	14						62,043	64,625
	15						64,119	66,698
	16						64,119	66,698
	17						64,119	66,698
	18						66,119	68,698
	19						66,193	68,772
	20						66,193	68,772
	21						68,267	70,845
	22						68,267	70,845
	23						68,267	70,845
	24						70,341	72,919

A Range 10: Bachelor's Degree with Intern, Waiver or Emergency Credential.
 B Range 11: Bachelor's Degree and regular teaching credential.
 C Range 12: Bachelor's Degree with 30 semester units beyond and regular teaching credential.
 D Range 13: Bachelor's Degree with 45 semester units beyond or a Master's Degree and regular teaching credential.
 E Range 14: Bachelor's Degree with 60 semester units beyond or a Master's Degree with 15 semester units beyond and regular teaching credential.
 F Range 15: Bachelor's Degree with 75 semester units beyond or a Master's Degree with 30 semester units beyond and regular teaching credential.
 G Range 16: Bachelor's Degree with 90 semester units beyond or a Master's Degree with 45 semester units beyond and regular teaching credential.

MASTERS DEGREE: \$972 Annual Stipend
 CLAD STIPEND: \$972 Annual Stipend (not pro-rated to % of Contract)
 SPECIALIST CREDENTIAL: \$972 Annual Stipend (for Specialist Assignment if not receiving master's stipend)
 PROFESSIONAL GROWTH: \$1000 BONUS for each 15-unit increment beyond BA+90/MA+45 semester units

2006/07 changes effective 01/01/07, 4% adjustment (not retroactive to July 2006)

DECLARATION

I, Lynda Donahue, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Education
Title of Position
by Vacaville Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 3, 2012, at Vacaville, California.
Date *City*

Lynda Donahue
Signature

Lynda Donahue
Print Name

lynda.d@vacavilleusd.org
E-mail Address

707. 453. 7201
Phone Number

Solano County
 District: VUSD

Date: Jan. 30, 2008

Person completing survey: Lynda Donahue
 Title: Special Education Director
 Phone Number(s): (707) 454-7201
 Email Address: lyndad@vacavilleusd.org

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. <u>0</u></p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2.</p> <p>a. <u>na</u></p> <p>b. <u>na</u></p> <p>c. <u>na</u></p> <p>d. <u>na</u></p> <p>e. Program Specialist</p> <p>f. <u>na</u></p> <p>g. <u>Director</u></p>	<p># of Hours</p> <p>2.</p> <p>a. <u> </u></p> <p>b. <u> </u></p> <p>c. <u> </u></p> <p>d. <u> </u></p> <p>e. <u>29</u></p> <p>f. <u> </u></p> <p>g. <u>6</u></p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3.</p> <p><u>na</u></p>	<p>3.</p> <p><u> </u></p>

C:\Documents and Settings\Karen\My Documents\Work\FAA Survey\VUSD District Survey.doc

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. <u>0</u> 4a. _____</p>
---	---

Case #: _____ (use OAH filing number)

	Position	# of Hours
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5. <u>N/A</u> _____ _____ _____</p>	<p>5. _____ _____ _____</p>
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. <u>N/A</u> a. _____ b. _____ c. _____</p>	<p>6. _____ _____ _____</p>
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. <u>N/A</u> a. _____ b. _____ c. _____</p>	<p>7. _____ a. _____ b. _____ c. _____</p>
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. <u>N/A</u> a. _____ b. _____ c. _____</p>	<p>8. _____ a. _____ b. _____ c. _____</p>

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9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
N/A				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5

Thank you for taking the time to complete this survey.

Classified Management
 2007-2008 School Year
 Effective July 1, 2007
 Adopted December 13, 2007

Range	Position	Step 01	Step 02	Step 03	Step 04	Step 05
01	Transportation Supervisor	5,643	5,800	5,957	6,113	6,270
01	Custodial Supervisor	5,643	5,800	5,957	6,113	6,270
01	Energy Manager	5,643	5,800	5,957	6,113	6,270
01	Project Coordinator	5,643	5,800	5,957	6,113	6,270
02	Financial Analyst	6,243	6,416	6,590	6,763	6,937
02	Occupational Therapist	6,243	6,416	6,590	6,763	6,937
02	Behavior Intervention Specialist	6,243	6,416	6,590	6,763	6,937
02	Facilities Planner	6,243	6,416	6,590	6,763	6,937
02	Director of Child Nutrition	6,243	6,416	6,590	6,763	6,937
02	Director of Purchasing	7,717	7,932	8,146	8,360	8,574
03	Director of Fiscal Operations	7,717	7,932	8,146	8,360	8,574
03	Director of Maintenance	7,717	7,932	8,146	8,360	8,574
04	Director of Facilities	8,141	8,367	8,593	8,819	9,046
04	Director of IT	8,141	8,367	8,593	8,819	9,046

1,263 Honorarium for Masters Degree
 1,263 Honorarium for Doctorate Degree
 3% of base salary beginning of 11, 16, 21, 26, 29 and 33 years of District Service

Vacaville Unified School District
2006 - 07 School Year Salary Schedule

Elem./Middle School Counselor, Program Specialist,
Coordinators, Staff Development, Work Experience,
Elem. Science

191 Work Days - Returning Employees
193 Work Days - New Employees

Effective: 7 - 01 - 06 Adopted: 12 - 07 - 06

Step	Class 1 BA	Class 2 BA + 15	Class 3 BA + 30	with Mast. or P.H.D.	with Mast. and P.H.D.	Class 4 BA + 45	with Mast. or P.H.D.	with Mast. and P.H.D.	Class 5 BA + 60	with Mast. or P.H.D.	with Mast. and P.H.D.	Class 6 BA + 75	with Mast. or P.H.D.	with Mast. and P.H.D.
1	37,275	37,647	38,019	39,228	40,437	39,137	40,346	41,555	41,002	42,210	43,419	41,002	42,210	43,419
2	39,323	39,695	40,068	41,277	42,485	41,185	42,394	43,603	43,048	44,257	45,466	43,048	44,257	45,466
3	41,371	41,745	42,118	43,327	44,535	43,237	44,446	45,655	45,096	46,305	47,514	45,096	46,305	47,514
4	43,421	43,796	44,169	45,377	46,586	45,288	46,497	47,706	47,150	48,359	49,568	47,150	48,359	49,568
5	43,421	45,845	46,219	47,427	48,636	47,340	48,549	49,758	49,198	50,407	51,616	49,198	50,407	51,616
6	43,421	47,895	48,267	49,476	50,685	49,385	50,593	51,802	51,248	52,457	53,666	51,248	52,457	53,666
7	43,421	49,946	50,317	51,526	52,735	51,437	52,645	53,854	53,302	54,511	55,720	53,302	54,511	55,720
8	43,421	49,946	52,368	53,577	54,786	53,487	54,695	55,904	55,351	56,560	57,769	55,351	56,560	57,769
9	43,421	49,946	54,416	55,625	56,834	55,533	56,742	57,951	57,401	58,610	59,819	57,401	58,610	59,819
10	43,421	49,946	56,468	57,677	58,886	57,586	58,795	60,004	59,452	60,661	61,870	59,452	60,661	61,870
11	43,421	49,946	58,518	59,727	60,936	59,634	60,843	62,052	61,501	62,710	63,918	61,501	62,710	63,918
12	43,421	49,946	58,518	59,727	60,936	61,686	62,895	64,104	63,550	64,758	65,967	63,550	64,758	65,967
16	45,440	51,965	60,537	61,746	62,955	63,705	64,914	66,123	65,569	66,777	67,986	65,569	66,777	67,986
19	47,459	53,984	62,556	63,765	64,974	65,724	66,933	68,142	67,588	68,796	70,005	67,588	68,796	70,005
22	49,478	56,003	64,575	65,784	66,993	67,743	68,952	70,161	69,607	70,815	72,024	69,607	70,815	72,024
25	51,497	58,022	66,594	67,803	69,012	69,762	70,971	72,180	71,626	72,834	74,043	71,626	72,834	74,043
28	53,516	60,041	68,613	69,822	71,031	71,781	72,990	74,199	73,645	74,853	76,062	73,645	74,853	76,062
30	55,535	62,060	70,632	71,841	73,050	73,800	75,009	76,218	75,664	76,872	78,081	75,664	76,872	78,081
31 +	57,554	64,079	72,651	73,860	75,069	75,819	77,028	78,237	77,683	78,891	80,100	77,683	78,891	80,100

** Advancement beyond Step 12 in the above salary schedule is based upon District service.

Certificated Management Salary Schedule
2007-2008 School Year
 Effective July 1, 2007
 Adopted December 13, 2007

Position	Range	Days	Step 01	Step 02	Step 03	Step 04	Step 05
Administrator Learning Support/Alt. Prog.	01	222	100,220	103,004	105,787	108,571	111,355
Director	01	222	100,220	103,004	105,787	108,571	111,355
High School Principal	02	220	98,282	101,013	103,742	106,473	109,203
Charter High School Principal	03	215	93,420	96,015	98,610	101,205	103,800
Middle School Principal	04	213	92,351	94,916	97,481	100,046	102,612
Coordinator II - Assessment	05	213	90,147	92,651	95,156	97,659	100,163
Assistant Admin. Learn Sup./Alt. Prog.	06	213	88,144	90,592	93,041	95,489	97,937
Adult Education Principal	07	203	85,915	88,301	90,688	93,074	95,461
Continuation High School Principal	07	203	85,915	88,301	90,688	93,074	95,461
Elementary School Principal	07	203	85,915	88,301	90,688	93,074	95,461
High School Assistant Principal	08	203	84,005	86,339	88,672	91,006	93,339
Coordinator I - Special Education	09	213	83,136	85,444	87,754	90,063	92,373
Charter High School Assistant Principal	10	203	81,524	83,788	86,053	88,317	90,582
Middle School Assistant Principal	11	203	79,233	81,434	83,634	85,835	88,036
Dean of Learning Suppt	12	195	74,277	76,339	78,402	80,466	82,529
Elementary School Assistant Principal	12	195	74,277	76,339	78,402	80,466	82,529

- 1,263 Honorarium for Masters Degree
- 1,263 Honorarium for Doctorate Degree
- 2,110 Career Service Increment each on completion of 15, 18, 21, 24, 27, 29 and 30 years of District Service

Date: 2/28/08

SELPA: Solano County SELPA
 District: Benicia Unified School District
 Person completing survey: Clares Davies
 Title: Director
 Phone Number(s): 707-747-8300 x1239
 Email Address: cdavies@beniciounified.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. <u>na</u>	a. <u> </u>
	b. <u>na</u>	b. <u> </u>
	c. <u>na</u>	c. <u> </u>
	d. <u>na</u>	d. <u> </u>
	e. <u>Director</u>	e. <u>4</u>
	f. <u> </u>	f. <u> </u>
	g. <u>Director</u>	g. <u>16</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Director</u>	3. <u>1</u>
	<u>Behaviorist</u>	<u>12</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____	0
4a. _____	0

Case #: _____ NA _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. na _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. na _____ _____ _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. na _____ _____ _____	7. _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. na _____ _____ _____	8. _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
NA				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hours _____

Thank you for taking the time to complete this survey.

Date: 1-22-08

SELPA: Solano County
 School District (if serving multiple districts, list all): Solano County Office of Education
 Name of BICM Completing Survey: Marvellen Haddock
 Title: Principal
 Phone Number(s): 707-399-4847
 Email Address: mhad@pacbell.net

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		3
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions	Teacher Paraeeducator	3 Hours 3 Hours
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	Principal Teacher	.5 Hours .5 Hours
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	Teacher	1 Hour
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	Principal Teacher	1.5 Hours 2 Hours
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications are required due to behavioral emergency.	Principal Teacher Behavior Assistant	1 Hours 1.5 Hours 1 Hour
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	Teacher	.5 Hours
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	Principal	.5 Hours
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	Behaviorist Principal	3 Hours 3 Hours

This page was retyped to reflect the District 2 page

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: na (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>na</u> _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>na</u> _____ _____ _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>na</u> a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>na</u> a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 3 hours

Thank you for taking the time to complete this survey.

Day Planner, notebooks, IEPs, cum files

**Solano County Office of Education
 2006-2007
 Teachers Salary Schedule I
 183 Days
 \$1025.00 Master's Stipend
 \$1025.00 Doctoral Stipend
 \$750.00 or \$1500.00 Special Education Stipend**

LEVEL STEP	1	2	3	4	5	6
1	\$37,311.00	\$40,286.00	\$41,660.00	\$43,195.00	\$44,725.00	\$46,268.00
2	\$39,262.00	\$40,526.00	\$43,611.00	\$45,146.00	\$46,676.00	\$48,219.00
3	\$41,213.00	\$42,477.00	\$45,562.00	\$47,097.00	\$48,627.00	\$50,170.00
4	\$43,164.00	\$44,428.00	\$47,513.00	\$49,048.00	\$50,578.00	\$52,121.00
5	\$45,115.00	\$46,379.00	\$49,464.00	\$50,999.00	\$52,529.00	\$54,072.00
6	\$47,066.00	\$48,330.00	\$51,415.00	\$52,950.00	\$54,480.00	\$56,023.00
7	\$49,017.00	\$50,281.00	\$53,366.00	\$54,901.00	\$56,431.00	\$57,974.00
8	\$50,968.00	\$52,232.00	\$55,317.00	\$56,852.00	\$58,382.00	\$59,925.00
9	\$52,919.00	\$54,183.00	\$57,268.00	\$58,803.00	\$60,333.00	\$61,876.00
10	\$54,870.00	\$56,134.00	\$59,219.00	\$60,754.00	\$62,284.00	\$63,827.00
11	\$56,821.00	\$58,085.00	\$61,170.00	\$62,705.00	\$64,235.00	\$65,778.00
12		\$60,036.00	\$63,121.00	\$64,656.00	\$66,186.00	\$67,729.00
13			\$65,072.00	\$66,607.00	\$68,137.00	\$69,680.00
14					\$70,088.00	\$71,631.00

All new members will be placed on the salary schedule by the Superintendent, with credit of up to fourteen years of experience for step placement and longevity and full credit for units to a maximum of 75.

- Level 1 No Bachelor's Degree
- Level 2 Bachelor's Degree
- Level 3 Bachelor's Degree plus 30 units
- Level 4 Bachelor's Degree plus 45 units
- Level 5 Bachelor's Degree plus 60 units
- Level 6 Bachelor's Degree plus 75 units

Speech/Language Therapist

Longevity based on placement on the salary schedule, excluding stipends. Credit of up to fourteen years experience towards longevity: 1% at 15 years 2% additional at 20 years
 2% additional at 24 years 2% additional at 30 years 2% additional at 35 years

Dee Alarcón

Dee Alarcón
 County Superintendent of Schools

2/8/07
 Date

[Signature]

Audited By:

 Date

Patsy Mc Nally

Prepared by:

2/2/07
 Date

6.25% increase over 2005-2006
 TEA183-TRS183-NURS183

JOB CLASSIFICATIONS—Appendix B

Review	Title	Range	FTE	Days	Month
4/04	Accountant	30	(8)	260	12
† 11/05	Assistive Technology Assistant	17	(7)	183	10
× 10/05	Behavior Assistant	16	(7)	183	10
7/99	Behavior Intervention Specialist (183 days-12 mos.)	52	(8)	183	12
10/05	Campus Monitor	07	(7)	183	10
3/03	Classroom Specialist (ROP) Computer Information Systems	13	(7)	183	10
3/03	Classroom Specialist (ROP) Health Occupations	13	(7)	183	10
9/03	Classroom Specialist (ROP) Industrial Technology	13	(7)	183	10
9/03	Classroom Specialist (ROP) Paraeducator	13	(7)	183	10
7/06	Classroom Specialist (ROP) Computer Information Systems/48 Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Health Occupations/48 Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Industrial Technology/48Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Paraeducator/48 Units	14	(7)	183	10
7/06	Classroom Specialist (ROP) Computer Information Systems/AA Degree	15	(7)	183	10
7/06	Classroom Specialist (ROP) Health Occupations/AA Degree	15	(7)	183	10
7/06	Classroom Specialist (ROP) Industrial Technology/AA Degree	15	(7)	183	10
7/06	Classroom Specialist (ROP) Paraeducator/AA Degree	15	(7)	183	10
7/06	Classroom Specialist (ROP) Computer Information Systems/BA Degree	16	(7)	183	10
7/06	Classroom Specialist (ROP) Health Occupations/BA Degree	16	(7)	183	10
7/06	Classroom Specialist (ROP) Industrial Technology/BA Degree	16	(7)	183	10
7/06	Classroom Specialist (ROP) Paraeducator/BA Degree	16	(7)	183	10
7/87	Clerk II	13	(8)	260	12
4/04	Computer Technician	28	(8)	260	12
4/04	Dispatcher/Office Technician	16	(8)	260	12
10/04	Distribution Clerk	12	(8)	260	12
4/03	Educational Interpreter/DHH-Level II	25	(7)	183	10
4/03	Educational Interpreter/DHH-Level III	33	(7)	183	10
12/05	Educational Translator/Interpreter Level I	16	(7)	183	10
10/05	Educational Translator/Interpreter Level II	25	(7)	183	10
9/06	Educational Translator/Interpreter Level III	33	(7)	183	10
01/06	Employment Training Specialist	17	(8)	183	12
11/05	Facilities/Maintenance Coordinator	39	(8)	260	12
05/04	Grounds/Maintenance Person	19	(8)	260	12
4/04	Human Resources Analyst	23	(8)	260	12
5/06	Human Resources Technician	20	(8)	260	12
1/94	Job Developer	23	(8)	200	12
† 10/03	Lifeguard	13	(7)	183	12

Review	Title	Range	FTE	Days	Months
11/05	Maintenance/Construction Tradesperson	30	(8)	260	12
7/96	Maintenance Custodian	16	(8)	260	12
x 7/96	Maintenance Mechanic	16	(7)	183	10
7/98	Occupational Therapist	52	(8)	183	12
4/04	Office Assistant	14	(8)	260	12
4/04	Office Technician	16	(8)	260	12
7/99	Paraeducator-CS	13	(7)	183	10
7/99	Paraeducator-SE	13	(7)	183	10
7/06	Paraeducator-CS/48 Units	14	(7)	183	10
7/06	Paraeducator-SE/48 Units	14	(7)	183	10
7/06	Paraeducator-CS/AA Degree	15	(7)	183	10
7/06	Paraeducator-SE/AA Degree	15	(7)	183	10
7/06	Paraeducator-CS/BA Degree	16	(7)	183	10
7/06	Paraeducator-SE/BA Degree	16	(7)	183	10
7/06	Paraeducator, Deaf and Hard of Hearing	16	(7)	183	10
4/04	Payroll and Retirement Services Analyst	30	(8)	260	12
4/02	Physical Therapist	52	(8)	183	12
10/03	Pool Maintenance Specialist	18	(8)	260	12
5/06	School Intervention Specialist	23	(7)	183	10
4/04	School Secretary	19	(8)	210	12
4/04	Secretary	17	(8)	260	12
4/04	Secretary/Program Analyst	23	(8)	260	12
6/05	Senior Account Clerk	20	(8)	260	12
4/04	Senior Accountant	38	(8)	260	12
5/06	Senior Human Resources Analyst	28	(8)	260	12
12/05	Senior Payroll and Benefits Analyst	36	(8)	260	12
10/04	Senior Payroll and Retirement Services Analyst	36*	(8)	260	12
7/06	Senior Print Shop and Distribution Specialist	25*	(8)	260	12
4/04	Senior Secretary	20*	(8)	260	12
4/04	Student Information Technician	19	(8)	260	12
4/02	Transportation Assistant	13	(7)	183	10
11/93	Vocational Specialist	23	(8)	200	12
3/06	Youth Activities Specialist	21	(8)	183	10
11/05	Youth Outreach Specialist	07	(8)	183	10

1. Substitutes and short-term employees are not part of the CSEA bargaining unit.
2. Range placements may be subject to change.
3. CSEA and the Superintendent/designee will jointly agree upon the movement of any job classifications to the inactive list.

Solano County Office of Education
 2006-2007
 Hourly CSEA Classified Employees Salary Schedule C

STEP RANGE	1	2	3	4	5	6
4	\$11.07	\$11.62	\$12.20	\$12.81	\$13.45	\$14.12
5	\$11.35	\$11.91	\$12.51	\$13.13	\$13.79	\$14.48
6	\$11.62	\$12.20	\$12.81	\$13.45	\$14.12	\$14.83
7	\$11.91	\$12.51	\$13.13	\$13.79	\$14.48	\$15.20
8	\$12.20	\$12.81	\$13.45	\$14.12	\$14.83	\$15.57
9	\$12.51	\$13.13	\$13.79	\$14.48	\$15.20	\$15.96
10	\$12.81	\$13.45	\$14.12	\$14.83	\$15.57	\$16.35
11	\$13.13	\$13.79	\$14.48	\$15.20	\$15.96	\$16.76
12	\$13.45	\$14.12	\$14.83	\$15.57	\$16.35	\$17.17
13	\$13.79	\$14.48	\$15.20	\$15.96	\$16.76	\$17.60
14	\$14.12	\$14.83	\$15.57	\$16.35	\$17.17	\$18.03
15	\$14.48	\$15.20	\$15.96	\$16.76	\$17.60	\$18.48
16	\$14.83	\$15.57	\$16.35	\$17.17	\$18.03	\$18.93
17	\$15.20	\$15.96	\$16.76	\$17.60	\$18.48	\$19.40
18	\$15.57	\$16.35	\$17.17	\$18.03	\$18.93	\$19.88
19	\$15.96	\$16.76	\$17.60	\$18.48	\$19.40	\$20.37
20	\$16.35	\$17.17	\$18.03	\$18.93	\$19.88	\$20.87
21	\$16.76	\$17.60	\$18.48	\$19.40	\$20.37	\$21.39
22	\$17.17	\$18.03	\$18.93	\$19.88	\$20.87	\$21.91
23	\$17.60	\$18.48	\$19.40	\$20.37	\$21.39	\$22.46
24	\$18.03	\$18.93	\$19.88	\$20.87	\$21.91	\$23.01
25	\$18.48	\$19.40	\$20.37	\$21.39	\$22.46	\$23.58
26	\$18.93	\$19.88	\$20.87	\$21.91	\$23.01	\$24.16
27	\$19.40	\$20.37	\$21.39	\$22.46	\$23.58	\$24.76
28	\$19.88	\$20.87	\$21.91	\$23.01	\$24.16	\$25.37
29	\$20.37	\$21.39	\$22.46	\$23.58	\$24.76	\$26.00
30	\$20.87	\$21.91	\$23.01	\$24.16	\$25.37	\$26.64
31	\$21.39	\$22.46	\$23.58	\$24.76	\$26.00	\$27.30
32	\$21.91	\$23.01	\$24.16	\$25.37	\$26.64	\$27.97
33	\$22.46	\$23.58	\$24.76	\$26.00	\$27.30	\$28.67
34	\$23.01	\$24.16	\$25.37	\$26.64	\$27.97	\$29.37
35	\$23.58	\$24.76	\$26.00	\$27.30	\$28.67	\$30.10
36	\$24.16	\$25.37	\$26.64	\$27.97	\$29.37	\$30.84
37	\$24.76	\$26.00	\$27.30	\$28.67	\$30.10	\$31.61
38	\$25.37	\$26.64	\$27.97	\$29.37	\$30.84	\$32.38
39	\$26.00	\$27.30	\$28.67	\$30.10	\$31.61	\$33.19
40	\$26.64	\$27.97	\$29.37	\$30.84	\$32.38	\$34.00

41	\$27.30	\$28.67	\$30.10	\$31.61	\$33.19	\$34.85
42	\$27.97	\$29.37	\$30.84	\$32.38	\$34.00	\$35.70
43	\$28.67	\$30.10	\$31.61	\$33.19	\$34.85	\$36.59
44	\$29.37	\$30.84	\$32.38	\$34.00	\$35.70	\$37.49
45	\$30.10	\$31.61	\$33.19	\$34.85	\$36.59	\$38.42
46	\$30.84	\$32.38	\$34.00	\$35.70	\$37.49	\$39.37
47	\$31.61	\$33.19	\$34.85	\$36.59	\$38.42	\$40.34
48	\$32.38	\$34.00	\$35.70	\$37.49	\$39.37	\$41.34
49	\$33.19	\$34.85	\$36.59	\$38.42	\$40.34	\$42.36
50	\$34.00	\$35.70	\$37.49	\$39.37	\$41.34	\$43.41
51	\$34.85	\$36.59	\$38.42	\$40.34	\$42.36	\$44.48
52	\$35.70	\$37.49	\$39.37	\$41.34	\$43.41	\$45.58
53	\$36.59	\$38.42	\$40.34	\$42.36	\$44.48	\$46.70

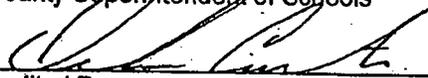
Longevity based on placement on the salary schedule and years of service:

5 years	2.50%
10 years	5.00%
15 years	8.00%
20 years	10.50%
25 years	13.00%
30 years	15.50%
35 years	18.00%



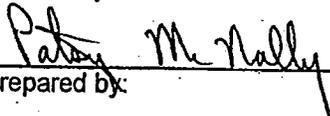
Dee Alarcón
 County Superintendent of Schools

12/15/06
 Date



Audited By:

12/15/06
 Date



Prepared by:

12/11/06
 Date

6.25% increase over 2005-2006

CHR260-CLX183-CLA183-CLA200-CLA210

Solano County Office of Education
 2006-2007
 Monthly CSEA Classified Employees Salary Schedule C

STEP RANGE	1	2	3	4	5	6
4	\$1,919.00	\$2,015.00	\$2,116.00	\$2,222.00	\$2,333.00	\$2,449.00
5	\$1,967.00	\$2,065.00	\$2,168.00	\$2,276.00	\$2,390.00	\$2,510.00
6	\$2,015.00	\$2,116.00	\$2,222.00	\$2,333.00	\$2,449.00	\$2,571.00
7	\$2,065.00	\$2,168.00	\$2,276.00	\$2,390.00	\$2,510.00	\$2,636.00
8	\$2,116.00	\$2,222.00	\$2,333.00	\$2,449.00	\$2,571.00	\$2,700.00
9	\$2,168.00	\$2,276.00	\$2,390.00	\$2,510.00	\$2,636.00	\$2,767.00
10	\$2,222.00	\$2,333.00	\$2,449.00	\$2,571.00	\$2,700.00	\$2,835.00
11	\$2,276.00	\$2,390.00	\$2,510.00	\$2,636.00	\$2,767.00	\$2,905.00
12	\$2,333.00	\$2,449.00	\$2,571.00	\$2,700.00	\$2,835.00	\$2,977.00
13	\$2,390.00	\$2,510.00	\$2,636.00	\$2,767.00	\$2,905.00	\$3,050.00
14	\$2,449.00	\$2,571.00	\$2,700.00	\$2,835.00	\$2,977.00	\$3,126.00
15	\$2,510.00	\$2,636.00	\$2,767.00	\$2,905.00	\$3,050.00	\$3,203.00
16	\$2,571.00	\$2,700.00	\$2,835.00	\$2,977.00	\$3,126.00	\$3,282.00
17	\$2,636.00	\$2,767.00	\$2,905.00	\$3,050.00	\$3,203.00	\$3,363.00
18	\$2,700.00	\$2,835.00	\$2,977.00	\$3,126.00	\$3,282.00	\$3,446.00
19	\$2,767.00	\$2,905.00	\$3,050.00	\$3,203.00	\$3,363.00	\$3,531.00
20	\$2,835.00	\$2,977.00	\$3,126.00	\$3,282.00	\$3,446.00	\$3,618.00
21	\$2,905.00	\$3,050.00	\$3,203.00	\$3,363.00	\$3,531.00	\$3,708.00
22	\$2,977.00	\$3,126.00	\$3,282.00	\$3,446.00	\$3,618.00	\$3,799.00
23	\$3,050.00	\$3,203.00	\$3,363.00	\$3,531.00	\$3,708.00	\$3,893.00
24	\$3,126.00	\$3,282.00	\$3,446.00	\$3,618.00	\$3,799.00	\$3,989.00
25	\$3,203.00	\$3,363.00	\$3,531.00	\$3,708.00	\$3,893.00	\$4,088.00
26	\$3,282.00	\$3,446.00	\$3,618.00	\$3,799.00	\$3,989.00	\$4,189.00
27	\$3,363.00	\$3,531.00	\$3,708.00	\$3,893.00	\$4,088.00	\$4,292.00
28	\$3,446.00	\$3,618.00	\$3,799.00	\$3,989.00	\$4,189.00	\$4,399.00
29	\$3,531.00	\$3,708.00	\$3,893.00	\$4,088.00	\$4,292.00	\$4,507.00
30	\$3,618.00	\$3,799.00	\$3,989.00	\$4,189.00	\$4,399.00	\$4,619.00
31	\$3,708.00	\$3,893.00	\$4,088.00	\$4,292.00	\$4,507.00	\$4,732.00
32	\$3,799.00	\$3,989.00	\$4,189.00	\$4,399.00	\$4,619.00	\$4,850.00
33	\$3,893.00	\$4,088.00	\$4,292.00	\$4,507.00	\$4,732.00	\$4,969.00
34	\$3,989.00	\$4,189.00	\$4,399.00	\$4,619.00	\$4,850.00	\$5,092.00
35	\$4,088.00	\$4,292.00	\$4,507.00	\$4,732.00	\$4,969.00	\$5,218.00
36	\$4,189.00	\$4,399.00	\$4,619.00	\$4,850.00	\$5,092.00	\$5,347.00
37	\$4,292.00	\$4,507.00	\$4,732.00	\$4,969.00	\$5,218.00	\$5,479.00
38	\$4,399.00	\$4,619.00	\$4,850.00	\$5,092.00	\$5,347.00	\$5,614.00
39	\$4,507.00	\$4,732.00	\$4,969.00	\$5,218.00	\$5,479.00	\$5,753.00

40	\$4,619.00	\$4,850.00	\$5,092.00	\$5,347.00	\$5,614.00	\$5,895.00
41	\$4,732.00	\$4,969.00	\$5,218.00	\$5,479.00	\$5,753.00	\$6,041.00
42	\$4,850.00	\$5,092.00	\$5,347.00	\$5,614.00	\$5,895.00	\$6,190.00
43	\$4,969.00	\$5,218.00	\$5,479.00	\$5,753.00	\$6,041.00	\$6,343.00
44	\$5,092.00	\$5,347.00	\$5,614.00	\$5,895.00	\$6,190.00	\$6,500.00
45	\$5,218.00	\$5,479.00	\$5,753.00	\$6,041.00	\$6,343.00	\$6,660.00
46	\$5,347.00	\$5,614.00	\$5,895.00	\$6,190.00	\$6,500.00	\$6,825.00
47	\$5,479.00	\$5,753.00	\$6,041.00	\$6,343.00	\$6,660.00	\$6,993.00
48	\$5,614.00	\$5,895.00	\$6,190.00	\$6,500.00	\$6,825.00	\$7,166.00
49	\$5,753.00	\$6,041.00	\$6,343.00	\$6,660.00	\$6,993.00	\$7,343.00
50	\$5,895.00	\$6,190.00	\$6,500.00	\$6,825.00	\$7,166.00	\$7,524.00
51	\$6,041.00	\$6,343.00	\$6,660.00	\$6,993.00	\$7,343.00	\$7,710.00
52	\$6,190.00	\$6,500.00	\$6,825.00	\$7,166.00	\$7,524.00	\$7,900.00
53	\$6,343.00	\$6,660.00	\$6,993.00	\$7,343.00	\$7,710.00	\$8,095.00

Longevity based on placement on the salary schedule and years of service:

5 years	2.50%
10 years	5.00%
15 years	8.00%
20 years	10.50%
25 years	13.00%
30 years	15.50%
35 years	18.00%

Dee Alarcón
 Dee Alarcón
 County Superintendent of Schools

12/15/06
 Date

[Signature]
 Audited By:

12/13/06
 Date

Patricia Mc Nally
 Prepared by:

12/11/06
 Date

6.25% increase over 2005-2006
 CMO260

Solano County Office of Education
 2006-2007
 Administrative Salary Schedule A

\$1025.00 Master's Stipend
 \$1025.00 Doctoral Stipend

STEP RANGE	1	2	3	4	5
5	\$80,802.00	\$82,786.00	\$84,770.00	\$86,754.00	\$88,738.00
6A	\$82,786.00	\$84,770.00	\$86,754.00	\$88,738.00	\$90,722.00
6	\$82,786.00	\$84,770.00	\$86,754.00	\$88,738.00	\$90,722.00
7	\$85,505.00	\$87,489.00	\$89,473.00	\$91,457.00	\$93,441.00
8	\$88,721.00	\$90,705.00	\$92,689.00	\$94,673.00	\$96,657.00
9	\$91,846.00	\$93,830.00	\$95,814.00	\$97,798.00	\$99,782.00

Range 5	Manager, Occupational Therapy	205 days
Range 6A	Program Manager, Special Education	210 days
Range 6	ROP/Workforce Development Manager	215 days
Range 6	Program Manager, Workforce Development	215 days
Range 6	Visiting Educator	215 days
Range 7	SELPA Coordinator	210 days
Range 7	Related Services Coordinator/SELPA	210 days
Range 9	Principal	210 days

Longevity based on placement on the salary schedule, excluding stipends. Credit of up to fourteen years experience towards longevity:

- 1.00% at 15 years
- 2.00% additional at 20 years
- 2.00% additional at 24 years
- 2.00% additional at 30 years
- 2.00% additional at 35 years

Dee Alarcón
 Dee Alarcón
 County Superintendent of Schools

12/15/06
 Date

[Signature]
 Audited By:

12/15/06
 Date

Patsy Mc Nally
 Prepared by:

12/11/06
 Date

6.25% increase over 2005-2006
 CMG 210- SMG215-CMG205

BICM

DECLARATION

I, Kristin Johnson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Intervention Specialist
by Iran's Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 13, 2012, at El Dorado Hills, California.
Date *City*

Kristin Johnson
Signature

Kristin Johnson
Print Name

kjohnson@edcoe.org
E-mail Address

916-233-8994
Phone Number

SELPA: Solano County SELPA Date: 1/27/08
 School District (if serving multiple districts, list all): Travis Unified School District

Name of BICM Completing Survey: Kathie Johnsons (incl. data from Kelli Lauer-psych who left)
 Title: Behavior Intervention Specialist
 Phone Number(s): 916-233-8999
 Email Address: kjohnson@travisusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>6</u></p> <p>1b. <u>2</u></p> <p>1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>1</u></p> <p>3a. <u>1 hr.</u></p> <p>3b. <u>33 hrs.</u></p> <p>3c. <u>16 hrs.</u></p> <p>3d. <u>50 hrs.</u></p> <p>3e. <u>25 hrs.</u></p>

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:
- a. Preparing draft of PBIPs for IEP meetings.
 - b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
 - c. Training for and monitoring PBIPs across settings.
 - d. Evaluating PBIPs effectiveness.
 - e. Making modifications to PBIPs in subsequent IEP team meetings.
 - f. Making modifications to PBIPs outside of IEP team meetings.
 - g. Total of answers to 4a through 4f.
 - h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

4a.	14 hrs.
4b.	0 hrs.
4c.	10 hrs.
4d.	30 hrs.
4e.	4 hrs.
4f.	5 hrs.
4g.	100 hrs.
4h.	101 hrs.
5a.	0
5b.	0
5c.	0
5d.	0
5e.	0
6a.	10 hrs.
6b.	12 hrs.
6c.	14 hrs.
6d.	12 hrs.
6e.	3 hrs.
6f.	4 hrs.
6g.	55 hrs.
6h.	13.75 hrs.

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 3

b. Number of students requiring 2 IEP team meetings: 2

c. Number of students requiring 3 or more IEP team meetings: 1

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	TUSD / Program Specialist	4	2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	TUSD / Sp. Ed Teachers	4	2
	TUSD / Occupational Ther.	1	1
	TUSD / Speech Therapist	1	1
	TUSD / Director of Sp. Ed	1	1
	TUSD / Psychologist	4	2
	TUSD / Program Specialist	4	4
	TUSD / Sp. Ed Teacher	4	4
	TUSD / Occupational Ther.	4	4
	TUSD / Speech Therapist	2	2
	TUSD / Director of Sp. Ed.	0	0
	TUSD / Psychologist	6	4
	TUSD / Teachers	3160 hrs.	
	TUSD / Aides	3160 hrs.	

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. _____</p> <p>a. <u>6 hrs.</u></p> <p>b. <u>1 hr.</u></p> <p>c. <u>1 hr.</u></p> <p>d. <u>10 hrs.</u></p> <p>e. <u>14 hrs.</u></p> <p>f. <u>1 hr.</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3652 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Case list _____

DOD reports _____

IEP's _____

Case hours log _____

Please indicate the time it took for you to complete this survey: 8 hrs.

Thank you very much for taking the time to complete this survey.

BICM

SEI/PA: Solano County Date: January 22, 2008
 School District (if serving multiple districts, list all): Fairfield Suisun Unified
 Name of BICM Completing Survey: Cheri Worcester
 Title: Behavior Intervention Specialist
 Phone Number(s): 707 399 5072
 Email Address: cheriw@fsusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:
- a. Preparing draft of PBIPs for IEP meetings.
 - b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
 - c. Training for and monitoring PBIPs across settings.
 - d. Evaluating PBIPs effectiveness.
 - e. Making modifications to PBIPs in subsequent IEP team meetings.
 - f. Making modifications to PBIPs outside of IEP team meetings.
 - g. Total of answers to 4a through 4f.
 - h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. 0
 4b. 0
 4c. 0
 4d. 0
 4e. 0
 4f. 0
 4g. 0
 4h. 0

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. 0
 5b. 0
 5c. 0
 5d. 0
 5e. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. 0
 6b. 0
 6c. 0
 6d. 0
 6e. 0
 6f. 0
 6g. 0
 6h. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ 0
 7b. _____ 0
 7c. _____ 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtes
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____

	# of hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

No FAA's completed by this Behaviorist in 2006-2007 school year _____

Please indicate the time it took for you to complete this survey: 30 minutes

Thank you very much for taking the time to complete this survey.

SELPA: _____

Date: 1/21/08

School District (if serving multiple districts, list all): Fairfield Suisun Unified School District

Name of BICM Completing Survey: Michael Overstreet

Title: Behavior Intervention Specialist

Phone Number(s): 707-421-4323

Email Address: michaelov@fsusd.k12.ca.us

1.	
a. How many students did you serve in 2006-07 who had PBIPs?	
Of this total, please specify the number of:	
	b. new cases (PBIP for first time), and
	c. preexisting cases (entered 2006-07 with PBIP).
Please ensure that the total is an unduplicated count.	
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?	
1a. _____	3 _____
1b. _____	1 _____
1c. _____	2 _____
2. _____	2 _____

<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <ul style="list-style-type: none"> a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 2hrs</p> <p>3b. _____ 15hrs</p> <p>3c. _____ 4hrs</p> <p>3d. _____ 21hrs</p> <p>3e. _____ 21hrs</p>
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<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2</u>hrs 4b. <u>2</u>hrs 4c. <u>na</u> 4d. <u>na</u> 4e. <u>na</u> 4f. <u>na</u> 4g. <u>4</u>hrs 4h. <u>4</u>hrs</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u>hrs 5b. <u>45</u>hrs 5c. <u>0</u>hrs 5d. <u>45</u>hrs 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>5</u> 6b. <u>6</u> 6c. <u>42</u> 6d. <u>10</u> 6e. <u>6</u> 6f. <u>5</u> 6g. <u>74</u> 6h. <u>37</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1

7b. 1

7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____
_____	0	_____

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

School Psych	6	3
Principal/AP	6	3
Spec. Ed teacher	6	3
Speech	2	1
Gen Ed	1	1
_____	_____	_____
_____	_____	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

Instruct. Asst.	607	_____
Spec. Ed. Tchr	595	_____
Principal	13	_____
_____	_____	_____
_____	_____	_____

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. _____</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. _____</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. _____</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. _____</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. _____</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. _____</p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Student Files _____

Calendars _____

Please indicate the time it took for you to complete this survey: 7 Hours

Thank you very much for taking the time to complete this survey.

SELPA: Solano

School District (if serving multiple districts, list all): Fairfield-Suisun Unified School District Date: January 22, 2008

Name of BICM Completing Survey: Sandra Beyer
 Title: Behavior Intervention Specialist
 Phone Number(s): (707) 421-4323
 Email Address: sandrabe@fsusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>5</u> 1b. <u>1</u> 1c. <u>4</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0.25</u> 3b. <u>12</u> 3c. <u>3</u> 3d. <u>15.25</u> 3e. <u>15.25</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

a.	Preparing draft of PBIPs for IEP meetings.	4a.	3
b.	Attending IEP meetings, reviewing FAAs and finalizing PBIPs.	4b.	6
c.	Training for and monitoring PBIPs across settings.	4c.	24
d.	Evaluating PBIPs effectiveness.	4d.	16
e.	Making modifications to PBIPs in subsequent IEP team meetings.	4e.	0.5
f.	Making modifications to PBIPs outside of IEP team meetings.	4f.	5
g.	Total of answers to 4a through 4f.	4g.	54
h.	What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?	4h.	54

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a.	0
5b.	40
5c.	0
5d.	40
5e.	10

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a.	12
6b.	8
6c.	320
6d.	40
6e.	4
6f.	14
6g.	398
6h.	99.5

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2

7b. 3

7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Teacher	<u>1.5</u>	<u>1</u>
	OT	<u>1.5</u>	<u>1</u>
	Principal	<u>1.5</u>	<u>1</u>
	Assistant Principal Psychologist	<u>1.5</u>	<u>1</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Teacher	<u>10.5</u>	<u>7</u>
	OT	<u>10.5</u>	<u>7</u>
	Principal	<u>10.5</u>	<u>7</u>
	Assistant Principal Psychologist	<u>10.5</u>	<u>7</u>
	FSUSD/Teacher	<u>1330</u>	
	FSUSD/IA	<u>950</u>	
	FSUSD/Principal	<u>20</u>	
	FSUSD/Psychologist	<u>40</u>	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 2
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0.25
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 1
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 2
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 3
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0.25
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Student files _____

Calendar _____

Julie Salcedo Files/Calendar (BICM while I was out on maternity leave) _____

Please indicate the time it took for you to complete this survey: 8 Hours

Thank you very much for taking the time to complete this survey.

Date: 1/22/08

SELPA: Solano County Office of Education _____
 School District (if serving multiple districts, list all): Yacaville, Fairfield, Dixon Unified School Districts, Solano County of Education

Name of BICM Completing Survey: Shanthie Kumandan

Title: Behavior Intervention Specialist

Phone Number(s): 707-330-6042

Email Address: skumanandan@solanoco.net

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>5</u> 1b. <u>0</u> 1c. <u>5</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u> 4b. <u>0</u> 4c. <u>0</u> 4d. <u>0</u> 4e. <u>0</u> 4f. <u>0</u> 4g. <u>0</u> 4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>215</u> 5c. <u>0</u> 5d. <u>5</u> 5e. <u>43</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>8</u> 6b. <u>16</u> 6c. <u>75</u> 6d. <u>12</u> 6e. <u>10</u> 6f. <u>5</u> 6g. <u>126</u> 6h. <u>25.2</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 7a. 4

b. Number of students requiring 2 IEP team meetings: 7b. 0

c. Number of students requiring 3 or more IEP team meetings: 7c. 1

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	NA	NA	NA
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	SDC Teacher - SCOE ED Teacher - VUSD SELPA Coordinator OT - SCOE Speech Therapist - SCOE	1 10 10 1 1	1 5 3 1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Ed Teacher - VUSD Paraeducator - NPA SDC Teacher - SCOE Paraeducator - SCOE	1300 1300 1300 1300	

BICM 5

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	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

<u>Case Logs</u>	<u>Review of Records</u>	<u>Data Collection Charts</u>
<u>Calendars</u>	<u>Case Files</u>	
<u>Day Planner</u>	<u>Observation Notes</u>	

Please indicate the time it took for you to complete this survey: 3 hours

Thank you very much for taking the time to complete this survey.

SELPA: Salerno County Date: _____
 School District (if serving multiple districts, list all): Travis Unified

Name of BICM Completing Survey: Colleen Estes
 Title: Salerno Psych
 Phone Number(s): 437-8027
 Email Address: C.Estes@travisud.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>15 min</u> 3b. <u>20 hours</u> 3c. <u>10 hours</u> 3d. <u>30 hours</u> 3e. <u>30 hours</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. 3 hours
 4b. 10 hours
 4c. 5 hours
 4d. 5 hours
 4e. 1 hour
 4f. 3 hours
 4g. 27 hours
 4h. 27 hours

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. 0
 5b. _____
 5c. _____
 5d. _____
 5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. 0
 6b. _____
 6c. _____
 6d. _____
 6e. _____
 6f. _____
 6g. _____
 6h. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 0

c. Number of students requiring 3 or more IEP team meetings: 1

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	TUSD District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Admin Program Spec Special Teacher Gen Ed Teacher	1.5 1.5 1.5 2.0	1 1 1 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Admin Prog. Spec. Special Teacher Gen Ed Teacher	1.5 1.0 1.5 4.5	

of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a. Performing emergency behavioral interventions. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

IEP meeting notes
calendars

Please indicate the time it took for you to complete this survey: Too long! 8 hours

Thank you very much for taking the time to complete this survey.

SELPA: Solano County Date: 1-23-08
 School District (if serving multiple districts, list all): Benicia, Fairfield-Suisun, Travis, Vacaville, Dixon, Solano County Office of Education
 Name of BICM Completing Survey: Zoe Bartholomew
 Title: Behavior Intervention Specialist
 Phone Number(s): 707-330-4558
 Email Address: zbartholomew@solanoco.net

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>4</u> 1b. <u>1</u> 1c. <u>3</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>15 minutes</u> 3b. 30 minutes <u>hours 2.8.5/2/12</u> 3c. <u>36 Hours</u> 3d. <u>66 Hours, 15 mins.</u> 3e. <u>66 Hours, 15 mins.</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2</u> Hours 4b. <u>8</u> Hours 4c. <u>16</u> Hours 4d. <u>0</u> 4e. <u>2</u> Hours 4f. <u>10</u> Hours 4g. <u>38</u> Hours 4h. <u>38</u> Hours</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>45</u> minutes 5b. <u>129</u> Hours, <u>15</u> mins. 5c. <u>0</u> 5d. <u>2</u> Hours 5e. <u>43.33</u> Hours</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>8</u> Hours 6c. <u>6</u> Hours 6d. <u>72</u> Hours 6e. <u>8</u> Hours 6f. <u>36</u> Hours 6g. <u>130</u> Hours 6h. <u>43.33</u> Hours</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1

7b. 3

7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
Travis/Sp. Ed Teacher	4 Hrs	2mtgs
Travis/Sp. Ed Director	4 Hrs	2mtgs
Travis/Sp. Ed Coordinator	4 Hrs	2mtgs
Travis/Comm. Day Principal	4 Hrs	2mtgs
Travis/School Psychologist	4 Hrs	2mtgs

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

FSUSD/Sp.Ed. Teacher-SCOE	2 Hrs	1 Mtg
FSUSD/Sp.Ed. Teacher-SCOE	2 Hrs	1 Mtg
VUSD/Sp.Ed Teacher-SCOE	2 Hrs	1 Mtg
FSUD/Sp. Ed Principal-SCOE	2 Hrs	21 Mtg
VUSD/Sp.Ed Principal-SCOE	2 Hrs	1 Mtg

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

FSUSD/Paraeducator	1300 Hrs	
FSUSD/Paraeducator	1300 Hrs	
NPA/1:1 Assistant	1300 Hrs	
VUSD/Sp.Ed. Teacher	780 Hrs	
FSUSD/Sp.Ed. Teacher	780 Hrs	
FSUSD/Sp.Ed. Teacher	780 Hrs	

Based on a 5 hour school day.

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

<u>Case Logs</u>	<u>Review of Records</u>	<u>Data Collection Charts</u>
<u>Calendars</u>	<u>Case Files</u>	
<u>Day Planner</u>	<u>Observation Notes</u>	

Please indicate the time it took for you to complete this survey: 5 Hours

Thank you very much for taking the time to complete this survey.

SELPA: Selma County
 School District (if serving multiple districts, list all): Vacaville Unified School District
 Date: 1/30/08

Name of BICM Completing Survey: Anne Gannon
 Title: Behavior Intervention Specialist
 Phone Number(s): 707-416-6331
 Email Address: anneg@gannoweb.com

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u> </u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM 3

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Memory

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

SELPA: Solano County
 School District (if serving multiple districts, list all): Dixon Unified

Date: 01/23/08

Name of BICM Completing Survey: Sara Sandgren
 Title: Behavior Intervention Specialist
 Phone Number(s): 707-330-4061
 Email Address: ssandgren@dixonusd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>0</u> 1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>.25</u> 3b. <u>3</u> (student left District, FAA not completed) 3c. <u>3.0</u> 3d. <u>3.25</u> 3e. <u>3.25</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 0 4b. 0 4c. 0 4d. 0 4e. 0 4f. 0 4g. 0 4h. 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 1 6b. 1 6c. 3 6d. 1 6e. 0 6f. 1 6g. 8 6h. 8</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. .75
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. .25
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Caseload list _____ PDA _____
 IEPs _____

Please indicate the time it took for you to complete this survey: _____ ½ hour _____

Thank you very much for taking the time to complete this survey.

SEIPA: Solano
 School District (if serving multiple districts, list all): Benicia
 Date: 1/23/08

Name of BICM Completing Survey: Mary Duncan
 Title: Behavior Intervention Specialist
 Phone Number(s): 707 342 8300 ext 1341
 Email Address: duncanm@benicia.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>9</u> 1b. <u>2 started end of year</u> 1c. <u>7</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>3/4</u> 3b. <u>8</u> 3c. <u>0</u> 3d. <u>8 3/4</u> 3e. <u>4 3/8</u> FAAs were started @ end of 06/07 & completed beginning of 07/08</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u> 4b. <u>0</u> 4c. <u>0</u> 4d. <u>0</u> 4e. <u>0</u> 4f. <u>0</u> 4g. <u>0</u> 4h. <u>0</u></p> <p><i>ELL's were below end of 06/18/12 completed & start 07/08</i></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>17</u> 5c. <u>0</u> 5d. <u>17</u> 5e. <u>2 2/3</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>6</u> 6b. <u>6</u> 6c. <u>18</u> 6d. <u>120</u> 6e. <u>2</u> 6f. <u>6</u> 6g. <u>158 4/7</u> 6h. <u>22 1/7</u></p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 5
7b. 4
7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
Best guess	Case manager	1	2
	School psych	1/2	2
	Spec Ed Director	1	2
	Gen. Ed Teacher	1/2	1
	Case manager	3	1/2
	School psych	1	3
	Principal	3	8
	Spec Ed Director	1	3
	Gen Ed Teacher	2	5
	OT	2	5
	Case manager's	unable to provide	up to hrs/day
	Spec. ed teachers	unable to provide	up to hrs/day
	SP Ed (6)	_____	_____
	_____	_____	_____

of Hours

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11.</p> <p>a. <u>0</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>0</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p> <p><i>Do not have 3 FAAs/PBIPs for 06/07 Do not have 3 students w/ both PBIPs & AB3632</i></p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar
IEP signature pg
IEP services pg

IEP notes
IEP files

Please indicate the time it took for you to complete this survey: 7 1/2 hrs

Thank you very much for taking the time to complete this survey.

Sonoma

SELPA

DECLARATION

I, JOHN NAMKUNG, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA DIRECTOR
Title of Position
by The Sonoma County Office of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at Sebastopol, California.
Date *City*


Signature

JOHN NAMKUNG
Print Name

jknamkung@gmail.com
E-mail Address

707-829-7567
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBI/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Sonoma County Date: February 14, 2008

Person Completing Survey: John Namkung

Title: SELPA Director

Phone Number(s): (707) 524-2752

Email Address: johnnamkung@sonomaseelpa.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	7
2. How many BICM surveys have been returned to you?	20
3. If not all BICM surveys have been returned, please indicate reason.	No BICMs, FAAs in PBI/FA.
4. How many districts are in your SELPA?	40 + County
5. How many district level surveys have been returned to you?	Office 20
6. If not all district surveys have been returned, please indicate reason.	No BICMs, FAAs in PBI/FA.

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>1994</u> b. What is the basis for your estimate? <u>On comparable hours for other policies</u>	7. <u>SELPA Director</u>	7. <u>15</u>
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>1994</u> b. What is the basis for your estimate? <u>On comparable hours for other policies</u>	8. <u>SELPA Director</u>	8. <u>2</u>
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2007</u> b. What is the basis for your estimate? <u>Actual time</u> c. How often does your SELPA do this? <u>As needed</u>	9. <u>Program Specialist</u> <u>SELPA Director</u>	9. <u>2</u> <u>1</u>

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?	10. <u>SELPA Director</u>	10. <u>1</u>
a. What year did this occur? <u>2007</u>		
b. What is the basis for your estimate? <u>Actual time</u>		
c. How often does your SELPA do this? <u>As needed</u>		

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?	11. _____	11. <u>0</u>
a. What year did this occur? _____		
b. What is the basis for your estimate? _____		
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?	12. _____	12. <u>0</u>
a. What year did this occur? _____		
b. What is the basis for your estimate? _____		
c. How often does your SELPA do this? _____		

	Position	# of Hours
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>13.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>13.</p> <p>0</p> <p>_____</p> <p>_____</p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>14.</p> <p>0</p> <p>_____</p> <p>_____</p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p>	<p>15.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>15.</p> <p>0</p> <p>_____</p> <p>_____</p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>16.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>16.</p> <p>0</p> <p>_____</p> <p>_____</p>

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBJP implementers? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	17. _____ _____ _____	17. 0 _____ _____ _____
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? _____ b. What is the basis for your estimate? _____	18. _____ _____ _____	18. 0 _____ _____ _____
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	19. _____ _____ _____	19. 0 _____ _____ _____
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	20. _____ _____ _____	20. 0 _____ _____ _____

SELPA 5

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21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above -- i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs -- i.e., individuals, district, county office, SELPA.

Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

# Attndg.	District/Position	# of Hours
22.		22.

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

# Attndg.	District/Position	# of Hours
23.		23.

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

# Attndg.	District/Position	# of Hours
24.		24.

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 0

a. Is this figure typical of annual costs and for how long has it been typical? _____
 b. If not, what have you typically done? _____
 c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. SELPA Director	26. 2
	_____	_____
	_____	_____
	_____	_____
	_____	_____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. _____	27. 0
	_____	_____
	_____	_____
	_____	_____
	_____	_____

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. _____

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Annabel Bentley, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Special Education Director
by Windsor Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1/12, 2012, at Windsor, California.
Date *City*

Annabel Bentley
Signature

Annabel Bentley
Print Name

abentley@wusd.org
E-mail Address

707 837-7152
Phone Number

SELPA: _____ Date: 01/31/08
 District: Windsor Unified
 Person Completing Survey: Annabel Bentley
 Title: Special Education Director
 Phone Number(s): (707) 837-7704
 Email Address: abentley@wusd.org

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. 0</p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBF.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2.</p> <p>a.</p> <p>b.</p> <p>c.</p> <p>d.</p> <p>e.</p> <p>f.</p> <p>g.</p>	<p># of Hours</p> <p>2. 0</p> <p>a. 0</p> <p>b. 0</p> <p>c. 0</p> <p>d. 0</p> <p>e. 0</p> <p>f. 0</p> <p>g. 0</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. BICM</p>	<p>3. .5</p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?	4.	0
a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4a.	0

Case #: ___ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	0
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6.	0
	a.	
	b.	
	c.	
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7.	0
	a.	0
	b.	0
	c.	0
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8.	0
	a.	0
	b.	0
	c.	0

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level. n/a

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: .25 hr

Thank you for taking the time to complete this survey.

SUMMARY OF EMPLOYER COST			Fiscal Year: 08
District: 63	Paraeducator		Appl:
SSN: Last:	First:	Class: REGULAR CLASSIFIED	Mi: Status: EMPLOYEE .
PayCal: RCLAS2	Earn Cy Fq: 13 Ben Cy FQ: 13	DNP: N	Ret Sys: 02
Total Base Salary:	Current Regular Cycle 1,505.46		Fiscal Year 15,602.61
Ret/ARS:	140.10 P		1,451.97 P
FICA:	93.34		967.39
Medicare:	21.83		226.23
WComp:	32.97		341.72
SUI:	.75		7.78
HW:	987.98		11,855.76
Total ER Benefits:	1,276.97		14,850.85
Total ER Cost:	2,782.43		30,453.46

Enter data and press <Enter>, to recalculate the Employer Cost to the Office.

Windsor Unified School District – Classification and Ranges

Classification	Range	Work Days
Account Clerk I	12	211
Account Clerk II	16	260
Account Clerk III (Accounts Payable)	20	260
Account Clerk III (Payroll)	22	260
Attendance and Welfare	13	198
Bilingual Community Liaison	16	192
Bilingual Paraeducator – Health Care Aide	21	191 + 3.75
Bilingual Instructional Assistant	4	191 + 3.75
Bus Driver	15	192
Campus Supervisor	11	192
Child Care Worker	A	191 + 3.75
Clerk Typist II	10	192
College and Career Guidance Coordinator	15	211
Coordinator of Volunteers	8	192
Custodian I	12	260
Custodian II	15	260
Custodian III	17	260
District M& O Assistant	12	260
Electrician	41	260
Food Service Cook	10	192
Food Service Driver	9	192
Food Service Floater	11	192
Food Service Lead	14	192
Food Service Worker	1	192
Food Service Worker I	9	192
Food Service Worker II	11	192
Groundskeeper I	13	260
Groundskeeper II	16	260
Health Assistant	8	192
Instructional Assistant	3	191 + 3.75
Instructional Para-professional	10	191 + 3.75
Lead Child Care Worker	12	191 + 3.75
Library Technician	10	192
Library/Media Specialist	15	202
Maintenance Specialist	18	260
Maintenance Specialist II	29	260
Mechanic	23	260
NCC Administrative Assistant	18	211
Paraeducator I	8	191 + 3.75
Paraeducator I – Bilingual	9	191 + 3.75
Paraeducator II	11	191 + 3.75
Paraeducator II – Bilingual	12	191 + 3.75
Paraeducator II – Behavior Asst.	12	191 + 3.75
Personnel Technician I	12	260
Program Instructional Assistant	8	191 + 3.75
Registrar	16	260
School Account Clerk	12	211
School Secretary	14	227.5
School Secretary II	17	227.5
Secretary I	12	211
Secretary II	14	211
Secretary III	18	227.5
Secretary IV	23	260
Student Advisor	15	192
Technology Systems Specialist	29	260
Transportation Coordinator	18	260
Yard Duty supervisor	6	191 + 3.75

WINDSOR UNIFIED SCHOOL DISTRICT
 CLASSIFIED SALARY SCHEDULE
 FISCAL YEAR 2007/2008

RANGE (MO/HR)	STEP A	STEP B	STEP C	STEP D	STEP E
A	7.19	7.55	7.92	8.32	8.73
1	10.41 1804.00	10.93 1895.00	11.48 1990.00	12.05 2090.00	12.66 2193.00
2	10.67 1848.00	11.20 1941.00	11.76 2038.00	12.35 2141.00	12.97 2248.00
3	10.93 1896.00	11.49 1991.00	12.06 2091.00	12.66 2195.00	13.30 2304.00
4	11.21 1942.00	11.77 2039.00	12.37 2142.00	12.98 2249.00	13.63 2361.00
5	11.49 1992.00	12.06 2092.00	12.67 2197.00	13.30 2306.00	13.97 2421.00
6	11.77 2041.00	12.38 2143.00	12.99 2250.00	13.64 2363.00	14.32 2481.00
7	12.07 2093.00	12.68 2198.00	13.31 2307.00	13.98 2422.00	14.68 2543.00
8	12.38 2145.00	12.99 2251.00	13.64 2364.00	14.33 2482.00	15.05 2606.00
9	12.68 2199.00	13.32 2308.00	13.98 2426.00	14.69 2544.00	15.41 2671.00
10	13.00 2253.00	13.65 2365.00	14.33 2484.00	15.06 2609.00	15.80 2739.00
11	13.33 2310.00	13.99 2425.00	14.70 2546.00	15.42 2674.00	16.19 2806.00
12	13.66 2367.00	14.34 2485.00	15.06 2611.00	15.81 2740.00	16.60 2877.00
13	14.00 2426.00	14.71 2547.00	15.43 2675.00	16.20 2809.00	17.01 2950.00
14	14.35 2486.00	15.07 2612.00	15.82 2742.00	16.62 2880.00	17.43 3022.00
15	14.72 2549.00	15.44 2677.00	16.21 2810.00	17.02 2951.00	17.88 3099.00
16	15.08 2614.00	15.83 2743.00	16.63 2881.00	17.44 3024.00	18.32 3176.00
17	15.45 2679.00	16.22 2812.00	17.03 2953.00	17.89 3101.00	18.79 3255.00

District: 63		SUMMARY OF EMPLOYER COST		Fiscal Year: 08	
SSN:	Psychologist			Appl:	
Last:	First:	Class: REGULAR CERTIFICATED		Mi: Status: EMPLOYEE.	
PayCal:RCERT1		Earn Cy Fq: 12 Ben Cy FQ: 13 DNP: N Ret Sys: 01			
		Current Regular Cycle		Fiscal Year	
Total Base Salary:	6,656.00			79,872.00	
Ret/ARS:	549.12 S			6,589.44 S	
FICA:	.00			.00	
Medicare:	95.10			1,141.20	
WComp:	145.77			1,749.24	
SUI:	3.28			39.36	
HW:	1,039.21			12,470.52	
Total ER Benefits:	1,832.48			21,989.76	
Total ER Cost:	8,488.48			101,861.76	

Enter data and press <Enter>, to recalculate the Employer Cost to the Office.

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=====+
District: 63                SUMMARY OF EMPLOYER COST                Fiscal Year: 08
-----+
SSN:                        Teacher:                      Class: REGULAR CERTIFICATED
Last:                       First:                      Mi:      Status: EMPLOYEE.
-----+
PayCal:RCERT1              Earn Cy Fq: 13 Ben Cy FQ: 13 DNP: N Ret Sys: 01
-----+
Total Base Salary:         Current Regular Cycle          Fiscal Year
                             5,871.50                      58,715.00
Ret/ARS:                   484.40 S                        4,844.00 S
FICA:                      .00                              .00
Medicare:                  82.26                          800.13
WComp:                    128.59                         1,285.90
SUI:                      2.84                           27.62
HW:                       1,233.21                       14,798.52
Total ER Benefits:        1,931.30                       21,756.17
Total ER Cost:            7,802.80                       80,471.17
-----+
  
```

Enter data and press <Enter>, to recalculate the Employer Cost to the Office.

```

=====
District: 63                SUMMARY OF EMPLOYER COST                Fiscal Year: 08
-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
SSN:                Principal                Class: REGULAR CERTIFICATED
Last:                First:                Mi:                Status: EMPLOYEE
-----|-----|-----|-----|-----|-----|-----|-----|-----|
PayCal:RCERT1      Earn Cy Fq: 12 Ben Cy FQ: 13 DNP: N Ret Sys: 01
-----|-----|-----|-----|-----|-----|-----|-----|-----|
Total Base Salary:  Current Regular Cycle      Fiscal Year
                    7,710.00                92,520.00
-----|-----|-----|-----|-----|-----|-----|-----|-----|
Ret/ARS:           636.08 S                7,632.96 S
FICA:              .00                .00
Medicare:         111.80                1,341.60
WComp:           168.85                2,026.20
SUI:              3.86                46.32
HW:              731.61                8,779.32
-----|-----|-----|-----|-----|-----|-----|-----|-----|
Total ER Benefits: 1,652.20                19,826.40
Total ER Cost:     9,362.20                112,346.40
=====
  
```

Enter data and press <Enter>, to recalculate the Employer Cost to the Office.

```

=====+
District: 63                SUMMARY OF EMPLOYER COST                Fiscal Year: 08
-----+-----|-----
SSN:                      Special Education Teacher                Class: REGULAR CERTIFICATED
Last:                     First:                                Mi:      Status: EMPLOYEE
-----+-----+-----
PayCal:RCERT1            Earn Cy Fq: 13 Ben Cy FQ: 13 DNP: N Ret Sys: 01
-----+-----+-----
Total Base Salary:      Current Regular Cycle                Fiscal Year
                        5,113.80                                51,138.00
Ret/ARS:                421.89 S                                4,218.90 S
FICA:                   .00                                    .00
Medicare:               71.27                                719.27
WComp:                  111.99                                1,119.90
SUI:                    2.46                                  24.78
HW:                     1,233.21                              14,798.52
Total ER Benefits:     1,840.82                                20,881.37
Total ER Cost:         6,954.62                                72,019.37
=====+
  
```

Enter data and press <Enter>, to recalculate the Employer Cost to the Office.

WINDSOR UNIFIED SCHOOL DISTRICT
 CERTIFICATED ADMINISTRATIVE SALARY SCHEDULE
 2007-2008

Position	Work Year	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Asst. Superintendent - H/R	225 days	95,310	98,168	101,114	104,146	107,272	108,880	110,512
Director of Educational Services	212 days	86,681	89,281	91,961	94,721	97,561	99,023	100,508
Director of Alternative Education	205 days	79,791	82,185	84,649	87,190	89,805	91,153	92,520
Director of Special Education	205 days	79,791	82,185	84,649	87,190	89,805	91,153	92,520
Principal*								
High School	222 days	90,772	93,493	96,298	99,187	102,164	103,695	105,250
Middle School/Charter	210 days	85,415	87,978	90,617	93,336	96,135	97,578	99,042
Elementary	205 days	79,791	82,185	84,649	87,190	89,805	91,153	92,520
Assistant Principal								
High School	210 days	79,643	82,032	84,493	87,029	89,639	90,984	92,349
Middle School/Charter	203 days	73,621	75,829	78,104	80,448	82,859	84,103	85,364
Psychologist	200 days	68,019	70,062	72,161	74,328	76,557	77,706	78,872

Administrative Benefits:

Members of the Administrative Management employee group who retire after ten (10) years of full-time administrative service with the District and are at least fifty-five (55) years old are eligible for 80% District-paid individual and spouse health benefits (medical, dental and vision) for a maximum of five years or until the age of 65, whichever is earlier. For the purpose of calculating full-time service, members of the Administrative Management employee group must be employed at least 75% full-time equivalent or greater in a District management position during a school year in order to be credited with a full year of service.

Annual stipends of \$1000 shall be paid for the following: each relevant master's degree(s), doctoral degree(s) or National Board Certification. An annual stipend of \$800 shall be paid for demonstrated bilingual skills as defined by District standards. The Superintendent shall determine those administrators who shall be available by cellular telephone during all work hours, and those administrators shall receive a monthly cellular telephone allowance of \$45.00.

Certificated administrators working in excess of 211 days or more shall accrue 12 days of sick leave per year. The remaining certificated administrators shall accrue 11 days of sick leave per year.

Board Approved May 1, 2007

Certificated Administrative 0708

WINDSOR UNIFIED SCHOOL DISTRICT
CERTIFICATED SALARY SCHEDULE
FISCAL YEAR 2007/2008

STEP	AB - LESS THAN 45	AB - 45+ UNITS	AB - 60+ UNITS	AB - 75+ UNITS
1	\$41,740.00	\$42,178.00	\$42,616.00	\$43,562.00
2	\$42,178.00	\$42,616.00	\$43,562.00	\$45,457.00
3	\$42,616.00	\$43,562.00	\$45,457.00	\$47,352.00
4	\$43,562.00	\$45,457.00	\$47,352.00	\$49,245.00
5	\$45,457.00	\$47,352.00	\$49,245.00	\$51,138.00
6	\$47,352.00	\$49,245.00	\$51,138.00	\$53,032.00
7	\$49,245.00	\$51,138.00	\$53,032.00	\$54,927.00
8	\$51,138.00	\$53,032.00	\$54,927.00	\$56,823.00
9	\$53,032.00	\$54,927.00	\$56,823.00	\$58,715.00
10	\$54,927.00	\$56,823.00	\$58,715.00	\$60,609.00
11	\$56,823.00	\$58,715.00	\$60,609.00	\$62,502.00
12	\$58,715.00	\$60,609.00	\$62,502.00	\$64,396.00
13	\$59,473.00	\$61,368.00	\$63,261.00	\$65,153.00
14	\$60,231.00	\$62,124.00	\$64,019.00	\$65,912.00
15	\$60,988.00	\$62,882.00	\$64,777.00	\$66,670.00
16	\$61,745.00	\$63,641.00	\$65,534.00	\$67,428.00
17	\$62,502.00	\$64,399.00	\$66,292.00	\$68,186.00
18	\$63,261.00	\$65,153.00	\$67,050.00	\$68,943.00
19	\$64,019.00	\$65,912.00	\$67,806.00	\$69,702.00
20	\$64,775.00	\$66,670.00	\$68,564.00	\$70,458.00
21	\$65,534.00	\$67,428.00	\$69,322.00	\$71,215.00
22	\$66,292.00	\$68,186.00	\$70,079.00	\$71,974.00
23	\$67,050.00	\$68,943.00	\$70,836.00	\$72,730.00
24	\$67,806.00	\$69,702.00	\$71,596.00	\$73,489.00

Effective 07/01/06, annual stipends of \$1000.00 shall be paid for each of the following: each master's degree(s), doctoral degree and National Board Certification. An annual stipend of \$800.00 shall be paid for demonstrated bilingual skills (as defined by BCLAD Certification) and special education assignment.

This salary schedule is based on 180 instructional days, 3 work days and 3 staff development days for a total of 186 days. Participation in Staff Development Days is mandatory.

Board Approved: May 1, 2007

DECLARATION

I, Fan Goodman, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Roseland School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 3, 2012, at Santa Rosa, California.
Date *City*

[Handwritten Signature]
Signature

Fan Goodman
Print Name

fgoodman@Roselandsd.org
E-mail Address

(707) 545-0100
Phone Number

SELPA: _____ Date: 8-8-08
 District: ROSELAND
 Person Completing Survey: LAURA SOUZA (IAN GOODMAN - psychologist)
 Title: COORDINATOR OF SPECIAL EDUCATION
 Phone Number(s): 707-545-0102 x220
 Email Address: lsouza@roselandsd.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. Admin Psych	a. 14
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. Admin Psych	b. 12
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g.	g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. Psychologist Admin	3. 5 0.5

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?</p> <p>a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. \emptyset</p> <p>4a.</p>
---	---

Case #: ___ (use OAH filing number)

	Position	# of Hours
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	5.	5. n/a
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	6. a. b. c.	6. n/a
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	7. a. b. c.	7. n/a
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	8. a. b. c.	8. n/a

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 hr.

Thank you for taking the time to complete this survey.

DECLARATION

I, RHONDA BELLMER, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Superintendent/Principal
Title of Position
by West Side Union Elementary
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 14, 2012, at Healdsburg, California.
Date *City*

Rhonda Bellmer
Signature

RHONDA BELLMER
Print Name

rbellmer@westsideusd.org
E-mail Address

707 433-3923 x12
Phone Number

Sonomar County

SELPA: _____ Date: 1-31-08
 District: West Side Union Elementary 49-71001
 Person Completing Survey: Rhonda Bellmer
 Title: Supt./Principa
 Phone Number(s): 707 433-3923
 Email Address: rbellmer@westsideusd.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

2

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a.	
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.	
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.	
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.	
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.	
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.	
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g.	
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		
	3.	

District 2

00334.00100/55828.1

West Side

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. 4a.</p>
---	------------------------------------

Case #: ___ (use OAH filing number)

	Position	# of Hours
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5.</p>	<p>5.</p>
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6. a. b. c.</p>	<p>6.</p>
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7. a. b. c.</p>	<p>7. a. b. c.</p>
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8. a. b. c.</p>	<p>8. a. b. c.</p>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black-out all personally identifiable student information.

Please indicate the amount of time it took to complete this document:

Thank you for taking the time to complete this survey.

DECLARATION

I, Carolyn Coyman, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Student Services
Title of Position
by Old Adobe District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 3, 2012, at Petaluma, California.
Date *City*

Carolyn Coyman
Signature

Carolyn Coyman
Print Name

ccoyma@oldadobe.org
E-mail Address

707-765-4316
Phone Number

SELPA: SNOWMA Date: 1-13-08
 District: Ad Adshor
 Person Completing Survey: Arden Lyman
 Title: Director
 Phone Number(s): 707-745-4819
 Email Address: arlyman@stadaaa.org

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. <u>0</u></p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2.</p> <p>a.</p> <p>b.</p> <p>c.</p> <p>d.</p> <p>e.</p> <p>f.</p> <p>g.</p>	<p>2.</p> <p>a.</p> <p>b.</p> <p>c.</p> <p>d.</p> <p>e.</p> <p>f.</p> <p>g.</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3.</p>	<p>3. <u>0</u></p>

Ad Adshor

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a.

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	5.
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. a. b. c.	6.
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. a. b. c.	7. a. b. c.
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. a. b. c.	8. a. b. c.

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: *10 minutes*

Thank you for taking the time to complete this survey.

DECLARATION

I, Heidi Adler, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Program Manager
by Rincon Valley Union School District.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Santa Rosa, California.
Date *City*


Signature

Heidi Adler
Print Name

hadler@anovaeducation.org
E-mail Address

707-527-0183
Phone Number

SELPA: _____ Date: 2/1/08
 District: Kingston Valley Union School District
 Person Completing Survey: Heidi Adlen
 Title: Program Mgr.
 Phone Number(s): 707-542-7375
 Email Address: hadlen@rvusd.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. a. <input type="checkbox"/> b. <input type="checkbox"/> c. <input type="checkbox"/> d. <input type="checkbox"/> e. <input type="checkbox"/> f. <input type="checkbox"/> g. <input type="checkbox"/>	2. a. <input type="checkbox"/> b. <input type="checkbox"/> c. <input type="checkbox"/> d. <input type="checkbox"/> e. <input type="checkbox"/> f. <input type="checkbox"/> g. <input type="checkbox"/>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <input type="checkbox"/>	3. <input type="checkbox"/>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. ~~0~~

4a.

Case #: ___ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. N/A	5. N/A
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6.	6.
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7.	7.
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8.	8.

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Calhoun 1 Special ed records
 Please indicate the amount of time it took to complete this document: *30 minutes*

Thank you for taking the time to complete this survey.

DECLARATION

I, Nanci Mathison, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Student Services
Title of Position
by Sonoma Valley Unified School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1/12, 2012, at Sonoma, California.
Date *City*

Nanci B Mathison
Signature

Nanci B. Mathison
Print Name

nmathiso@sonomavly.k12.ca.us
E-mail Address

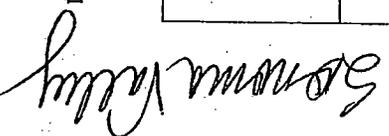
(707) 935-6004
Phone Number

SELPA: Sonoma County Date: 1/24/08
 District: Sonoma Valley Unified
 Person Completing Survey: Nanci B. Mathison
 Title: Director of Student Services
 Phone Number(s): (707) 935-6004
 Email Address: nmathiso@sonomavly.k12.ca.us

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1.0
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2. 0	2. 0
a. Performing emergency behavioral interventions.	a. 0	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0	c. 0.
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0	f. 0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. 0	g. 0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. 0	3. 0

District 2

00334.00100/55828.1



4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. 0 4a. 0
--	-------------------

Case #: ___ (use OAH filing number) None

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. 0	5. 0
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. 0 a. b. c.	6. 0 a. b. c.
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. 0 a. b. c.	7. 0 a. b. c.
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. 0 a. b. c.	8. 0 a. b. c.

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities -- such as developing FAAs, PBIPs or attending IEP team meetings -- please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0	None	0	0	\$ 0
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level. **None Listed**

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: *30 minutes*

Thank you for taking the time to complete this survey.

DECLARATION

I, Marlene Fisher, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Sp Ed. Coordinator
by Belleve Union School District.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Santa Rosa, California.
Date *City*

Marlene M. Fisher
Signature

Marlene M. Fisher
Print Name

mfisher@bellevueusd.org
E-mail Address

707-542-5197 ext. 7
Phone Number

SELPA: _____ Date: _____
 District: Bellvue
 Person Completing Survey: Martine Fishler
 Title: SEL Coordinator
 Phone Number(s): 541 0174
 Email Address: mfisher@selcde.org mfisher@bellvueusd.org

	Position	# of Hours
1 How many Behavioral Emergency Reports were completed by staff in 2006-07?	1	0
2 How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours		
a. Performing emergency behavioral interventions	a	
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions	b	
c. Completing a "Behavioral Emergency Report" for file, forwarding copy to administrator for review	c	
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP	d	
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency	e	
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE	f	
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA	g	
3 How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3	0

4 How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? **4**

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. **4a**

Case # _____ (use OAH filing number)

	Position	# of Hours
5 For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5	5
6 For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6	6
7 For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7	7
8 For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8	8

9 If the district employed attorneys or other independent contractors for due process or Hughes Bill activities such as developing FAAs, PBIPs or attending IEP team meetings - please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$ 0
				\$
				\$
				\$
				\$
				\$
				\$

10 For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

N/A

Please Note: Please indicate the source(s) of the information provided above. Examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: *10 minutes*

Thank you for taking the time to complete this survey.

DECLARATION

I, Jan Erickson, Ed.D., hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Special Ed. Coordinator
by Healdsburg Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/13/12, 2012, at sonoma, California.
Date *City*

Jan Erickson, Ed.D.
Signature

Jan Erickson, Ed.D.
Print Name

janee72@comcast.net
E-mail Address

707 888 2154
Phone Number

SELPA: _____ Date: 1/25/08
 District: Clovis
 Person Completing Survey: Jan Erickson
 Title: Sp. Ed. Coord.
 Phone Number(s): 894 1921
 Email Address: Erickson, Admin, cUSD, org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	1. <input checked="" type="checkbox"/>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2.
a. Performing emergency behavioral interventions.	a.
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b.
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c.
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d.
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e.
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f.
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g.
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.

District 2

00334.00100/55828.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4.
 4a.

Case #: 2 (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5.	5.
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. a. b. c.	6.
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. a. b. c.	7. a. b. c.
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. a. b. c.	8. a. b. c.

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document:

Thank you for taking the time to complete this survey.

DECLARATION

I, KATHRYN DAVY, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a DIRECTOR, SPEC. ED CONSORTIUM
by West County Union High School District
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1, 2012, at Sebastopol, California.
Date *City*

Kathryn Davy
Signature

Kathryn Davy
Print Name

kdavy.do@wscuhsd.k12.ca.us
E-mail Address

707 824 7911
Phone Number

SELPA: _____ Date: 1/28/08
 Districts: West County Consortium Forestville, Ft Ross, Guerneville, Harmony, M. Rio, Mendocino
 Person Completing Survey: KATHRYN DAVY
 Title: Director Olive Grove, Sebastopol, Thrills.
 Phone Number(s): 824-6403 x20
 Email Address: kdavy@analy.org

1 How many Behavioral Emergency Reports were completed by staff in 2006-07? 1

	Position	# of Hours
2 How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours		
a Performing emergency behavioral interventions:	a Teacher	2
b Notifying parent and/or residential care providers within one school day of use of emergency interventions	b Teacher	2
c Completing a "Behavioral Emergency Report" for file, forwarding copy to administrator for review	c Administrator	2
d Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP	d Administrator	2
e Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency	e Administrator	4
f Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE	f Administrator	2
g Reviewing "Behavioral Emergency Reports" and forwarding to SELPA	g	
3 How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		3

Mike VINE

4 How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 0

Case # _____ (use OAH filing number)

	Position	# of Hours
5		
5		
6		
6		
7		
7		
8		
8		

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities such as developing FAAs, PBIPs or attending IEP team meetings - please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above, examples might include calendars, datebooks, day planners etc. Please include copies of mediator agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document:

2 Hours

Thank you for taking the time to complete this survey.

District #

003340010035828

C R P U S D

SELPA: _____ Date: _____
 District: _____
 Person Completing Survey: _____
 Title: _____
 Phone Number(s): _____
 Email Address: _____

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>	<p>1. 0</p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2. 2. 0</p> <p>a. 8</p> <p>b. 0</p> <p>c. 0</p> <p>d. 2</p> <p>e. 0</p> <p>f. 0</p> <p>g. 3 (NPS)</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. 3</p> <p>Dir Sp Ed</p>

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?</p> <p>a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4.</p> <p>4a.</p> <p>0</p> <p>0</p>
---	--

Case #: ___ (use OAH filing number)

N/A

	Position	# of Hours
<p>5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?</p>	<p>5.</p>	<p>5.</p> <p>—</p>
<p>6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?</p>	<p>6.</p> <p>a.</p> <p>b.</p> <p>c.</p>	<p>6.</p> <p>—</p>
<p>7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?</p>	<p>7.</p> <p>a.</p> <p>b.</p> <p>c.</p>	<p>7.</p> <p>a.</p> <p>b.</p> <p>c.</p> <p>—</p>
<p>8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?</p>	<p>8.</p> <p>a.</p> <p>b.</p> <p>c.</p>	<p>8.</p> <p>a.</p> <p>b.</p> <p>c.</p> <p>—</p>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: . 50

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Mary Ann Carpenter Ph.D. hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Specialist
by Sonoma County SELPA
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/2/2012, 2012, at Santa Rosa, California.
Date *City*

Mary Ann Carpenter
Signature

Mary Ann Carpenter, Ph.D.
Print Name

mcarpenter@oldadobe.org
E-mail Address

(707) 765-4319
Phone Number

CRPUSW

SELPA: Sonoma County Date: 2-01-08
 School District (if serving multiple districts, list all): Catli - Redner Park
 Name of BICM Completing Survey: Mary Ann Carpenter
 Title: Behavior Specialist
 Phone Number(s): 707-524-2952
 Email Address: mcarpenter@sonomaselpa.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="text" value="1"/></p> <p>1b. <input type="text" value="0"/></p> <p>1c. <input type="text" value="1"/></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <input type="text" value="0"/></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <input type="text" value="0"/></p> <p>3b. <input type="text" value="0"/></p> <p>3c. <input type="text" value="0"/></p> <p>3d. <input type="text" value="0"/></p> <p>3e. <input type="text" value="0"/></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <input type="radio"/></p> <p>4b. <input type="radio"/></p> <p>4c. <input type="radio"/></p> <p>4d. <input type="radio"/></p> <p>4e. <input type="radio"/></p> <p>4f. <input type="radio"/></p> <p>4g. <input type="radio"/></p> <p>4h. <input type="radio"/></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <input type="radio"/></p> <p>5b. <input type="radio"/></p> <p>5c. <input type="radio"/></p> <p>5d. <input type="radio"/></p> <p>5e. <input type="radio"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <input type="radio"/> 3</p> <p>6b. <input type="radio"/></p> <p>6c. <input type="radio"/> 5</p> <p>6d. <input type="radio"/> 2</p> <p>6e. <input type="radio"/> 6</p> <p>6f. <input type="radio"/></p> <p>6g. <input type="radio"/> 16</p> <p>6h. <input type="radio"/> 16</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 1
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	—	—	—
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Sp Ed Teacher Regular Ed Teacher Elem. Principal	5 30 10	2 2 2

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
8	a.
0	b.
0	c.
0	d.
0	e.
0	f.
X case	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendar
- IEP documents
- Revised PBIPs

Please indicate the time it took for you to complete this survey: 2

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Tan Goodman hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Roseland School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5.3, 2012, at Santa Rosa, California.
Date *City*

Tan Goodman
Signature

Tan Goodman
Print Name

igoodman@roselandsd.org
E-mail Address

707-545-0100
Phone Number

SELPA: _____ Date: 1-24-08
 School District (if serving multiple districts, list all): ROSELAND
 Name of BICM Completing Survey: IAN GOODMAN
 Title: School Psychologist
 Phone Number(s): 546-7050 x 146, 545-0100
 Email Address: igoodman@roselandsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 0 1b. 1 1c. 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0 scores</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 30 min 3b. 20 hours 3c. 2 hours 3d. 22 hours 3e. 22 hours</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4 hours 4b. 4 hours 4c. 3 hours 4d. 1 hour 4e. 0 4f. 30 min. 4g. 12 1/2 4h. 12 1/2</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 0 6d. 0 6e. 0 6f. 0 6g. 0 6h. 0</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. 0 b. 2 c. 0 d. 0 e. 0 f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____ *Please refer to FAA sections 1 through 4*
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

DECLARATION

I, WILLIAM HENKEL, hereby declare as follows:
Print Name

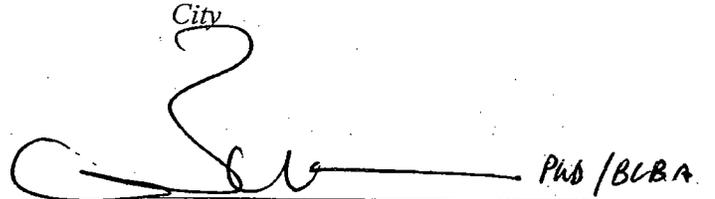
1. In the 2007-2008 school year, I was employed as a BEHAVIOR ANALYST
Title of Position
by SANTA ROSA CITY SCHOOLS AS AN OUTSIDE NPA CONTRACTOR.
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3/2012, 2012, at SANTA ROSA, California.
Date City


Signature PWB/BCBA

WILLIAM HENKEL
Print Name

whenkel@anovaeducation.org
E-mail Address

707 527-7032
Phone Number

SELPA: _____ Date: 1/26/08
 School District (if serving multiple districts, list all): SANTA ROSA CITY SCHOOLS
 Name of BICM Completing Survey: WILLIAM HEUERTEL, PhD, BCBA FOR ANOVA (NDA)
 Title: EXECUTIVE DIRECTOR AND SENIOR BEHAVIOR ANALYST, ANOVA EDUCATION & BEHAVIOR CONSULTATION
 Phone Number(s): 707 521 7032
 Email Address: *whuerkel@anovaeducation.org*.

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 26 1b. 13 1c. 13</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 3</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. 6.5 3b. 130 3c. 52 3d. 188.5 3e. 14.5</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 52 4b. 26 4c. 195 4d. 195 4e. 23 4f. 130 4g. 621 4h. 48</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 260 5c. 0 5d. 260 5e. 20</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 26 6b. 52 6c. 260 6d. 260 6e. 26 6f. 130 6g. 754 6h. 58</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. ~~20~~ 5
 7b. 3
 7c. 18

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	TS A	26	13
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	TS A	10	5
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	TS A	30,420	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a. 26	
b. 10	
c. 26	
d. 6	
e. 6	
f. 2	
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- DAY PLANNERS
- TIME SHEETS
- CASE LISTS

Please indicate the time it took for you to complete this survey: 5

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kathleen Merrill, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Specialist
Title of Position
by Sonoma County SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-30, 2012, at Santa Rosa, California.
Date City

Kathleen A. Merrill
Signature

Kathleen A. Merrill
Print Name

kmerrill@sonomaselpa.org
E-mail Address

707-524-2747
Phone Number

SELPA: _____ Date: 01/31/08
 School District (if serving multiple districts, list all): Windsor Unified
 Name of BICM Completing Survey: _____
 Title: Kathie Merrill
 Phone Number(s): (707) 522-3147
 Email Address: kmerrill@sonomaselpa.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 1 1b. 1 1c. 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 1</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. .5 3b. 15 3c. 2 3d. 17.5 3e. 17.5</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 2 4b. 4 4c. 5 4d. 3 4e. 1 4f. 1 4g. 16 4h. 16</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 0 6d. 0 6e. 0 6f. 0 6g. 0 6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Teacher Paraeducator Psychologist Special Ed Director Parent Principal Special Ed Teacher	3	1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Teacher Paraeducator Special Ed Teacher	72.5	0

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. 0
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Student File
- Interview with Teachers, Parent
- Student data sheets
- Student work samples
- BICM day planner

Please indicate the time it took for you to complete this survey: 2 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Mary Ann Carpenter, Ph.D. hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Specialist
Title of Position
by Sonoma County SELPA
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 3/2/2012, 2012, at Santa Rosa, California.
Date *City*

Mary Ann Carpenter, Ph.D.
Signature

Mary Ann Carpenter, Ph.D.
Print Name

mcarpenter@oldadobe.org
E-mail Address

(707) 765-4319
Phone Number

Sonoma County

SELPA: Sonoma Date: 1-10-08
 School District (if serving multiple districts, list all): Old Adobe
 Name of BICM Completing Survey: Mary Ann Carpenter, Ph.D.
 Title: Behavior Specialist
 Phone Number(s): (707) 524-2952
 Email Address: macarpenter@sonomaselpa.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b.</p> <p>1c.</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a.</p> <p>3b. <u>n/a</u></p> <p>3c.</p> <p>3d.</p> <p>3e.</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4b. 4c. 4d. 4e. 4f. 4g. 4h.</p> <p style="text-align: center;"><i>NA</i></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 5b. 5c. 5d. 5e.</p> <p style="text-align: center;"><i>NA</i></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p> <p style="text-align: center;"><i>NONE</i></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting;
- Number of students requiring 2 IEP team meetings;
- Number of students requiring 3 or more IEP team meetings.

Note that the total of 7a, 7b and 7c should equal your answer in 1a. (all the students you served who had PBIPs).

7a. *None*
 7b.
 7c.

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time?</u> List by district and position, and show the number of IEP team meetings the hours represent.	<i>Old Adobe</i>	<i>0</i>	
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when the student had a preexisting PBIP?</u> List by district and position, and show the number of IEP team meetings the hours represent.	<i>''</i>	<i>0</i>	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<i>''</i>	<i>0</i>	

BICM 4

00334.00100/55828.1

DECLARATION

I, RHONDA BELLMER, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Superintendent / Principal
Title of Position
by West Side Union Elementary
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 14, 2012, at Healdsburg, California.
Date *City*

Rhonda Bellmer
Signature

RHONDA BELLMER
Print Name

rbellmer@westsideusd.org
E-mail Address

707 433-3923 x 12
Phone Number

Sonoma County

SELPA: _____ Date: 1-31-08

School District (if serving multiple districts, list all): West Side Union Elementary 49-71001

Name of BICM Completing Survey: Phond-Bellmer

Title: Superintendent/Principal

Phone Number(s): 707 433-3923

Email Address: rbellmer@westsidesd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b.</p> <p>1c.</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2.</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a.</p> <p>3b.</p> <p>3c.</p> <p>3d.</p> <p>3e.</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4b. 4c. 4d. 4e. 4f. 4g. 4h.</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 5b. 5c. 5d. 5e.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p>

BICM 3

00334.00100/55828.1

	7a.	7b.	7c.
<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>			
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when it was discussed for the first time</u>? List by district and position, and show the number of IEP team meetings the hours represent.</p>	District/Position	# of Hrs	# IEP Migs
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) <u>when the student had a preexisting PBIP</u>? List by district and position, and show the number of IEP team meetings the hours represent.</p>			
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>			

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kathleen Olmsted, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Assistant Principal
Title of Position
by Forestville Union School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Petaluma, California.
Date *City*

Kathleen Olmsted
Signature

Kathleen Olmsted
Print Name

KOlmsted@pet.k12.ca.us
E-mail Address

707-778-4710
Phone Number

2 Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting

a. Number of students requiring 1 IEP team meeting.

b. Number of students requiring 2 IEP team meetings.

c. Number of students requiring 3 or more IEP team meetings.

Note: that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs)

7a
 7b
 7c

	District/Position	# of Hrs	# IEP Met
3 How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent		0	0
2 How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent		0	0
2 How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position		0	
		0 # of Hours	

BICM /

08/15/2012 11:40 AM

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): *W-1941-85d*
 Name of BICM Completing Survey: *for B.11 Huntley Act Hwy, 1/6*
 Title: *school psychologist*
 Phone Number(s): *571-7754 x143*
 Email Address: *ahuyi16@wvynhisd.org*

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. / 1b. / 1c. 0</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. 0 3b. 9 3c. 3 3d. 12 3e. 2</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. / 2 4b. 3 4c. 0 4d. 0 4e. 0 4f. 0 4g. / 5 4h. / 5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 5c. 5d. 5e.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	D		
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	D		
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	D		

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. <input checked="" type="radio"/> b. <input type="radio"/> c. <input type="radio"/> d. <input type="radio"/> e. <input type="radio"/> f. <input type="radio"/>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Annex Invoice # 18-486 dated 3-19-07

Please indicate the time it took for you to complete this survey: *60 minutes*

Thank you very much for taking the time to complete this survey.

SELPA: _____ Date: 2/1/08
 School District (if serving multiple districts, list all): SDCIE
 Name of BICM Completing Survey: Melinda C. Susan
 Title: School Principal
 Phone Number(s): 707-534-2818
 Email Address: msusan@scie.org

Sonoma County Office of Education

Judy M

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 9 1b. 1 1c. 8</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 5</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 20 3b. 20 3c. 5 3d. 5 3e. 25</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

SCIE

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 3 hours 4b. 5 hours 4c. 5 hours 4d. 5 hours 4e. 1 hour 4f. 11 hours 4g. 20 4h. 20</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 1 5b. 1 5c. 1 5d. 3 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 1 6b. 1 6c. 1 6d. 1 6e. 1 6f. 1 6g. 1 6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.
 7b.
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	SCOE / Principal Mentor / non-BICM SCOE / Teacher Ortiz / Special Ed Director SCOE / Counselor SCOE / NVSC SCOE / Ment. Sp. Advisor	4	2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11.</p> <p>a. <input checked="" type="radio"/></p> <p>b. <input checked="" type="radio"/></p> <p>c. <input checked="" type="radio"/></p> <p>d. <input checked="" type="radio"/></p> <p>e. <input checked="" type="radio"/></p> <p>f. <input checked="" type="radio"/></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <i>None The one student had Medical Mental Health.</i></p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Municipal School District Program
Just Signa Newsletter, Behavior Specialist

Please indicate the time it took for you to complete this survey: *1.5 hours*

Thank you very much for taking the time to complete this survey.

SELPA: _____ Date: 1/24/08
 School District (if serving multiple districts, list all): ELICORN VALLEY USD
 Name of BICM Completing Survey: WILLIAM HENRIKEL, PhD, GCBA FOR ANOVA INC. (NPA)
 Title: EXECUTIVE DIRECTOR / SENIOR BEHAVIOR ANALYST
 Phone Number(s): 707 527 7032
 Email Address: whenkel@anovaeducation.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 10 1b. 7 1c. 3</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 3</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 3.5 3b. 70 3c. 28 3d. 101.5 3e. 14.5</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 28 4b. 14 4c. 105 4d. 105 4e. 12 4f. 70 4g. 334 4h. 48</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 1 5b. 140 5c. 1 5d. 140 5e. 20</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 14 6b. 28 6c. 140 6d. 140 6e. 14 6f. 70 6g. 406 6h. 58</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- a. Number of students requiring 1 IEP team meeting:
- b. Number of students requiring 2 IEP team meetings:
- c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 3
 7b. 2
 7c. 5

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	TS4	10	5
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	TS4	4	2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	TS4	9,160	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 40
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 20
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 20
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 12
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 6
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 2
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- DAY PLANNERS
- TIME SHEETS
- CASE LISTS.

Please indicate the time it took for you to complete this survey: 3

Thank you very much for taking the time to complete this survey.

South County

SELPA

DECLARATION

I, Penny Valentine, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Senior Director
Title of Position
by South County SELPA San Diego COE
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at San Rafael, California.
Date *City*

Penny Valentine
Signature

Penny Valentine
Print Name

pvalentine@marin.k12.ca.us
E-mail Address

415-499-5450
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at mmlenahan@gmail.com.

SELPA: South County SELPA San Diego

Date: February 6, 2008

Person Completing Survey: Penny Valentine

Title: Senior Director

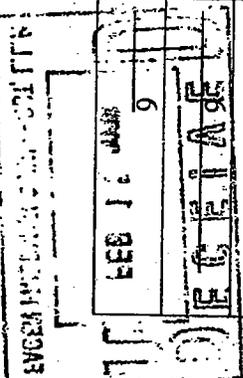
Phone Number(s): 619-470-5224

Email Address: pvalentine@sdcoc.net

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	39
2. How many BICM surveys have been returned to you?	39
3. If not all BICM surveys have been returned, please indicate reason.	
4. How many districts are in your SELPA?	
5. How many district level surveys have been returned to you?	6



SELPA 1

00334.00100/55274.1

6. If not all district surveys have been returned, please indicate reason. Still Waiting on the COE
 I forgot to send it to the County Office for all of the Court and Community Schools. I will send that separately

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? 1994 b. What is the basis for your estimate? Calendar, meeting minutes	7. SELPA Director	7. 6
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? 1994 b. What is the basis for your estimate? minutes	8. SELPA Director	8. 1
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? 1998 b. What is the basis for your estimate? calendar c. How often does your SELPA do this? As needed	9. SELPA Director	9. 4

10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?
 a. What year did this occur? 1998
 b. What is the basis for your estimate? Minutes
 c. How often does your SELPA do this? As Needed

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
10.	SELPA Director	1
11.	SELPA Director	16
12.		0

	Position	# of Hours
13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? Alternate years 07-08 d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	13. _____ _____ _____	13. 0 _____ _____
14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? Alternate Years 07-08 d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	14. _____ _____ _____	14. 0 _____ _____
Note: If #13 and #14 are the same in your SELPA, do not duplicate count.		
15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)? a. What year did this occur? 2005 b. What is the basis for your estimate? calendar	15. _____ _____ _____	15. _____ _____ _____
16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers? a. What year did this occur? 2005 b. What is the basis for your estimate? flyer c. How often does your SELPA do this? Alternate years	16. presenter _____ _____	16. 8 _____ _____

SELPA 4

00334.00100/55274.1

	Position	# of Hours
<p>17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PRIP implementers?</p> <p>a. What year did this occur? <u>2005</u></p> <p>b. What is the basis for your estimate? <u>notes</u></p> <p>c. How often does your SELPA do this? <u>As requested by districts</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>_____</p>	<p>17. SELPA Program Specialist/ Coordinator</p>	<p>17. _____ _____ _____</p>
<p>18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?</p> <p>a. What year did this occur? <u>2006</u></p> <p>b. What is the basis for your estimate? <u>notes</u></p>	<p>18. SELPA Program Specialist/Coordinator</p>	<p>18. 8 _____ _____</p>
<p>19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>2006</u></p> <p>b. What is the basis for your estimate? <u>notes</u></p> <p>c. How often does your SELPA do this? <u>As requested</u></p>	<p>19. Coordinator</p>	<p>19. 6.5 _____ _____</p>
<p>20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?</p> <p>a. What year did this occur? <u>2006</u></p> <p>b. What is the basis for your estimate? <u>flyer</u></p> <p>c. How often does your SELPA do this? <u>As requested</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p>	<p>20. Program Specialist/ Coordinator</p>	<p>20. 6.5 _____ _____</p>

SELPA 5

00394.00100/55274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

	# Attg.	District/Position	# of Hours
22.	22.	22.	22.
			0

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

23.	23.	23.	23.
			0

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

24.	24.	24.	24.
		SELPA Director	6.5

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ _____
 a. Is this figure typical of annual costs and for how long has it been typical? _____
 b. If not, what have you typically done? _____
 c. What do you intend to do in the future? _____

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. Coordinator _____ _____ _____	26. 2 _____ _____ _____
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. _____ _____ _____	27. 0 _____ _____

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 6 hrs including follow up from Districts plus 1 hour Admin Ast. Time for preparing compensation worksheets

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Ronald A. Lopez, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Spec Ed
by Sweetwater UNSD
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Chula Vista, California.
Date *City*



Signature

Ronald A. Lopez

Print Name

ronald.lopez@sweetwaterschools.org

E-mail Address

619-796-7550

Phone Number

Distinct

Date: 2/1/08

SELPA: SOUTH COUNTY (San Diego County)
 District: Sweetwater VHS SD
 Person completing survey: Reneida A. Lopez
 Title: Director, Special Services
 Phone Number(s): 619-420-2415
 Email Address: reneid.lopez@svhsd.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 3

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	a. _____	a. <u>3.0</u>
	b. _____	b. <u>.5</u>
	c. _____	c. <u>1.0</u>
	d. _____	d. <u>2.0</u>
	e. _____	e. <u>.5</u>
	f. _____	f. <u>.5</u>
	g. _____	g. <u>0</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Program Mgr.</u>	3. <u>1.0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. N/A

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>N/A</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ _____ _____	6. <u>N/A</u> _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ _____ _____	7. <u>N/A</u> _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. <u>N/A</u> a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	NA			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 Hour

Thank you for taking the time to complete this survey.

DECLARATION

I, NITZA Corrales, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by San Ysidro School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at San Ysidro, California.
Date *City*


Signature

Nitza Corrales
Print Name

nitza@sysd.k12.ca.us
E-mail Address

(619) 428-4476 x 3663
Phone Number

Date: 2-8-08

SELPA: South County
 District: San Gabriel School District
 Person completing survey: Nita Divalos
 Title: School Psychologist
 Phone Number(s): (916) 428-4471 x3088
 Email Address: nita.divalos@csdmail.com, nvalos@syed.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	a. <u>School Psych.</u>	a. <u>4</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>School Psych.</u>	b. <u>3</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>School Psych.</u>	c. <u>3</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>School Psych.</u>	d. <u>3</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>School Psych.</u>	e. <u>3</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>School Psych.</u>	f. <u>3</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. <u>School Psych.</u>	g. <u>1</u>
3. How much total actual time was spent by which positions in 2006-07 involving school personnel or promoted behavioral interventions?	3. <u>Equivalent Services School Psychologist</u>	3. <u>10</u>

District 2

00334-0110/55274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____	5. _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>0</u> _____ _____	6. _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>0</u> _____ _____	7. _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>0</u> _____ _____	8. _____ _____

District 3

00334.00100/55274.1

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 hr

Thank you for taking the time to complete this survey.

DECLARATION

I, Katie Filzenger, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director, Special Education
by National School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at National City, California.
Date *City*

Katie Filzenger
Signature

Katie Filzenger
Print Name

katie.filzenger@national.k12.ca.us
E-mail Address

(619) 336-7750
Phone Number

SELPA: South County

Date: 1-16-08

District: National

Person completing survey: R. Firsinger

Title: Director, Sp.Ed.

Phone Number(s): 619-336-7742

Email Address: katef@sdcoe.k12.ca.us

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>		<p>1. <u>2</u></p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>Position</p> <p>2. _____</p> <p>a. <u>Teacher</u></p> <p>b. <u>Teacher / Psychologist</u></p> <p>c. <u>Psychologist</u></p> <p>d. <u>Psychologist / Teacher</u></p> <p>e. <u>"</u></p> <p>f. <u>"</u></p> <p>g. <u>Director Sp Ed & Program Specialist</u></p>	<p># of Hours</p> <p>2. _____</p> <p>a. <u>1 hr.</u></p> <p>b. <u>.5 hrs</u></p> <p>c. <u>1 hr.</u></p> <p>d. <u>2 hrs.</u></p> <p>e. <u>2 hrs.</u></p> <p>f. <u>.5 hrs.</u></p> <p>g. <u>2 hrs.</u></p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. _____</p> <p>_____</p> <p>_____</p>	<p>3. _____</p> <p>_____</p> <p>_____</p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. NA

Case #: _____ (use OAH filing number)

NA

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 hour

Thank you for taking the time to complete this survey.

DECLARATION

I, Deborah Wenbourne, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Ed
Title of Position
by Chula Vista Elementary School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 3, 2012, at Chula Vista, California.
Date *City*

Deborah Wenbourne
Signature

Deborah L. Wenbourne
Print Name

deborah.wenbourne@cvesd.org
E-mail Address

619-425-9600 x1701
Phone Number

compiled from sheet 11 on BICM form

SEI/PA: South County SEI/PA Date: 1-25-08
 District: Chula Vista Elementary
 Person completing survey: Deborah Wembourne
 Title: Director Pupil Services / Special Education
 Phone Number(s): 619 425-9600 X1760 X1701
 Email Address: deborah.wembourne@cvsed.org

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
1. <u>1</u>		<u>16</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	2. <u>Psychologist</u> <u>Beh. Specialist</u>	2. <u>21</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	a. <u>Psychologist</u>	a. <u>16</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>Psychologist</u>	c. <u>12</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>Psychologist</u>	d. <u>17.5</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>Psychologist</u>	e. <u>20</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>Psychologist</u>	f. <u>9</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SEI/PA.	g. <u>Psychologist</u>	g. <u>8.5</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>Principal</u> <u>Psychologist</u> <u>Beh. Spec</u> <u>Beh. Aides</u>	3. <u>88</u> <u>88</u> <u>88</u> <u>88</u>

CPZ trainings
 4 days x 8 hrs/mo =
 32 x 11 mo =

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1.5 hrs.

Thank you for taking the time to complete this survey.

* Behavioral Emergency Reports were completed for incidents involving aggression, self-injuries, behavior, property destruction, and elopement, but NO (zero) emergency behavioral interventions were used.

SELPA: San Diego South County SELPA
 District: Coronado Unified School District

Date: 1/25/08

Person completing survey: Allen Feidstein
 Title: Behavior Specialist
 Phone Number(s): 619 522-8932 cell 619 972-4793
 Email Address: allenfeldstein@coronado.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 22

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	-	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. But 5.5 for notifying parents of Behavior Emergency Reports by Special Ed. Teachers	Special Ed. Teacher	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	Behavior Specialist	*11 (see above)
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	Behavior Specialist	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	Vice Principal	3
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	Special Ed. Teacher	3
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	Gen. Ed. Teacher	1.5
	School Psychologist	1.5
	School Counselor	1.5
	Behavior Specialist	4
	Behavior Specialist	4
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		
		3
		0

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.
 Daily Planners, Behavioral Emergency Reports, IEP Files, Student Cum Files

Please indicate the amount of time it took to complete this document: 4 hours

Thank you for taking the time to complete this survey.

5006-07 Data Collection for Certificated Positions

Position - CORONADO UNIFIED	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	Hourly SR Benefits	Hourly H & W	Total Hourly Rate
<p>EXAMPLE: Teacher Position</p> <p>This will be for any certificated position (management and non-management) that participate in any of the attached processes.</p>	60,000.00	9,000.00	9,000.00	183	6.5	50.44	8.32	7.57	66.33
<p>This comes from the salary schedule for the position.</p> <p>STRS, PERS, Medicare, SUI, Workers comp, primary other employer paid benefits other than column G.</p> <p>This includes employer paid medical, dental, vision and life insurance.</p> <p>These are the workdays associated with the position.</p> <p>These are hours per day for the position (possibly contract) (possibly calculated and projected).</p> <p>This column is automatically calculated and projected.</p> <p>This column is automatically calculated and projected.</p> <p>This column is automatically calculated and projected.</p>									
General Ed Teacher	59,676.69	6,269.45	5,000.04	185	7.5	43.01	4.52	3.60	51.13
Special Education Teacher	55,870.31	6,372.75	5,612.48	185	7.5	40.27	4.59	4.05	48.90
Vice Principals	105,377.33	11,456.78	7,847.15	207	8	63.63	6.92	4.74	75.29
School Psychologists	54,652.75	6,244.15	4,773.15	185	7.5	39.39	4.50	3.44	47.33
School Counselor	70,584.87	8,064.58	5,323.09	185	7.5	50.87	5.81	3.84	60.52
Director of PPS	117,454.06	13,419.34	10,289.63	223	8	65.84	7.52	5.77	79.13
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
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						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

BICM

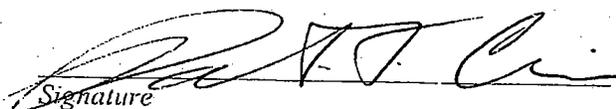
DECLARATION

I, Patrick T. Crain, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by San Diego County office of Education.
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/30, 2012, at San Diego, California.
Date City


Signature

Patrick T. Crain
Print Name

pcrain@sdcoe.net
E-mail Address

619 718-3409
Phone Number

BCM

SELPA: South County Date: 2/2/08
 School District (if serving multiple districts, list all): Juniata County + Community Schools

Name of BCM Completing Survey: Patrick Craia
 Title: School Psychologist
 Phone Number(s): 858 508 1084
 Email Address: pcraia@SDCOE.NEJ

1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.		1a. <u>5</u> 1b. <u>0</u> 1c. <u>5</u>
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?		2. <u>5</u>
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?		3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>10</u></p> <p>5b. <u>22</u></p> <p>5c. <u>10</u></p> <p>5d. <u>42</u></p> <p>5e. <u>8.4</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>10</u></p> <p>6b. <u>5</u></p> <p>6c. <u>5</u></p> <p>6d. <u>0</u></p> <p>6e. <u>5</u></p> <p>6f. <u>18</u></p> <p>6g. <u>43</u></p> <p>6h. <u>8.6</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 5
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Migs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>SCCS</u>	<u>22</u>	<u>5</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>SCCS</u>	<u>20</u>	_____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
0	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar _____

Please indicate the time it took for you to complete this survey: 1.5 _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Virginia Evans, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Chula Vista Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4, 2012, at Chula Vista, California.
Date *City*

Virginia Evans
Signature

Virginia Evans
Print Name

Virginia-evans@cvesd.org
E-mail Address

(619) 425-9600-1753
Phone Number

Return to Melby rd. No letter then use 5-14-08

SELPA: South County (San Diego) SELPA SELPA Date: 1/10/08
 School District (if serving multiple districts, list all): CHULA VISTA ELEMENTARY SCHOOL

Name of BICM Completing Survey: Virginia Hernandez
 Title: School Psychologist NCSP (Pre-School Assessment Team)
 Phone Number(s): (619) 425-0900-1709
 Email Address: Virginia.hernandez@cvsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>00</u></p> <p>3b. <u>00</u></p> <p>3c. <u>0</u></p> <p>3d. <u>00</u></p> <p>3e. <u>00</u></p>

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. _____

4b. _____

4c. _____

4d. _____

4e. _____

4f. _____

4g. _____

4h. _____

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. _____

5b. _____

5c. _____

5d. _____

5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. _____

6b. _____

6c. _____

6d. _____

6e. _____

6f. _____

6g. _____

6h. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. <u>0</u> b. <u>0</u> c. <u>0</u> d. <u>0</u> e. <u>0</u> f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 2 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Monica Tagaban, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by CVESD
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 3, 2012, at Chula Vista, California.
Date City


Signature

Monica Tagaban
Print Name

monica.tagaban@cvcsd.org
E-mail Address

619-851-1809
Phone Number

Return to Ashley M. the letter
Khan WES 7-16-08
Monica Tapaban

SELPA: Santa Clara / San Diego Date: 1/11/08
School District (if serving multiple districts, list all): WESD

Name of BICM Completing Survey: School system

Title: _____

Phone Number(s): _____

Email Address: Monica.Tapaban@WESD.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>4</u> 1b. <u>1</u> 1c. <u>3</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>1</u> 3b. <u>2</u> 3c. <u>3</u> 3d. <u>11</u> 3e. <u>11</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	Sh. Ryan	3	2
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Sh. Ryan	3	3
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Sh. Ryan	5	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>1</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>6</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>1</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>2</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>2</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>1</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 2 hr.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Robert Kelin, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Sweetwater Union High School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/10, 2012, at San Diego, California.
Date *City*

Robert Kelin
Signature

Robert KELIN, Psy D
Print Name

Robert.Kelin@Sweetwater
K-12THA schools.org
E-mail Address

619-397-2208
Phone Number

00314.00100/3438E3.1

SEIPA: South County Date: 1/11/08
 School District (if serving multiple districts, list all): South / WVA

Name of BICM Completing Survey: Rebecca Kelip
 Title: School Psychologist
 Phone Number(s): 619-589-5893
 Email Address: rebecca_kelip@rcn.cl.gov

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>1</u></p> <p>3a. <u>10 min</u> 3b. <u>60 min</u> 3c. <u>30 min</u> 3d. <u>100 min</u> 3e. <u>30 min</u></p>

BICM 2

00334.00100/55274.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 4b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>30 nil</u> 4b. <u>60 nil</u> 4c. <u>0</u> 4d. <u>30 nil</u> 4e. <u>0 nil</u> 4f. <u>0 nil</u> 4g. <u>120 nil</u> 4h. <u>120 nil</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>0</u> 5c. <u>0</u> 5d. <u>0</u> 5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. <u>0</u> 6c. <u>0</u> 6d. <u>0</u> 6e. <u>0</u> 6f. <u>0</u> 6g. <u>0</u> 6h. <u>0</u></p>

	7a. _____ 7b. _____ 7c. _____
<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: _____</p> <p>b. Number of students requiring 2 IEP team meetings: _____</p> <p>c. Number of students requiring 3 or more IEP team meetings: _____</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>1 0 0</p>
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position <i>5/11/09/ny B Israel</i></p> <p>1 _____ _____ _____ _____</p> <p># of Hrs 1 _____ _____ _____ _____</p> <p># IEP Mtgs 1 _____ _____ _____ _____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>0 _____ _____ _____ _____</p> <p>0 _____ _____ _____ _____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>0 _____ _____ _____ _____</p>

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>0</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 20 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Eva J. Jarosz, hereby declare as follows:
Print Name

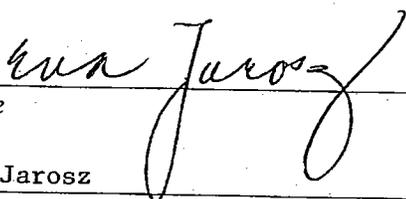
1. In the 2007-2008 school year, I was employed as a Principal
Title of Position
by Sweetwater Union High School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 05/04, 2012, at Chula Vista, California.
Date City


Signature

Eva J. Jarosz
Print Name

eva.jarosz@sweetwaterschools.org
E-mail Address

(619) 656-2490
Phone Number

SELPA: SoCom Date: 2/1/08
 School District (if serving multiple districts, list all): SVTSD / ELM

Name of BICM Completing Survey: Eve Verose, via phone call
 Title: J
 Phone Number(s): 927-220-5520
 Email Address: evv@svtsd.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>2</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>30'</u> 3b. <u>4'</u> 3c. <u>2'</u> 3d. <u>2'</u> 3e. <u>3'</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. <u>2⁰</u> 4c. <u>3⁰</u> 4d. <u>2⁰</u> 4e. <u>1⁰</u> 4f. <u>0</u> 4g. <u>8⁰</u> 4h. <u>4⁰</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. <u>0</u> 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. <u>0</u> 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position
 Gen Ed Staff

of Hrs
 2

IEP Mtgs
 2

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

0

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

Gen Ed Staff

.5

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 30
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 50
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 10
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 20
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 50
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 50
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 30 min via phone conference

Thank you very much for taking the time to complete this survey.

DECLARATION

I, SERGIO CAMPOS, hereby declare as follows:
Print Name

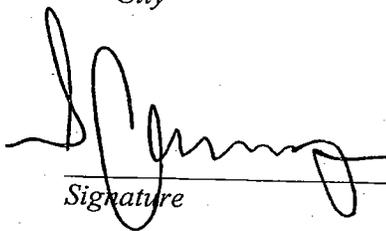
1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCHOLOGIST
by SWEETWATER UNION HIGH SCHOOL DISTRICT
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed MAY 4, 2012, at IMPERIAL BEACH, California.
Date *City*



Signature

SERGIO CAMPOS
Print Name

scampos@sbusd.org
E-mail Address

(619) 628 1662
Phone Number

SELPA: SOUTH BAY

School District (if serving multiple districts, list all): SUNSET WATER UNION HIGH SCHOOL / SVH

Date: 1/25/08

Name of BICM Completing Survey: SERGIO CAMPOS
 Title: PSYCHOLOGIST
 Phone Number(s): (619) 457-6300
 Email Address: sergio.campos@svusd.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p>	<p>3a. <u>N/A</u> 3b. <u>N/A</u> 3c. <u>N/A</u> 3d. <u>N/A</u> 3e. <u>N/A</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p> <p style="text-align: center;">N/A</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p> <p style="text-align: center;">N/A</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p> <p style="text-align: center;">N/A</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

N/A

~~7a. _____
 7b. _____
 7c. _____~~

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

# of Hours	
N/A	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ol style="list-style-type: none"> Performing emergency behavioral interventions. Notifying parent and/or residential care providers within one school day of use of emergency interventions. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Pamela Jacoby, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school psychologist
by Sweetwater Union High School District
Employer (Name of District, County Office of Education, or SELPA)
Title of Position
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4, 2012, at Chula Vista, California.
Date *City*


Signature

Pamela Jacoby
Print Name

pamela.jacoby@sweetwaterschools.org
E-mail Address

619 656-2421
Phone Number

SELPA: South County Date: 1/23/08
 School District (if serving multiple districts, list all): Sweetwater JCH

Name of BICM Completing Survey: Pamela Jacoby
 Title: Psychologist
 Phone Number(s): 619 656-2421
 Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. Ø
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>Ø</u> _____ _____ _____	_____ _____ _____	_____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>Ø</u> _____ _____ _____	_____ _____ _____	_____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>Ø</u> _____ _____ _____	_____ _____ _____	_____ _____ _____

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. _____</p> <p>a. _____ *</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 min.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Cynthia Hernandez hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Sweetwater Union High School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4/12, 2012, at Chula Vista, California.
Date *City*

Cynthia Hernandez
Signature

Cynthia Hernandez
Print Name

Cynthia.Hernandez@Sweetwater
E-mail Address Schools.org

(619) 925-0979
Phone Number

SELPA: South County SELPA
 School District (if serving multiple districts, list all): Santa Ana / Mount

Date: _____

Name of BICM Completing Survey: _____

Title: Psych

Phone Number(s): _____

Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>2</u> _____ _____ _____	_____ _____ _____	_____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>2</u> _____ _____ _____	_____ _____ _____	_____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>2</u> _____ _____ _____	_____ _____ _____	_____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Elizabeth A. Williams, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by SUHSD
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3, 2012, at Chula Vista, California.
Date *City*


Signature

Elizabeth A. Williams PhD
Print Name

Elizabeth.williams@Sweetwater
E-mail Address Schools.org

(619) 498-6035
Phone Number

SELPA: Southbay
 School District (if serving multiple districts, list all): SOHSD / RBVM Date: 1/25/07

Name of BICM Completing Survey: Elizabeth Williams
 Title: School Psychology
 Phone Number(s): 407-6300
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: a. new cases (PBIIP for first time), and b. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: _____</p> <p>b. Number of students requiring 2 IEP team meetings: _____</p> <p>c. Number of students requiring 3 or more IEP team meetings: _____</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. _____</p> <p>7b. _____</p> <p>7c. _____</p>		
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p># of Hrs</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p># IEP Mtgs</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

DECLARATION

I, Deanne B. Monte, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist/mngt
Title of Position
by Sweetwater Union HS District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3/2012, 2012, at La Jona, California.
Date *City*

Deanne B. Monte
Signature

Deanne B. Monte
Print Name

E-mail Address

619-808-5047
Phone Number

SELPA: So Ca
 School District (if serving multiple districts, list all): SUBS/D/CH Date: 1/25/08

Name of BICM Completing Survey: Deanne B. Monte
 Title: School Psych
 Phone Number(s): 619 451-8085
 Email Address: _____

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>20</u> 1b. <u>20</u> 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: <u>Did not get to FAA level</u></p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. <u>CBSF</u> d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>FB</u> 3b. <u>60</u> 3c. <u>3</u> 3d. <u>120</u> 3e. <u>5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. <u>50</u> 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. <u>8</u> 4h. <u>4</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	0 _____ _____ _____ _____	_____ _____ _____ _____ _____

# of Hours	
11.	<p>How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ol style="list-style-type: none"> Performing emergency behavioral interventions. Notifying parent and/or residential care providers within one school day of use of emergency interventions. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
0	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Sergio Appel, hereby declare as follows:
Print Name

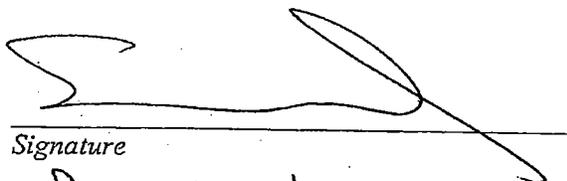
1. In the 2007-2008 school year, I was employed as a School Psychologist
by Sweetwater Union High School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 8th, 2012, at Chula Vista, California.
Date *City*


Signature

Sergio Appel
Print Name

sergio.appel@sweetwaterschools.org
E-mail Address

(619) 796-7541
Phone Number

SELPA: Southern Bay
 School District (if serving multiple districts, list all): Sweetwater / HM Date: 1/25/08

Name of BICM Completing Survey: Sergio Appel
 Title: S. Gysbers
 Phone Number(s): (415) 491-2708
 Email Address: sergio.appe1@shmsd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: b. new cases (PBIIP for first time), and c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>2. <u>0</u></p> <p>3a. <u>n/c</u> 3b. <u>n/c</u> 3c. <u>n/c</u> 3d. <u>n/c</u> 3e. <u>n/c</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p> <p style="text-align: center;">N/A</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p> <p style="text-align: center;">N/A</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p> <p style="text-align: center;">N/A</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

M ←

7a. _____
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

# of Hours	
11.	<p>How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	<p>Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

M/L

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, CARLOS U. SAUCEDO, hereby declare as follows:
Print Name

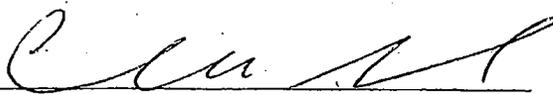
1. In the 2007-2008 school year, I was employed as a SCHOOL PSYCH
Title of Position
by SUHS D
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3, 2012, at SAN DIEGO, California.
Date *City*


Signature

CARLOS U. SAUCEDO
Print Name

carlos.saucedo@suhsd.org
E-mail Address

619-628-3600
Phone Number

SELPA: South County
 School District (if serving multiple districts, list all): SOHSD

Date: 1/29/08

Name of BICM Completing Survey: CARLOS U. SAUCEDO
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): 710-2332
 Email Address: CARLOS.SAUCEDO@SOHSD-K12.CA.US

~~PLEASE NOTE: NEW TIRE TO THE DISTRICT XXX~~

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:
- a. Preparing draft of PBIPs for IEP meetings.
 - b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
 - c. Training for and monitoring PBIPs across settings.
 - d. Evaluating PBIPs effectiveness.
 - e. Making modifications to PBIPs in subsequent IEP team meetings.
 - f. Making modifications to PBIPs outside of IEP team meetings.
 - g. Total of answers to 4a through 4f.
 - h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. _____

4b. _____

4c. _____

4d. _____

4e. _____

4f. _____

4g. _____

4h. _____

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. _____

5b. _____

5c. _____

5d. _____

5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. _____

6b. _____

6c. _____

6d. _____

6e. _____

6f. _____

6g. _____

6h. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. _____

7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
0	
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 1 MINUTE

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Kenya Bratton, hereby declare as follows:
Print Name

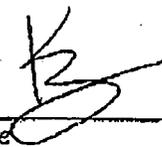
1. In the 2007-2008 school year, I was employed as a School Psychologist
by Sweetwater Union High School District, South County Selpa
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 7th May, 2012, at Chula Vista, California.
Date *City*


Signature

Kenya Bratton
Print Name

Kenya.brattton@sweetwaterschools.org
E-mail Address

619.628.5719
Phone Number

00334.00100/343883.1

SELPA: South County Date: 1-25-08
 School District (if serving multiple districts, list all): SUTHSB

Name of BICM Completing Survey: Kenya Patton
 Title: School Psychologist
 Phone Number(s): 1019 6285119
 Email Address: Kenya.Patton@SUTHSB.K12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: _____</p> <p>b. Number of students requiring 2 IEP team meetings: _____</p> <p>c. Number of students requiring 3 or more IEP team meetings: _____</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. _____</p> <p>7b. _____</p> <p>7c. _____</p>		
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p># of Hrs</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p># IEP Mtgs</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. <u>0</u></p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>0</u></p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>0</u></p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>0</u></p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>0</u></p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u></p>
12.	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 8 minutes

Thank you very much for taking the time to complete this survey.

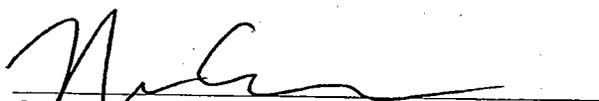
DECLARATION

I, Nitza Corrales, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by San Ysidro School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at San Ysidro, California.
Date *City*


Signature

Nitza Corrales
Print Name

nitza@sysd.k12.ca.us
E-mail Address

(619) 428-4476 x 3663
Phone Number

SELPA: South County SELPA Date: 2-10-08
 School District (if serving multiple districts, list all): San Jacinto School District

Name of BICM Completing Survey: _____
 Title: School Psychologist
 Phone Number(s): (909) 428-44710 x5088
 Email Address: noortakes@synd-k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>1</u> 1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>n/a</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b):</p>	<p>3a. <u>3</u> 3b. <u>80</u> 3c. <u>15</u> 3d. <u>48</u> 3e. <u>32</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2

00334-0010055274.1

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. _____ 15
 4b. _____ 9
 4c. _____ 10
 4d. _____ 20
 4e. _____ 10
 4f. _____ 10
 4g. _____ 74
 4h. _____ 8

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. _____ 1
 5b. _____ 25
 5c. _____ 32
 5d. _____ 10
 5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. _____ 5
 6b. _____ 3
 6c. _____ 34
 6d. _____ 34
 6e. _____ 33
 6f. _____ 24
 6g. _____ 112
 on. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 2
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	RSP SDC School By VP/Principal Program Specialist	<u>2</u> <u>2</u> <u>2</u> <u>2</u> <u>2</u>	<u>1</u> <u>1</u> <u>1</u> <u>1</u> <u>1</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	RSP SDC School By VP/Principal Program Specialist	<u>10</u> <u>10</u> <u>15</u> <u>5</u> <u>15</u>	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 9
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 2
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 4
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 2
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 10
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 4
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Tonya Pearsley, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school Psychologist
Title of Position
by National School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/1/12, 2012, at National City, California.
Date *City*

Tonya Pearsley
Signature

Tonya Pearsley
Print Name

peacefulwater@cox.net
E-mail Address

619-698-7387
Phone Number

SELPA: _____

School District (if serving multiple districts, list all): National

Date: 1/20/08

Name of BICM Completing Survey: Tanya Parslow

Title: Psychologist

Phone Number(s): (619) 336-7748

Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>0</u></p> <p>1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____</p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p> <p><u>N, A</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p> <p style="text-align: center;">N/A</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>8</u> 5c. <u>1 (revise)</u> 5d. <u>9</u> 5e. <u>9</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>1</u> 6b. <u>5</u> 6c. <u>1</u> 6d. <u>2</u> 6e. <u>1</u> 6f. <u>1</u> 6g. <u>11</u> 6h. <u>11</u></p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. _____ b. _____ c. _____ d. <u>N/A</u> e. _____ f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <i>None available</i> Please provide the sample template for FAAs and PBIPs that you use.	<i>no beta for student during 06-07</i> <i>Student out of district. previously received AB services but discontinued and served through medical consulting during 06-07</i>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Weekly planner
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 1

Thank you very much for taking the time to complete this survey.

DECLARATION

I, RYAN ESTRELLADO, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a LEAD SCHOOL PSYCHOLOGIST
Title of Position
by CIBOLA VISTA ELEMENTARY SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed MAY 4, 2012, at CIBOLA VISTA, California.
Date *City*

REstellado
Signature

RYAN ESTRELLADO
Print Name

RYAN.ESTRELLADO@CWESD.ORG
E-mail Address

619-425-9600 x 1718
Phone Number

*Return to Oklahoma via letter from
 WES 1-16-08*

Date: 1-14-08

SELPA: SOUTH COUNTY
 School District (if serving multiple districts, list all):
CHULA VISTA ELEM SCHOOL DIST
 Name of BICM Completing Survey: RYAN ESTRELLADO
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): 619-656-2083 x6406
 Email Address: RYAN.ESTRELLADO@CVESD.ORG

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>13</u> 1c. <u>01</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>.5</u> HRS</p> <p>5b. <u>1.5</u></p> <p>5c. <u>0</u></p> <p>5d. <u>2</u> HRS</p> <p>5e. <u>2</u> HRS</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>3</u> HRS</p> <p>6c. <u>.5</u></p> <p>6d. <u>.5</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>4</u> HRS</p> <p>6h. <u>4</u> HRS</p>

included

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0

7b. 0

7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	CWEED Teacher CITY rep	<u>3</u> <u>2</u>	<u>3</u> <u>2</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	CWEED - TEACHER COWALTY - CMTH TOTAL	<u>3</u> <u>2</u> <u>5 HRS</u>	

TOTAL

5 HRS

5 MTGS

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>.5</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>.5</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	* only 1 for 06-07 school year

*in our report
 of amount
 of psy*

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Assessment / IEP log
calendars

Please indicate the time it took for you to complete this survey: 60 min.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Refugio Escobar, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Resource Teacher
by CVED
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-4, 2012, at Chula Vista, California.
Date *City*

[Signature]
Signature

Refugio Escobar
Print Name

refugio.escobar@cvesd.org
E-mail Address

(619) 425-9600 x1765
Phone Number

*Review in 11/13/08
 No LHMER than WEDS 1-16-08*

*Final Report
 Escobar*

SELPA: _____ Date: 11-14-08
 School District (if serving multiple districts, list all): _____

Name of BICM Completing Survey: Reynold Escobar
 Title: Beh. Specialist Felder
 Phone Number(s): (Cell) 425-9100 X1733
 Email Address: reynold.escobar@cresd.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>9</u> 1b. <u>4</u> 1c. <u>5</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>9 hrs</u> 3c. <u>54 hrs</u> 3d. <u>150 hrs</u> 3e. <u>37.5 hrs</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>8 hrs</u> 4b. <u>32 hrs</u> 4c. <u>100 hrs</u> 4d. <u>4 hrs</u> 4e. <u>4 hrs</u> 4f. <u>4 hrs</u> 4g. <u>148</u> 4h. <u>37</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>50 hrs</u> 5c. <u>10 hrs</u> 5d. <u>60 hrs</u> 5e. <u>12</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>5 hrs</u> 6b. <u>30 hrs</u> 6c. <u>125 hrs</u> 6d. <u>5 hrs</u> 6e. <u>5 hrs</u> 6f. <u>5 hrs</u> 6g. <u>175</u> 6h. <u>35</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Anna Vista Elementary School District Beh. Spec. Teachers	9 hrs _____ _____ _____	18 hrs _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Anna Vista Elementary School District Beh. Spec. Teachers	9 hrs _____ _____ _____	_____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 2 hrs.
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 1 1/2
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- day planner
- work files
- computer files
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 5 hrs

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Greg Chase, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Psychological
by National School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1, 2012, at National City, California.
Date *City*

Gregory I. Chase
Signature

Gregory I. Chase
Print Name

gchaser@hotmail.com
E-mail Address

858-484-3064
Phone Number

National # 1

SELPA: _____ Date: 1-20-08
 School District (if serving multiple districts, list all): National
 Name of BICM Completing Survey: Greg Chae
 Title: Psychologist
 Phone Number(s): 536-7742
 Email Address: Greg.Chae@National.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 1</p> <p>1b. 0</p> <p>1c. 1</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. 1</p> <p>3a.</p> <p>3b.</p> <p>3c.</p> <p>3d.</p> <p>3e.</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4hr 4b. 4hr 4c. 4c. 4d. 4d. 4e. 4e. 4f. 4f. 4g. 4g. 4h. 4h.</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 1hr 5b. 10hrs 5c. 3hrs 5d. 14 hrs 5e. 14 hrs.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 4hr 6b. 3 hrs 6c. 2 hrs 6d. 6 hrs 6e. 3 hrs 6f. 10 hrs 6g. 28 hrs 6h. 28 hrs</p>

	7a. 7b. 7c.	
<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. 7b. 7c. 1</p>	
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position</p>	<p># of Hrs</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>3 mtgs of 2 hrs each for: principal, trch, 1:1 auct, sp ed director, ppm specialist</p>	<p>24 hrs</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>2 hrs weekly teacher, 1:1 auct</p>	<p>8 hrs per month</p>
		<p>NA</p>

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
10 hrs	
10 hrs	
10 hrs	
25 hrs	
10 hrs	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <i>Student exited district - no records available</i> Please provide the sample template for FAAs and PBIPs that you use. <i>See attached</i>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- planner
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 1 hr.

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Celeste Garcia, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Chula Vista Elementary School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 5, 2012, at Chula Vista, California.
Date *City*

Celeste Garcia

Signature

Celeste Garcia

Print Name

celeste.garcia@cvesd.org

E-mail Address

(619) 656-0797

Phone Number

Number in survey - no cases than WEDS 1-16-08

SELPA: _____
 School District (if serving multiple districts, list all): CVESD

Date: 1-9-08

Plus Instructions
 Survey & Support Desc
RECEIVED
JAN 29 2008

Name of BICM Completing Survey: Celeste Dungca
 Title: School Psychologist
 Phone Number(s): (619) 420-4151 x 3590
 Email Address: Celeste.dungca@cvcsd.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p>	<p>3a. <u>20 min</u> 3b. <u>2 hrs</u> 3c. <u>1 hr</u> 3d. <u>3:30</u> 3e. <u>3:30</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 1 hr 4b. _____ 2 hr 4c. _____ 3 hr 4d. _____ 1 hr 4e. _____ 30 min 4f. _____ 1 hr 4g. _____ 8:30 4h. _____ 8:30</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM3

00334.0010055274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 4

c. Number of students requiring 3 or more IEP team meetings: 1

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	CVESD/gen.ed CVESD/RSP CVESD/admin	3 3 3	3 3 3
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____	_____ _____ _____	_____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	CVESD/gen.ed _____ _____ _____	10 _____ _____ _____	_____ _____ _____

BICM4

00134.0010065274.1

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. # of Hours</p> <p>a. <u>0</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>0</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day planners

Please indicate the time it took for you to complete this survey: 15 min

Thank you very much for taking the time to complete this survey.

BICM 5

00334.0010055274.1

DECLARATION

I, ERIBERTO IRIQUI, hereby declare as follows:
Print Name

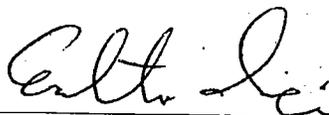
1. In the 2007-2008 school year, I was employed as a LEAD SCHOOL PSYCHOLOGIST
Title of Position
by CANA VISTA ELEMENTARY SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed MAY 4, 2012, at CHULA VISTA, California.
Date *City*



Signature

ERIBERTO IRIQUI

Print Name

Eriberto.Iriqui@cvcsd.org

E-mail Address

619-420-7071 x4552

Phone Number

Return to Reelbytel. no later than 1-16-08

SELPA: ~~QUINCY~~ ~~QUINCY~~ SOUTHERN
School District (if serving multiple districts, list all): QUINCY VISTA

Date: 1/14/08

Name of BICM Completing Survey: EDDIE TALOU
Title: GENERAL PSYCHOLOGIST
Phone Number(s): (616) 420-7071 X 4552
Email Address: eriberte.1r19vi@evcsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>4</u></p> <p>1b. <u>3</u></p> <p>1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>2</u></p> <p>3a. <u>1 hour</u></p> <p>3b. <u>12 hours</u></p> <p>3c. <u>3 hours</u></p> <p>3d. <u>16 hours</u></p> <p>3e. <u>5 hours</u></p>

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings. 4a. 2 hours
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. 4b. 8 hours
- c. Training for and monitoring PBIPs across settings. 4c. 6 hours
- d. Evaluating PBIPs effectiveness. 4d. 8 hours
- e. Making modifications to PBIPs in subsequent IEP team meetings. 4e. 2 hours
- f. Making modifications to PBIPs outside of IEP team meetings. 4f. 6 hours
- g. Total of answers to 4a through 4f. 4g. 32 hours
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 4h. 10 hours

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

- 5a. 8 hours
- 5b. _____
- 5c. _____
- 5d. _____
- 5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

- 6a. 3 hours
- 6b. _____
- 6c. _____
- 6d. _____
- 6e. _____
- 6f. _____
- 6g. _____
- 6h. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 4

b. Number of students requiring 2 IEP team meetings: 2

c. Number of students requiring 3 or more IEP team meetings: 1

7c. 1

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
	CVUSD/TERMINAL	10	3
	CVUSD/PSYCH		
	" OT		
	" APE		
	" SPEDCN		
	CVUSD/TERMINAL	2	2
	" PSYCH		
	" OT		
	" APE		
	" SPEDCN		
	CVUSD/TERMINAL	10	
	" PSYCH		
	" OT		
	" APE		
	" SPEDCN		

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
6 hours	a.
1 hour	b.
1 hour	c.
4 hours	d.
8 hours	e.
2 hours	f.
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 20 mins

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Norma Jourdain, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by _____
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4/12, 2012, at Chula Vista, California.
Date *City*

Norma Jourdain
Signature

Norma Jourdain
Print Name

norma.jourdain@cvcsd.org
E-mail Address

(619) 425-9600 ext 4209 x 4902
Phone Number

Return to Rethugly, no later than 08/15/12

SELPA: _____ Date: 01/14/07
School District (if serving multiple districts, list all): Chola Vista School District

Name of BICM Completing Survey: Norma Jourdain
Title: School Psychologist
Phone Number(s): (619) 425-2600 ext 4902 & 3850
Email Address: Norma.Jourdain@cvsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>1</u></p> <p>1b. <u>0</u></p> <p>1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>		<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>		<p>3a. <u>20 min</u></p> <p>3b. <u>180 min</u></p> <p>3c. <u>180 min</u></p> <p>3d. <u>260 min = (4:30 min)</u></p> <p>3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. <u>120 min</u> 4c. <u>60 min</u> 4d. <u>60 min</u> 4e. <u>30 min</u> 4f. <u>30 min</u> 4g. <u>360 min</u> 4h. <u>6 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. <u>30 min</u> 5c. <u>30 min</u> 5d. <u>30 min</u> 5e. <u>1 hr</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. (1) student
 7c. NO

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Meets
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>School Psychologists</u> <u>Clauda Dist</u>	<u>2:00hrs</u>	<u>1</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>60 min</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>30 min</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>30 min</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>30 min</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>120-140 min</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>30 min</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 20 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Gustavo Martinez, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Chula Vista Elementary School District.
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4, 2012, at Chula Vista, California.
Date *City*

Gustavo Martinez
Signature

Gustavo Martinez
Print Name

gustavo.martinez@cuesd.org
E-mail Address

(619) 425-9600 x1752
Phone Number

*Return to (withhold): no letter
 than WEDS 11-16-08*

SELPA: Santa Clara County SELPA Date: 1/10/08
 School District (if serving multiple districts, list all): Clava Vista Elementary School District

Name of BICM Completing Survey: Sustana Martinez
 Title: School Psychologist
 Phone Number(s): 425-9600
 Email Address: gmartne@cuesd.k12.ca

1.	
a. How many students did you serve in 2006-07 who had PBIPs?	1a. <u>1</u>
Of this total, please specify the number of:	
b. new cases (PBIP for first time), and	1b. <u>1</u>
c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.	1c. <u>0</u>
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?	2. <u>0</u>
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:	
a. Providing parent notice and obtaining consent for assessment.	3a. <u>15 min</u>
b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)	3b. <u>60 min</u>
c. Writing FAA.	3c. <u>60 min</u>
d. Total of answers to 3a, 3b, and 3c.	3d. <u>135 min</u>
e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?	3e. <u>135 min</u>
Note: This question addresses only the students who were new cases in 2006-07 (line 1b).	

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>30 min</u></p> <p>4b. <u>90 min</u></p> <p>4c. <u>0 min</u></p> <p>4d. <u>0 min</u></p> <p>4e. <u>0 min</u></p> <p>4f. <u>0 min</u></p> <p>4g. <u>120 min</u></p> <p>4h. <u>120 min</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	1 _____ _____ _____	2 _____ _____ _____	1 _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	0 _____ _____ _____	0 _____ _____ _____	0 _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	0 _____ _____ _____	0 _____ _____ _____	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>15 min</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>30 min</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>60 min</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0 min</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Andrew Estrada, hereby declare as follows:
Print Name

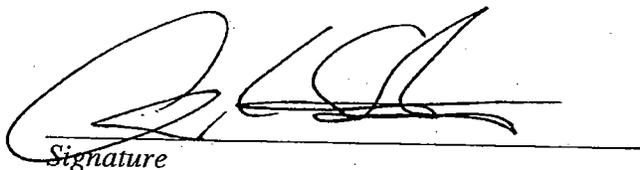
1. In the 2007-2008 school year, I was employed as a School Psychologist
by Chula Vista Elementary School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3/, 2012, at Chula Vista, California.
Date *City*


Signature

Andrew Estrada
Print Name

andrew.estrada@
E-mail Address cvesd.org

619-244-9605
Phone Number

*Return to Staley W, no later than
 WEDS 1-16-08*

SELPA: SOUTH COUNTY

Date: 1/10/08

School District (if serving multiple districts, list all):

CHULA VISTA ELEMENTARY SCHOOLS DISTRICT

Name of BICM Completing Survey: ANDREW ESTRADE

Title: LEAD SCHOOL PSYCHOLOGIST

Phone Number(s): 6626 ROBERTS ELEMENTARY (CN) 656 2082 ext: 6458 PREVIOUS WORK: (619) 421-5405

Email Address: andrew.estrada@cvsed.org ext: 4437

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>6</u> 1b. <u>1</u> 1c. <u>5</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>3</u> <u>Hours</u> 3b. <u>24</u> <u>Hours</u> 3c. <u>18</u> <u>Hours</u> 3d. <u>45</u> <u>Hours</u> 3e. <u>7.5</u> <u>Hours</u></p>

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

4a.	6 hours
4b.	12 hours
4c.	3 hours
4d.	3 hours
4e.	6 hours
4f.	6 hours
4g.	36 hours
4h.	6 hours
5a.	3 hours
5b.	24 hours
5c.	18 hours
5d.	45 hours
5e.	9 hours
6a.	6 hours
6b.	12 hours
6c.	3 hours
6d.	3 hours
6e.	6 hours
6f.	6 hours
6g.	36 hours
6h.	7.2 hours

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs). *the students I served had up to 3 IEPs on ans.*

7a. 6

7b. _____

7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		0	

A IF I understand the question correctly BICM personnel were present in the IEP meetings I participated in.

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	6 hours
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	6 hours
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	5 hours
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	6 hours
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	6 hours
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	4 hours
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

IEP Plus
 CALENDAR
 EXPERIENCE

IEP NOTES

Please indicate the time it took for you to complete this survey: 30 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Robin Ancora, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist/Autism Team
by Chula Vista Elementary School District.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/01, 2012, at Oceanside, California.
Date *City*

[Signature]
Signature

Robin L. Ancora
Print Name

robin.ancora@oside.us
E-mail Address

(619) 840-1041
Phone Number

*Return to: Melly Bell, me
later than Wed 8 1-16-08*

SELPA: _____ Date: 11/9/2008
School District (if serving multiple districts, list all): CVESD

Name of BICM Completing Survey: Robin Ancona
Title: School Psychologist / Autism Coordination Educational Team (Chula Vista Hill 06-08)
Phone Number(s): (619) 425-9100 x 3355
Email Address: robin.ancona@cvcsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following Initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____ 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting. a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings: Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).																			
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BICM 4

00334.00100/55274.1

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	0
b.	0
c.	0
d.	0
e.	0
f.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I Yesenia Barnaud, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Psychologist
by Chula Vista Elementary School District
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/8/12, 2012, at Chula Vista, California.
Date *City*

[Signature]
Signature
Yesenia Barnaud
Print Name
yesenia.barnaud@cvcsd.org
E-mail Address
(619) 922-8397 x2913
Phone Number

*Return to Ashley W. no return than
 WEDS 1-16-08*

SELPA: Seth Greshy SELPA Date: 1/16/08
 School District (if serving multiple districts, list all): WESD

Name of BICM Completing Survey: Yosena Barnard
 Title: Psychologist
 Phone Number(s): 422 8397 XT 2913
 Email Address: yosena.barnard@wesd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.	_____
7b.	_____
7c.	_____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. 	<p>11. _____</p> <p>a. _____</p> <p>b. <u>2</u></p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Cristina Areola, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school psychologist
by Chula Vista Elem School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 7, 2012, at Chula Vista, California.
Date *City*


Signature

Cristina Areola
Print Name

Cristina. areola@cvesd.org
E-mail Address

(619) 252-3352
Phone Number

Return to meeting w. no later than 0805 1-16-08

SELPA: South Bay OVER Date: 1/9/08
School District (if serving multiple districts, list all):

I did not have any FAA's last school year.

Name of BICM Completing Survey: Christine Areola
Title: School
Phone Number(s): (619) 252-3352 (cell)
Email Address: Christina.Areola@jewish.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____

7b. _____

7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

[Handwritten signature]

# of Hours	
11. <i>S</i>	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 3 mins

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Oscar C. Madera, hereby declare as follows:
Print Name

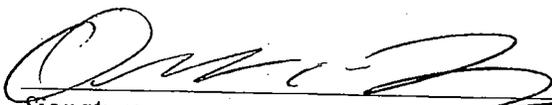
1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Chula Vista Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4/12, 2012, at Chula Vista, California.
Date *City*


Signature

Oscar C. Madera
Print Name

Oscar.Madera@CUESD.org
E-mail Address

619-425-9600 x7 3728/3429
Phone Number

return to address W. no letter than 1-18-08

(new to CRESB 2007-2008 SW)

SELPA: South County
School District (if serving multiple districts, list all): CRESB

Date: 1/9/08

Name of BICM Completing Survey: Carac C. Naderca
Title: School Psychologist
Phone Number(s): 425-9600 xt 3975
Email Address: Carac.Naderca@CRESB.org

<p>1. How many students did you serve in 2006-07 who had PBIIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.			
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	2		
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

7a. _____

7b. _____

7c. _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 20 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Andre Antenoracruz, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Chula Vista Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4th, 2012, at Chula Vista, California.
Date *City*

Andre Antenoracruz
Signature

Andre Antenoracruz
Print Name

Andre.Antenorcruz@CVESD.org
E-mail Address

(619) 420-0134
Phone Number

Return to Shirley W. no letter than WEDS 1-16-08

SELPA: SOUTH COUNTY Date: 1/9/2008
 School District (if serving multiple districts, list all): CWESD

Name of BICM Completing Survey: ~~ANDRE~~ ANDRE ANTENORCruz
 Title: School Psychologist
 Phone Number(s): (69) 420-7071 EXT 4517
 Email Address: andre.antenorcruz@cwesd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

BICM3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. # of Hours</p> <p>a. <u>0</u></p> <p>b. <u>1</u></p> <p>c. <u>1</u></p> <p>d. <u>1</u></p> <p>e. <u>1</u></p> <p>f. <u>1</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 1 minute

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Roxanna Ware, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School psychologist
by Chula Vista Elementary School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 4, 2012, at Chula Vista, California.
Date *City*

Roxanna Ware
Signature

Roxanna Ware
Print Name

Roxanna.ware@cvesd.org
E-mail Address

619 422-8329 ext. 4838
Phone Number

Return to Millie W. no later than 1-16-08

SELPA: South County

School District (if serving multiple districts, list all): CVESD

Date: 1/10/08

Name of BICM Completing Survey: ROXANNA WARE
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s): 019 422-8329 ext. 4838
 Email Address: ROXANNA.WARE@CVESD.ORG

<p>1. How many students did you serve in 2006-07 who had PPIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

4a.	_____	<input type="radio"/>
4b.	_____	<input type="radio"/>
4c.	_____	<input type="radio"/>
4d.	_____	<input type="radio"/>
4e.	_____	<input type="radio"/>
4f.	_____	<input type="radio"/>
4g.	_____	<input type="radio"/>
4h.	_____	<input type="radio"/>
5a.	_____	<input type="radio"/>
5b.	_____	<input type="radio"/>
5c.	_____	<input type="radio"/>
5d.	_____	<input type="radio"/>
5e.	_____	<input type="radio"/>
6a.	_____	<input type="radio"/>
6b.	_____	<input type="radio"/>
6c.	_____	<input type="radio"/>
6d.	_____	<input type="radio"/>
6e.	_____	<input type="radio"/>
6f.	_____	<input type="radio"/>
6g.	_____	<input type="radio"/>
6h.	_____	<input type="radio"/>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

7a. _____

7b. _____

7c. _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	0	0
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	N/A	0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	N/A	0	0

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	I did not complete any FAAs/PBIPs in 2006-2007

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Student case load notes

Please indicate the time it took for you to complete this survey: 5 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Tom Simpson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Lead Psychologist on Special Assignment
Title of Position
by Chula Vista Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4/2012, 2012, at Chula Vista, California.
Date *City*

Thomas M. Simpson
Signature

Thomas M. Simpson
Print Name

Thomas.Simpson@Cvesd.org
E-mail Address

619-425-9600 ext 1455
Phone Number

return to Kelly H. no later than WEDS 1-16-08

Date: 1-9-08

SELPA: _____
 School District (if serving multiple districts, list all): CVEST

Tom Simpson

Name of BICM Completing Survey: Tom Simpson

Title: Psychologist

Phone Number(s): (619) 425-9600 ext 1455

Email Address: Thomas.Simpson@cvest.org

<p>1. How many students did you serve in 2006-07 who had PPIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PPIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PPIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>0</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PPIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0</p> <p>4b. _____ 0</p> <p>4c. _____ 0</p> <p>4d. _____ 0</p> <p>4e. _____ 0</p> <p>4f. _____ 0</p> <p>4g. _____ 0</p> <p>4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____ 0</p> <p>5c. _____ 0</p> <p>5d. _____ 0</p> <p>5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____ 0</p> <p>6c. _____ 0</p> <p>6d. _____ 0</p> <p>6e. _____ 0</p> <p>6f. _____ 0</p> <p>6g. _____ 0</p> <p>6h. _____ 0</p>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <input type="radio"/>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <input type="radio"/>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <input type="radio"/>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <input type="radio"/>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <input type="radio"/>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <input type="radio"/>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Latisha I. Cervantes, hereby declare as follows:
Print Name

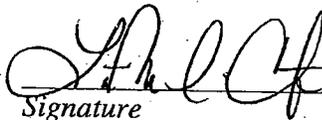
1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by _____
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4/12, 2012, at Chula Vista, California.
Date *City*


Signature

Latisha I. Cervantes
Print Name

latisha.cervantes@civesd.org
E-mail Address

(619) 425-9600 ext. 4730
Phone Number

Return to Michelle No later than WEDS 1-14-08

SELPA: _____ Date: 1/10/08
 School District (if serving multiple districts, list all): CVESD

Name of BICM Completing Survey: Latisha Cervantes
 Title: School Psychologist
 Phone Number(s): (619) 425-9600 ext. 3739
 Email Address: latisha.cervantes@cvcsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ <u>0</u></p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____</p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.	_____
7b.	_____
7c.	_____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____
_____	_____
_____	_____

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Cynthia Sevilla, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Chula Vista Elem. Sch. District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/4/2012, 2012, at Chula Vista, California.
Date *City*

C Sevilla
Signature

Cynthia Sevilla
Print Name

cynthia.sevilla@cvesd.org
E-mail Address

(619) 425-9600 ext 5493
Phone Number

Return to Ashley W. no letter than WELS 1-16-08

SELPA: _____ Date: 1/2/08
 School District (if serving multiple districts, list all): _____

Name of BICM Completing Survey: CYNTHIA SEVILLA
 Title: SCHOOL PSY ED
 Phone Number(s): 818 5419
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. _____ 4b. _____ 4c. _____ 4d. _____ 4e. _____ 4f. _____ 4g. _____ 4h. _____</p>
<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p> <p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p> <p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>
<p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

Return to Belkley Tel. no later than Weds 1-16-08

SELPA: South County SELPA
 School District (if serving multiple districts, list all): CNSD

Date: 1/16/08

Name of BICM Completing Survey: Lidia Medrano
 Title: School Psychologist
 Phone Number(s): (909) 920-9222 x 3439
 Email Address: lidia.medrano@cnsd.org

<p>1. a. How many students did you serve in 2006-07 who had PIPs? Of this total, please specify the number of: b. new cases (PIIP for first time), and c. preexisting cases (entered 2006-07 with PIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0</p> <p>4b. _____ 0</p> <p>4c. _____ 0</p> <p>4d. _____ 0</p> <p>4e. _____ 0</p> <p>4f. _____ 0</p> <p>4g. _____ 0</p> <p>4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____ 0</p> <p>5c. _____ 0</p> <p>5d. _____ 0</p> <p>5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____ 0</p> <p>6c. _____ 0</p> <p>6d. _____ 0</p> <p>6e. _____ 0</p> <p>6f. _____ 0</p> <p>6g. _____ 0</p> <p>6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 0

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>0</u> _____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. _____ 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____ 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____ 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____ 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____ 0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____ 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 20 mins

Thank you very much for taking the time to complete this survey.

Return to Reilly, no later than 1-16-08

SELPA: South County Date: 1-9-08
 School District (if serving multiple districts, list all): CBESD (Cajon Vista Elem Sch. Dist.)

Name of BICM Completing Survey: Yvonne Covarrubias
 Title: Psychologist
 Phone Number(s): _____
 Email Address: Yvonne.Covarrubias@CBESD.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____ 1b. _____ 1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. _____ 3b. _____ 3c. _____ 3d. _____ 3e. _____</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mfges
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0 _____ _____ _____ _____	2 _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	1 _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report; determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	_____
b.	_____
c.	_____
d.	_____
e.	_____
f.	_____
	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

Return to Ashley W. no later than 1-16-08

SELPA: _____ Date: 1/9/08
 School District (if serving multiple districts, list all): CVESD

Name of BICM Completing Survey: Patricia Sánchez Lizardi
 Title: Lead School Psychology
 Phone Number(s): 425-9600 x. 1709
 Email Address: Patricia.Lizardi@cvesd.org

<p>1. a. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: b. new cases (PBIIP for first time), and c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>1</u> 1c. _____</p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p>	<p>3a. <u>0</u> 3b. _____ 3c. _____ 3d. _____ 3e. <u>1</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	0	0
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	✓	✓
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	✓	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. <u>0</u> b. _____ c. _____ d. _____ e. _____ f. <u>1</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: ~ 3 minutes

Thank you very much for taking the time to complete this survey.

Return to Melby W. No later than WEDS 7-16-08

SELPA: South County (San Diego) SELPA
 School District (if serving multiple districts, list all): CHULA VISTA ELEMENTARY SCHOOL
 Date: 1/10/08

Name of BICM Completing Survey: Virginia Hernandez
 Title: School Psychologist NCS (Pre-School Assessment Team)
 Phone Number(s): (619) 435-0910 - 1709
 Email Address: Virginia.hernandez@cvsd.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

# of Hours	
11.	How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a.	Performing emergency behavioral interventions. <u>2</u>
b.	Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>2</u>
c.	Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>2</u>
d.	Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>2</u>
e.	Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>2</u>
f.	Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>2</u>
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

2343

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 2 minutes

Thank you very much for taking the time to complete this survey.

Return to Ashley- no letter than Wed 5/16-08

SELPA: SOVVA COUNTY Date: 1-11-08
School District (if serving multiple districts, list all): CHULA VISTA ELEMENTARY SCHOOL DIST.

Name of BICM Completing Survey: Shannon Baker
Title: School Psychologist
Phone Number(s): 619-445-1079
Email Address: shannon.baker@cvcsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>41</u> 1b. <u>2</u> 1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>2</u> 3b. <u>15</u> 3c. <u>8</u> 3d. <u>43</u> 3e. <u>21.5</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2</u> 4b. <u>8</u> 4c. <u>1.5</u> 4d. <u>1</u> 4e. <u>1</u> 4f. <u>1</u> 4g. <u>14.5</u> 4h. <u>7.25</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>1</u> 5c. <u>2</u> 5d. <u>3</u> 5e. <u>1.5</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>1</u> 6b. <u>1</u> 6c. <u>1</u> 6d. <u>1</u> 6e. <u>1</u> 6f. <u>1</u> 6g. <u>6</u> 6h. <u>3</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 2
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	SDC Teacher PSP Teacher CVESD Principal SHT Teacher Nurse	7 2 2 4 4	1 1 1 2 2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	SDC Teachers ESP Teacher Inst. Aiders Nurse CVESD Principal	10 1 5 6 4	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>2</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>1</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>1</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>1</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>4</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>5</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. I do not work at the same schools I worked at + last year so I do not have access to these records. All FAAs, IEPs are on computers at other schools or in folders there.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Planner Calendar
Spreadsheet & Pencil
EWIS

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey.

*Return to Attkyell. no later than
 WEDS 1-16-08*

SELPA: South County SDCOE Date: 1/10/08
 School District (if serving multiple districts, list all): CUESD - Dulka Vista Elem School Dist

Name of BICM Completing Survey: Brian Sewell
 Title: School Psychologist
 Phone Number(s): 619-421-0771
 Email Address: Brian.Sewell@cuesd.org

1.	
a. How many students did you serve in 2006-07 who had PBIPIs?	
Of this total, please specify the number of:	
b. new cases (PBIPI for first time), and	1a. <u>2</u>
c. preexisting cases (entered 2006-07 with PBIPI). Please ensure that the total is an unduplicated count.	1b. <u>2</u>
	1c. <u>0</u>
2. How many students with PBIPIs also received AB3632 mental health services in 2006-07?	
2. <u>0</u>	
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:	
a. Providing parent notice and obtaining consent for assessment.	3a. <u>20 min</u>
b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)	3b. <u>3 hours</u>
c. Writing FAA.	3c. <u>2 hours</u>
d. Total of answers to 3a, 3b, and 3c.	3d. <u>Share 20 min</u>
e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?	3e. <u>2 hours 48 min</u>
Note: This question addresses only the students who were new cases in 2006-07 (line 1b).	

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 1 hour 4b. 5 hours 4c. 1 hour 4d. 30 min - this 4e. 0 see 4b 4f. 2 hours 4g. 9h 30m 4h. 4h 45m</p> <p><i>is also done in meetings</i></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 0 6d. 0 6e. 0 6f. 0 6g. 0 6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	CUESD / SDC Teacher	5	5
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	CUESD / SDC A/E CUESD / SDC Teacher	2 3.5	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 30 min
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 30 min
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 2 hours
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 2 hours
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 20 minutes
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planner _____ BIP review notes _____
 Calendars _____ IEP Dates _____
 IEP Notes _____

Please indicate the time it took for you to complete this survey: 32 minutes

Thank you very much for taking the time to complete this survey.

Return to Mckay rd. no letter than 1-14-08

SELPA: South County
 School District (if serving multiple districts, list all): _____

Date: 1-09-08

Name of BICM Completing Survey: Laver Short
 Title: Psy J.
 Phone Number(s): 421-6300 X 5750
 Email Address: laver.short@cvcsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>3</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1 hour</u> 3b. <u>6 hours</u> 3c. <u>6 hours</u> 3d. <u>13 hours</u> 3e. <u>3 hours</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2</u></p> <p>4b. <u>4</u></p> <p>4c. <u>1</u></p> <p>4d. <u>1</u></p> <p>4e. <u>2</u></p> <p>4f. <u>0</u></p> <p>4g. <u>10</u></p> <p>4h. <u>3</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 3

7b. 0

7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	<u>PSYEd</u> <u>RSP</u> <u>+ecole</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>PSYEd</u> <u>RSP</u> <u>+ecole</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>PSYEd</u> <u>RSP</u> <u>+ecole</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. # of Hours</p> <p>a. <u>2</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>0</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Calendar

Planner

File

Please indicate the time it took for you to complete this survey: 30 minutes

Thank you very much for taking the time to complete this survey. 30 minutes

return to Ashley W. 1-16-08 later than

SELPA: South County

School District (if serving multiple districts, list all): Chula Vista Elementary Date: 1/11/08

Name of BICM Completing Survey: Jennifer McPhail
 Title: School Psychologist
 Phone Number(s): 619-656-0797 ext. 2713
 Email Address: jennifer.mcphail@cvcsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u></p> <p>1b. <u>2</u></p> <p>1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>3</u></p> <p>3b. <u>40</u></p> <p>3c. <u>12</u></p> <p>3d. <u>55</u></p> <p>3e. <u>27.5</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 4b. <u>10</u> 4c. <u>7</u> 4d. <u>6</u> 4e. <u>5</u> 4f. <u>4</u> 4g. <u>30</u> 4h. <u>18</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>5</u> 5b. <u>5</u> 5c. <u>3</u> 5d. <u>13</u> 5e. <u>13</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>5</u> 6b. <u>5</u> 6c. <u>3</u> 6d. <u>3</u> 6e. <u>3</u> 6f. <u>3</u> 6g. <u>21</u> 6h. <u>21</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. 3

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
<u>CVESD / SDC Tech</u>	<u>2.5</u>	<u>3</u>
<u>CVESD / DeEd</u>	<u>2.5</u>	<u>3</u>
<u>CVESP / Principal</u>	<u>2.5</u>	<u>3</u>
<u>CVESD / Gen Ed.</u>	<u>2.5</u>	<u>3</u>

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

<u>CVESD / SDC Teacher</u>	<u>2</u>	<u>3</u>
<u>CVESD / AEd</u>	<u>2</u>	<u>3</u>
<u>CVESD / Principal</u>	<u>2</u>	<u>3</u>
<u>CVESD / Gen Ed.</u>	<u>2</u>	<u>3</u>

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the ~~implementation~~ monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

<u>CVESD / SDC Teacher</u>	<u>Daily</u>	<u>3 times?</u>
<u>CVESD / AEd</u>	<u>Daily</u>	<u>3 times?</u>
<u>CVESD / Principal</u>	<u>_____</u>	<u>_____</u>
<u>CVESD / Gen Ed</u>	<u>Daily</u>	<u>3 times?</u>

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. <u>0</u> b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. <u>4</u> c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. <u>3</u> d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. <u>3</u> e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. <u>4</u> f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. <u>0</u>
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

calendar

Please indicate the time it took for you to complete this survey: 1 1/2 hours

Thank you very much for taking the time to complete this survey.

*Review to school director's office -
NO LATER THAN WEDS 1-16-08*

*Susan
Zeballos*

SELPA: South Bay

School District (if serving multiple districts, list all): CVESP

Date: 1/14/08

Name of BICM Completing Survey: Susan Shean-Zeballos
 Title: Itinerant Behavior Spec
 Phone Number(s): 619 425 9400 # 1712
 Email Address: Susan.Zeballos@cvcsd.org

1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.		1a. <u>25</u> 1b. <u>13</u> 1c. <u>9</u>
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?		2. <u>11</u>
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?		3a. <u>0</u> 3b. <u>275</u> 3c. <u>132</u> 3d. <u>407</u> 3e. <u>32 hrs</u>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>26</u></p> <p>4b. <u>104</u></p> <p>4c. <u>225</u></p> <p>4d. <u>13</u></p> <p>4e. <u>13</u></p> <p>4f. <u>43</u></p> <p>4g. <u>404</u></p> <p>4h. <u>38</u></p> <p style="text-align: right;">CPI? CIT</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>90</u></p> <p>5c. <u>18</u></p> <p>5d. <u>108</u></p> <p>5e. <u>216</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>9</u></p> <p>6b. <u>54</u></p> <p>6c. <u>27</u></p> <p>6d. <u>9</u></p> <p>6e. <u>9</u></p> <p>6f. <u>9</u></p> <p>6g. <u>117</u></p> <p>6h. <u>13</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 9
 7b. 8
 7c. 8

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	CVESD - Behavior Spec.	9	9
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	CVESD - Behavior Spec.	250	

10

BICM 4

00334.00100/55274.1

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	10
b.	1.5
c.	0
d.	0
e.	0
f.	0
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

day planner work
 files, computer files

Please indicate the time it took for you to complete this survey: 5 hours

Thank you very much for taking the time to complete this survey.

SELPA: San Diego South County SELPA Date: 1/25/08
 School District (if serving multiple districts, list all): Coronado Unified School District

Name of BICM Completing Survey: Allan Feldstein
 Title: Behavior Specialist
 Phone Number(s): 619 522-8932 cell 619 972-4793
 Email Address: allenfeldstein@coronado.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>7</u> 1b. <u>5</u> 1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>		<p>2. <u>2</u> (1 signed, referral but refused service)</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>		<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a. through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 10</p> <p>4b. 20</p> <p>4c. 101</p> <p>4d. 69.5</p> <p>4e. 4</p> <p>4f. 4</p> <p>4g. 208.5</p> <p>4h. 41.7</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0</p> <p>5b. 0</p> <p>5c. 0</p> <p>5d. 0</p> <p>5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0</p> <p>6b. 3</p> <p>6c. 39</p> <p>6d. 27.5</p> <p>6e. 1</p> <p>6f. 0</p> <p>6g. 70.5</p> <p>6h. 35.25</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 4

7b. 3

7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Gen. Ed. Teacher Spec. Ed. Teacher PPS Director School Counselor School Psychologist Vice Principal	<u>1</u> <u>6.5</u> <u>1</u> <u>2.5</u> <u>2.5</u> <u>4.5</u>	<u>1</u> <u>6</u> <u>1</u> <u>3</u> <u>3</u> <u>5</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Gen. Ed. Teacher Spec. Ed. Teacher Vice Principal School Psychologist School Counselor Dir. PPS	<u>8.75</u> <u>19.25</u> <u>8.5</u> <u>3</u> <u>2.5</u> <u>2.5</u>	

Alde 11

*Behavioral Emergency Reports were completed for incidents involving aggression, self-injurious behavior, property destruction, and development, but NO (zero) emergency behavioral interventions were used.

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. But 5.5 hours for notifying them of Behavioral Emergency Reports</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. # of Hours</p> <p>a. 0</p> <p>b. 0</p> <p>c. *11</p> <p>d. 11.25</p> <p>e. 2</p> <p>f. 4</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Only 2 students with PBIPs also had AB3632 services during this period.</p> <p>Please provide the sample template for FAAs and PBIPs that you use. Enclosed</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Daily Planner	IEP files	Student Cum files
Behavioral Emergency Reports		

Please indicate the time it took for you to complete this survey: 15.5 hours

Thank you very much for taking the time to complete this survey.

Tehama

SELPA

DECLARATION

I, Heidi Schueller, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SELPA Director
Title of Position
by Tehama County Department of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/20/12, 2012, at Red Bluff, California.
Date *City*

Heidi A. Schueller
Signature

Heidi A. Schueller
Print Name

hschueller@tehamaschools.org
E-mail Address

530-528-7248
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

Date: January 30, 2008

SELPA: Tehama County SELPA
 Person Completing Survey: Heidi Schueller
 Title: SELPA Director
 Phone Number(s): 530-528-7348
 Email Address: hschueller@tehamaed.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	7 BICMs
2. How many BICM surveys have been returned to you?	represent 18 districts 11 surveys
3. If not all BICM surveys have been returned, please indicate reason.	No response
4. How many districts are in your SELPA?	18
5. How many district level surveys have been returned to you?	9
6. If not all district surveys have been returned, please indicate reason.	No response

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>2005</u> b. What is the basis for your estimate? <u>Time on task for review development, revision of policies, legal counsel, admin secretary had to format and distribute</u>	7. Assistant SELPA Director Admin Secretary Legal Counsel	7. 40 hours 80 hours ?
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>2005</u> b. What is the basis for your estimate? <u>It had to go through several committees, each time required task preparation and dissemination</u>	8. SELPA Director Admin Secretary	8. 2 hours 2 hours
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006/2007</u> b. What is the basis for your estimate? <u>Same as above</u> c. How often does your SELPA do this? <u>As needed</u>	9. consultant SELPA Director Admin Secretary	9. 24 hours 5 hours 2 hours

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?	10. _____	10. _____
a. What year did this occur? 2006/07	SELPA Directors	2 hours
b. What is the basis for your estimate?	Admin Secretary	_____
c. How often does your SELPA do this? As needed	_____	_____

B. Training – SEE ATTACHED NOTE FOR QUESTIONS 11 - 25

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?	11. _____	11. _____
a. What year did this occur? _____	Riverside	24
b. What is the basis for your estimate? _____	_____	_____
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?	12. _____	12. _____
a. What year did this occur? _____	0	0
b. What is the basis for your estimate? _____	_____	_____
c. How often does your SELPA do this? _____	_____	_____

<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____ \$180 + daily rate _____</p>	<p>13. Position</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>13. # of Hours</p> <p>0</p> <p>_____</p> <p>_____</p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14. _____</p> <p>_____</p> <p>_____</p>	<p>14. _____</p> <p>_____</p> <p>_____</p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? 2005 _____</p> <p>b. What is the basis for your estimate? Based on reinforcers behavior _____</p>	<p>15. Program Specialist</p> <p>_____</p> <p>_____</p>	<p>15. 12 hours</p> <p>_____</p> <p>_____</p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? 2006/07 _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p>	<p>16. Aides Spec Ed Teachers Psychologists</p> <p>_____</p> <p>_____</p>	<p>16. _____</p> <p>_____</p> <p>_____</p>

SELPA 4

00334.00100/55274.1

<p>17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>Position</p> <p>17. Program Specialist _____ _____</p>	<p># of Hours</p> <p>17. 20 hours _____ _____</p>
<p>18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)?</p> <p>a. What year did this occur? 2005 & 2006/07</p> <p>b. What is the basis for your estimate? Tracking hours of trainers and trainees, schedules, planning who, flyers _____</p>	<p>18. Crisis Prevention Institute Assistant SELPA Director DARE _____</p>	<p>18. 20 hours _____ 8 hours _____</p>
<p>19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions?</p> <p>a. What year did this occur? 2007/08</p> <p>b. What is the basis for your estimate? See attached trainings</p> <p>c. How often does your SELPA do this? yearly _____</p>	<p>19. Assistant SELPA Director VI APE RST _____</p>	<p>19. 2 hours _____ _____</p>
<p>20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions?</p> <p>a. What year did this occur? 2007/08</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? yearly _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>20. RST VI APE _____</p>	<p>20. 18 18 19 _____</p>

SELPA 5

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21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ 1 For: Behaviorist
 Cost: \$ _____ For: _____
 Cost: \$ _____ For: _____
 Cost: \$ _____ For: _____
 Cost: \$ _____ For: _____

Paid By: SELPA
 Paid By: _____
 Paid By: _____
 Paid By: _____
 Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).

Sent to Butte County 0

23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

See attached

24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.

See attached

	# Attdg.	District/Position	# of Hours
22.	22.		22.
23.	23.		23.
24.	24.		24.

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 180 + daily rate + mileage

a. Is this figure typical of annual costs and for how long has it been typical? yes
 b. If not, what have you typically done?
 c. What do you intend to do in the future?

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. SELPA Director	26. .5
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27.	27. 0

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document.

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Jolynn Amenson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Coordinator of Special Programs
School Psychologist &
by Corning Union Elementary School District, Tehama County Selpa
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at Corning, California.
Date *City*

Jolynn Amenson
Signature

Jolynn Amenson
Print Name

jaanens@corningelementary.org
E-mail Address

(530) 324-7700
Phone Number

SELPA: Corning Elementary Date: 12/10/08
 District: Corning Elementary
 Person completing survey: JOYLUK ARNOLDSON
 Title: SCHOOL PSYCHOLOGIST / COORDINATOR of Special Programs
 Phone Number(s): (509) 324-7149
 Email Address: JARNOLD@CUESD.TECHWA

1.	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07? <i>All 5th grade records have moved on to the high school</i>		
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.	<u>Psychologist</u>	<u>3</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	<u>Special Ed teacher</u>	<u>1</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	<u>Special Ed teacher</u>	<u>5</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	<u>Psychologist</u>	<u>10</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.		<u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	<u>Coordinator</u>	<u>1</u>
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	<u>Coordinator</u>	<u>2</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions? <u>CPI training Aug '06</u>	3. <u>RT (4)</u> <u>SW (3)</u> <u>Psychologists (2)</u> <u>Classified aides 5</u>	<u>12</u> <u>12</u> <u>12</u> <u>12</u> <u>12</u>

95 minutes

DISTRICT 2
00334-00100/55274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4. _____ 4a. _____
--	-----------------------

Case #: _____ (use OAH filing number)

# of Hours	Position
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____

00334.00100/55274.1

DISTRICT 3

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	Ecological Analysis	3.5	PETER ENDAS / BICM	\$ 225.00
	IMMIGRATION		"	\$ 70.20
	TRAVEL TIME	1	"	\$ 75.00
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

day planners
 teacher interviews
 confidential files
 P.O. records

Please indicate the amount of time it took to complete this document: 5 hours

Thank you for taking the time to complete this survey.

DISTRICT 4

00334.00100/5274.1

DECLARATION

I, Debbie Oppizzo, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Principal
by Evergreen School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27/, 2012, at Redding, California.
Date *City*

Debbie Oppizzo
Signature

Debbie Oppizzo
Print Name

f.oppezzo@sbglobal.net
E-mail Address

530-241-0623
Phone Number

SELPA: Tehama County Date: January 25, 2008

District: Evergreen Union School District
 Person completing survey: Debbie Oppizzo
 Title: Principal, Evergreen Elementary School
 Phone Number(s): 530/347-3411
 Email Address: doppezzo@tehamaed.org

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. 31
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	2. Resource Teacher & Classified Aide	20 hours
a. Performing emergency behavioral interventions.	a. Resource Teacher	22 hours
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	c. Resource Teacher	10.5 hours
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	d.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	e. Resource Teacher / Superintendent	1.5 hours
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	f. Resource Teacher	.75 hours
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	g. Resource Teacher	.75 hours
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.		
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. Resource Teacher Classified Aides Principal	6 hours

DISTRICT 2

00334.00100/55274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?	4. _____ 0
a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.	4a. _____ 0

Case #: _____ (use OAH filing number)

	<u>Position</u>	<u># of Hours</u>
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____ _____	5. _____ 0
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ 0
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ 0
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ 0

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1	Attending IEP	3	Evergreen Private Elem. Consultant	\$ 262.50 \$
1	Evaluating PBIP Effectiveness	44	Evergreen Private Elem. Consultant	\$3857.60 \$
1	Training & Monitoring PBIP	44	Evergreen Private Elem. Consultant	\$3857.60 \$ \$ \$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____ .5 hour

Thank you for taking the time to complete this survey.

DECLARATION

I, ROD STONE, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a SUPERINTENDENT
by GERBER UNION ELEMENTARY SCHOOL DISTRICT
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/26, 2012, at GERBER, California.
Date *City*

[Handwritten Signature]
Signature

ROD STONE
Print Name

rstone@tehamaed.org
E-mail Address

530-385-1041
Phone Number

SELPA: TEHAMA COUNTY Date: 012908

District: GERBER

Person completing survey: _____

Title: _____

Phone Number(s): _____

Email Address: _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.		
a. Performing emergency behavioral interventions.		0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.		0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.		0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.		0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.		0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.		0
g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.		0
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	Superintendent Asst. Vice Principal RSP School Psychologist	2 hrs 1/2 1/2 1/2

<p>4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.</p>	<p>4. _____ 4a. _____</p>
---	--

Case #: _____ (use OAH filing number)

	<u>Position</u>	<u># of Hours</u>
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ _____ _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1 hr

Thank you for taking the time to complete this survey.

DECLARATION

I, Mary Stephenson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Resource Specialist
Title of Position
by Tehama County Dept. of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/7/12, 2012, at Shasta Lake, California.
Date *City*

Mary Stephenson
Signature

Mary Stephenson
Print Name

Mstephenson@tehamaschools.org
E-mail Address

530-527-5811
Phone Number

(FAX)

529-4134

SEI/PA: Telama County Dept. of Education
 District: Lasera Direct
 Person completing survey: Mary Stephenson
 Title: Resource Specialist Teacher
 Phone Number(s): 567-5162
 Email Address: M.Stephenson@telamedu.org

Date: 1/23/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?
 1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	2.
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	<u>Principal</u>
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	<u>—</u>
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	<u>—</u>
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	<u>—</u>
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	<u>—</u>
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SEI/PA.	<u>—</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	3.

DISTRICT 2

00334.00100/55274.1

(FAX)

NOT IN
 2006-07
 2007

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____

Thank you for taking the time to complete this survey.

**LASSEN VIEW UNION ELEMENTARY SCHOOL DISTRICT
COUNSELOR SALARY SCHEDULE
2006-07**

YEAR	1	2	3	4	5-7	8-10	11-13	14-16	17-19	20-22
	56,704	59,540	62,517	65,642	68,924	72,371	75,990	79,789	83,779	87,967

Contract amount based on 185 days.

**LASSEN VIEW UNION SCHOOL DISTRICT
 AIDE SALARY SCHEDULE
 2006-07**

YEAR	1	2	3	4	5-7	8-10	11-13	14-16	17-27	28-38
A	9.39	9.82	10.28	10.73	11.25	11.74	12.27	12.87	13.46	14.14
B	9.62	10.09	10.56	11.08	11.61	12.16	12.74	13.36	14.00	14.70
C	10.21	10.71	11.18	11.68	12.23	12.80	13.41	14.03	14.70	15.40

- A Instructional Aide
- B Instructional Aide for Special Ed
- C Instructional Aide with Bilingual Ability/Community Day School Instr Aide

Annual:

19,606.32	20,504.16	21,464.64	22,404.24	23,490.00	24,513.12	25,619.76	26,872.56	28,104.48	29,524.32
20,086.56	21,067.92	22,049.28	23,135.04	24,241.68	25,390.08	26,601.12	27,895.68	29,232.00	30,693.60
21,318.48	22,362.48	23,343.84	24,387.84	25,536.24	26,726.40	28,000.08	29,294.64	30,693.60	32,155.20

**LASSEN VIEW UNION SCHOOL DISTRICT
 AIDE SALARY SCHEDULE
 2006-07**

YEAR	1	2	3	4	5-7	8-10	11-13	14-16	17-27	28-38
A	9.39	9.82	10.28	10.73	11.25	11.74	12.27	12.87	13.46	14.14
B	9.62	10.09	10.56	11.08	11.61	12.16	12.74	13.36	14.00	14.70
C	10.21	10.71	11.18	11.68	12.23	12.80	13.41	14.03	14.70	15.40

- A Instructional Aide
- B Instructional Aide for Special Ed
- C Instructional Aide with Bilingual Ability/Community Day School Instr Aide

Annual:

19,606.32	20,504.16	21,464.64	22,404.24	23,490.00	24,513.12	25,619.76	26,872.56	28,104.48	29,524.32
20,086.56	21,067.92	22,049.28	23,135.04	24,241.68	25,390.08	26,601.12	27,895.68	29,232.00	30,693.60
21,318.48	22,362.48	23,343.84	24,387.84	25,536.24	26,726.40	28,000.08	29,294.64	30,693.60	32,155.20

**LASSEN VIEW UNION ELEMENTARY SCHOOL DISTRICT
COUNSELOR SALARY SCHEDULE
2006-07**

YEAR	1	2	3	4	5-7	8-10	11-13	14-16	17-19	20-22
	56,704	59,540	62,517	65,642	68,924	72,371	75,990	79,789	83,779	87,967

Contract amount based on 185 days.

Date: 1/29/08

SELPA: _____
 District: Kirkwood
 Person completing survey: _____
 Title: _____
 Phone Number(s): _____
 Email Address: _____

	Position	# of Hours
1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>None</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a.	_____
	b.	_____
	c.	_____
	d.	_____
	e.	_____
	f.	_____
	g.	_____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3.	_____
	_____	_____
	_____	_____

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. None
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing PAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

J. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 mins

Thank you for taking the time to complete this survey.

SELPA: TCDF
 District: McMurrer
 Person completing survey: Brenda Wolfe
 Title: Principal
 Phone Number(s): 530-595-3322
 Email Address: bwolf@caj.kawaweb.org

Date: 01/29/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 2

	Position	# of Hours	
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for HAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDF. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	a. <u>ML/A</u>	<u>0</u>	
	b. <u>ML/A</u>	<u>0</u>	
	c. <u>ML/A</u>	<u>0</u>	
	d. <u>ML/A</u>	<u>0</u>	
	e. <u>ML/A</u>	<u>0</u>	
	f. <u>ML/A</u>	<u>0</u>	
	g. <u>ML/A</u>	<u>0</u>	
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>ML/A</u>	<u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. 11/14

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>11/14</u>	5. <u>0</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>11/14</u>	6. <u>0</u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>11/14</u>	7. <u>0</u>
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>11/14</u>	8. <u>0</u>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IJP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
1				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 min

Thank you for taking the time to complete this survey.

SELPA: TCDE

District: Flournoy

Date: 8/15/08

Person completing survey: Ken Blunkhant

Title: Principal

Phone Number(s): 530-833-5331

Email Address: Blunkhant@flournoycafe.com

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?		1. <u>0</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	2. <u>N/A</u>
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	a. <u>N/A</u>
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	b. <u>N/A</u>
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	c. <u>N/A</u>
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	d. <u>N/A</u>
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDF.	e. <u>N/A</u>
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	f. <u>N/A</u>
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	g. <u>N/A</u>
		3. <u>N/A</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. N/A

Case #: N/A (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>N/A</u>	5. <u>0</u>
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. <u>N/A</u>	6. <u>0</u>
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. <u>N/A</u>	7. <u>0</u>
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. <u>N/A</u>	8. <u>0</u>

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities -- such as developing FAAs, PBPs or attending IEP team meetings -- please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
0				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 mins

Thank you for taking the time to complete this survey.

District

SELPA: TERRELLA COUNTY DEPT. OF ED

Date: 1-29-08

District: PLEASANT VALLEY

Person completing survey: REBECCAH SPEER

Title: TERRELLA COUNTY SPECIALIST

Phone Number(s): (530) 597-2248

Email Address: _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	a. _____
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____	3. <u>0</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. <u>0</u> _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ _____ _____	6. <u>0</u> _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ _____ _____	7. <u>0</u> _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ _____ _____	8. <u>0</u> _____ _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 MINUTES

Thank you for taking the time to complete this survey.

BICM

DECLARATION

I, Jolynn Amenson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist / Coord. of Special Education
by Corning Union Elementary School District, Tehama County Selpa
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at Corning, California.
Date *City*

Jolynn Amenson
Signature

Jolynn Amenson
Print Name

jaanens@corningelementary.org
E-mail Address

(530) 824-7700
Phone Number

SELPA: Tehama County Date: 1/29/08
 School District (if serving multiple districts, list all): CONNING WOOD ELEMENTARY

Name of BICM Completing Survey: JOLYAN HANSEN
 Title: DISTRICT SUPERVISOR / CONDUCTOR OF SPECIAL PROGRAMS
 Phone Number(s): (530) 884-7700
 Email Address: JANENSON@quest.tehama.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. _____ <input type="text" value="0"/></p> <p>4b. _____ <input type="text" value="0"/></p> <p>4c. _____ <input type="text" value="0"/></p> <p>4d. _____ <input type="text" value="0"/></p> <p>4e. _____ <input type="text" value="0"/></p> <p>4f. _____ <input type="text" value="0"/></p> <p>4g. _____ <input type="text" value="0"/></p> <p>4h. _____ <input type="text" value="0"/></p>
<p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ <input type="text" value="0"/></p> <p>5b. _____ <input type="text" value="0"/></p> <p>5c. _____ <input type="text" value="0"/></p> <p>5d. _____ <input type="text" value="0"/></p> <p>5e. _____ <input type="text" value="0"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ <input type="text" value="0"/></p> <p>6b. _____ <input type="text" value="0"/></p> <p>6c. _____ <input type="text" value="0"/></p> <p>6d. _____ <input type="text" value="0"/></p> <p>6e. _____ <input type="text" value="0"/></p> <p>6f. _____ <input type="text" value="0"/></p> <p>6g. _____ <input type="text" value="0"/></p> <p>6h. _____ <input type="text" value="0"/></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

	District/Position	# of Hrs	# IEP Mtes
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

*QUESTIONS
JOB NUMBER*

*IEP's not longer available as student
moved to new district.*

11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?		# of Hours
a.	Performing emergency behavioral interventions.	15
b.	Notifying parent and/or residential care providers within one school day of use of emergency interventions.	3
c.	Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	1
d.	Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e.	Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	0
f.	Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	5

12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day planners
Confidential files
Personal files

Please indicate the time it took for you to complete this survey: 3 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Susan Silva, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Tehama County Department of Education
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-30-12, 2012, at Red Bluff, California.
Date *City*

Susan Silva
Signature

Susan Silva
Print Name

ssilva@tehamaschools.org
E-mail Address

527-5733
Phone Number

SELPA: TCDE
 School District (if serving multiple districts, list all): _____

Date: 1.28.08

Name of BICM Completing Survey: Susan Silva
 Title: School Psychologist
 Phone Number(s): 527-5733
 Email Address: SSILVA@tehama.net

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p>	<p>3a. <u>2 hrs</u> 3b. <u>10 hrs</u> 3c. <u>10 hrs</u> 3d. <u>22</u> 3e. <u>22 hrs</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>5 hrs</u> 4b. <u>3 hrs</u> 4c. <u>1 hr</u> 4d. <u>3 hrs</u> 4e. <u>2 hrs</u> 4f. <u>2 hrs</u> 4g. <u>16 hrs</u> 4h. <u>16 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u> 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		5	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	TCOE	5 hrs	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	.5
b.	.25
c.	.5
d.	1
e.	1
f.	1
12.	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

PENT website

Please indicate the time it took for you to complete this survey: 20 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Irvin Cassarla, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Tehama County Department of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at Red Bluff, California.
Date *City*


Signature

Irvin Cassarla
Print Name

E-mail Address

Phone Number

SEIPA: Telama County Date: 1-30-08

School District (if serving multiple districts, list all): Antelope Carving High School

Name of BIGM Completing Survey: Trw Cassels

Title: School Psychologist

Phone Number(s): (556) 206-8197

Email Address: lcassell@telamaed

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>0</u></p> <p>3b. <u>7.0</u></p> <p>3c. <u>3.0</u></p> <p>3d. <u>10.0</u></p> <p>3e. <u>10.0</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>3.0</u></p> <p>4b. <u>2.5</u></p> <p>4c. <u>2.0</u></p> <p>4d. <u>4.5</u></p> <p>4e. <u>0.</u></p> <p>4f. <u>1.5</u></p> <p>4g. <u>13.5</u></p> <p>4h. <u>15.5</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u></p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>C</u></p> <p>6b. <u>0</u></p> <p>6c. <u>0</u></p> <p>6d. <u>0</u></p> <p>6e. <u>0</u></p> <p>6f. <u>0</u></p> <p>6g. <u>0</u></p> <p>6h. <u>0</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: 0

b. Number of students requiring 2 IEP team meetings: 0

c. Number of students requiring 3 or more IEP team meetings: 0

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	AVT/ESP AVT/ESP AVT/ESP AVT/ESP	<u>1.5</u> <u>1.5</u>	<u>1</u> <u>1</u>
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		<u>0</u>	
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	AVT/ESP AVT/ESP Aide	<u>12</u> <u>9</u>	

# of Hours	
11.	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?
a.	Performing emergency behavioral interventions.
b.	Notifying parent and/or residential care providers within one school day of use of emergency interventions.
c.	Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
d.	Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
e.	Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
f.	Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
12.	Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- calendars
- day logs

Please indicate the time it took for you to complete this survey: 1.0

Thank you very much for taking the time to complete this survey.

DECLARATION

I, David Levy, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Evergreen Union School District
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/30, 2012, at Cottonwood, California.
Date *City*

David Levy

Signature

David Levy

Print Name

dlevy@evergreenusd.org

E-mail Address

(530) 347-3411 ext. 7560

Phone Number

SELPA: Tehama County
 School District (if serving multiple districts, list all): Evergreen Union School District
 Date: 1/25/08

Name of BICM Completing Survey: David Levy
 Title: School Psychologist
 Phone Number(s): 530/347-3411
 Email Address: dlevy@tehamad.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1*</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

* FAA was conducted and PBIP was developed with private behavior consultant hired by the District.

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0 4b. _____ 0 4c. _____ 0 4d. _____ 1 4e. _____ 0 4f. _____ 0 4g. _____ 1 4h. _____ 1</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0 5b. _____ 0 5c. _____ 0 5d. _____ 0 5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0 6b. _____ 0 6c. _____ 0 6d. _____ 0 6e. _____ 0 6f. _____ 0 6g. _____ 0 6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____ 1
 7b. _____ 0
 7c. _____ 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	Evergreen/Supt. Evergreen/RSP Evergreen/Gen. Ed. Tchr. Evergreen/Pvt. Consult.	1 1 1 1	1 1 1 1
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____	_____ _____ _____ _____	_____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Evergreen/RSP Evergreen/Paraprof. _____ _____	25 560 _____ _____	_____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. _____ 0 b. _____ 0 c. _____ 0 d. _____ 0 e. _____ 0 f. _____ 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Day Planners	_____	_____
Calendars	_____	_____

Please indicate the time it took for you to complete this survey: 1.5 hours _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Katie Freitas, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Resource teacher
Title of Position
by Tehama County
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-7, 2012, at Red Bluff, California.
Date *City*


Signature

Katie Freitas
Print Name

Kfreitas@tehamaschools.org
E-mail Address

Phone Number

SELPA: _____
 School District (if serving multiple districts, list all): Kirkwood Date: 1/24/08

Name of BICM Completing Survey: Katie Ereltas
 Title: Resource Specialist
 Phone Number(s): _____
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u></p> <p>1b. <u>2</u></p> <p>1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>3</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>7</u></p> <p>3b. <u>3 hr days</u></p> <p>3c. <u>2</u></p> <p>3d. _____</p> <p>3e. _____</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>5</u></p> <p>4b. <u>5 hrs</u></p> <p>4c. <u>all the time</u></p> <p>4d. <u>all the time</u></p> <p>4e. <u>all the time</u></p> <p>4f. <u>all the time</u></p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>5</u></p> <p>5b. <u>5</u></p> <p>5c. <u>5</u></p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>5</u></p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. _____
 7c. _____

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

# of Hours	
11.	<p>How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ol style="list-style-type: none"> Performing emergency behavioral interventions. Notifying parent and/or residential care providers within one school day of use of emergency interventions. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a.	_____
b.	_____
c.	_____
d.	_____
e.	_____
f.	_____
	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate the time it took for you to complete this survey: 20 min

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Marla Katzler, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Teacher/Principal
Title of Position
by Elkins Elementary School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 8, 2012, at Paskenta, California.
Date *City*

Marla Katzler
Signature

Marla Katzler
Print Name

mkatzler@elkinsschoolca.org
E-mail Address

530-833-5582
Phone Number

SELPA: TCDE
 School District (if serving multiple districts, list all): Atkins
 Date: 01/29/08

Name of BIGM Completing Survey: Marta Katsler
 Title: Principal
 Phone Number(s): 530-833-5582
 Email Address: MJensen@feloword.org

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>114</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>2. <u>114</u> 3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c).</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 114
 7b. 114
 7c. 114

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	<u>NA</u>	<u>0</u>	<u>0</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	<u>NA</u>	<u>0</u>	<u>0</u>

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	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey:

5 min.

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00100/55274.1

SELPA: TEHAMA COUNTY DEPT OF EDUCATION Date: 2-4-8
 School District (if serving multiple districts, list all): RICHFIELD ELEM. LOS MONDOS UNIFIED

Name of BICM Completing Survey: JERRY MARTIN WALKER
 Title: SCHOOL BUS DRIVER
 Phone Number(s): (530) 384-7600 ext 1318
 Email Address: jwalk@msd.tehama.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIIPs? Of this total, please specify the number of: a. new cases (PBIIP for first time), and b. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>0</u> 3c. <u>0</u> 3d. <u>0</u> 3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. _____

4b. _____

4c. _____

4d. _____

4e. _____

4f. _____

4g. _____

4h. _____

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. _____

5b. _____

5c. _____

5d. _____

5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. _____

6b. _____

6c. _____

6d. _____

6e. _____

6f. _____

6g. _____

6h. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.		0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		1	1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 8
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 8
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 8
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 8
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 8
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 8
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. AT THIS TIME WE HAVE NO STUDENTS WITH PBIPs OR AB3632 SERVICES	<p>TEMP PLATES ATTACHED ✓</p> <p>2453</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 2.5 hrs

Thank you very much for taking the time to complete this survey.

SELPA: TCIDE
School District (if serving multiple districts, list all): Millerton

Date: 8/29/08

Name of BICM Completing Survey: Brenda Wolfe
Title: Principal
Phone Number(s): 530-595-3322
Email Address: BWolfe@Millerton.org

<p>1. How many students did you serve in 2006-07 who had PBIIPs?</p> <p>a. How many students did you serve in 2006-07 who had PBIIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>0</u></p> <p>1b. <u>114</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>114</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. <u>0</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. _____</p> <p>4c. _____</p> <p>4d. _____</p> <p>4e. _____</p> <p>4f. _____</p> <p>4g. _____</p> <p>4h. _____</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. _____</p> <p>5c. _____</p> <p>5d. _____</p> <p>5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____</p> <p>6b. _____</p> <p>6c. _____</p> <p>6d. _____</p> <p>6e. _____</p> <p>6f. _____</p> <p>6g. _____</p> <p>6h. _____</p>

<p>7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.</p> <p>a. Number of students requiring 1 IEP team meeting: b. Number of students requiring 2 IEP team meetings: c. Number of students requiring 3 or more IEP team meetings:</p> <p>Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).</p>	<p>7a. <u>11/4</u> 7b. <u>11/11</u> 7c. <u>11/14</u></p>
<p>8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position <u>M/PA</u> _____ _____ _____ _____ _____ _____</p> <p># of Hrs <u>0</u> _____ _____ _____ _____ _____ _____</p> <p># IEP Mtgs <u>0</u> _____ _____ _____ _____ _____ _____</p>
<p>9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.</p>	<p>District/Position <u>M/PA</u> _____ _____ _____ _____ _____ _____</p> <p># of Hrs <u>0</u> _____ _____ _____ _____ _____ _____</p> <p># IEP Mtgs <u>0</u> _____ _____ _____ _____ _____ _____</p>
<p>10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.</p>	<p>District/Position <u>M/PA</u> _____ _____ _____ _____ _____ _____</p> <p># of Hrs <u>0</u> _____ _____ _____ _____ _____ _____</p> <p># IEP Mtgs _____ _____ _____ _____ _____ _____</p>

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PRIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 min

Thank you very much for taking the time to complete this survey.

BICM

SELPA: TEHAMA COUNTY DEPT. OF ED.
 School District (if serving multiple districts, list all): PAVN VALLEY

Date: 1-29-08

Name of BICM Completing Survey: YAREN FRENZ
 Title: RESOURCE SPECIALIST
 Phone Number(s): 530 597-2248
 Email Address: _____

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. _____</p> <p>1b. _____</p> <p>1c. _____</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. _____</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. _____</p> <p>3b. _____</p> <p>3c. _____</p> <p>3d. _____</p> <p>3e. _____</p>

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. _____

4b. _____

4c. _____

4d. _____

4e. _____

4f. _____

4g. _____

4h. _____

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. _____

5b. _____

5c. _____

5d. _____

5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. _____

6b. _____

6c. _____

6d. _____

6e. _____

6f. _____

6g. _____

6h. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____

7b. _____

7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. _____ b. _____ c. _____ d. _____ e. _____ f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 10 MINUTES

Thank you very much for taking the time to complete this survey.

SELPA: TEHAMA COUNTY SEPT
 Date: JANUARY 2008
 School District (if serving multiple districts, list all): ATEBERE SCHOOL DISTRICT
 Name of BICM Completing Survey: IRVIN CASSELL
 Title: SCHOOL PSYCHOLOGIST
 Phone Number(s):
 Email Address:

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="text" value="0"/></p> <p>1b. <input type="text" value="0"/></p> <p>1c. <input type="text" value="0"/></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <input type="text" value="0"/></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <input type="text" value="8"/></p> <p>3b. <input type="text" value="8"/></p> <p>3c. <input type="text" value="8"/></p> <p>3d. <input type="text" value="8"/></p> <p>3e. <input type="text" value="8"/></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____ 0</p> <p>4b. _____ 0</p> <p>4c. _____ 0</p> <p>4d. _____ 0</p> <p>4e. _____ 0</p> <p>4f. _____ 0</p> <p>4g. _____ 0</p> <p>4h. _____ 0</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 0</p> <p>5b. _____ 0</p> <p>5c. _____ 0</p> <p>5d. _____ 0</p> <p>5e. _____ 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 0</p> <p>6b. _____ 0</p> <p>6c. _____ 0</p> <p>6d. _____ 0</p> <p>6e. _____ 0</p> <p>6f. _____ 0</p> <p>6g. _____ 0</p> <p>6h. _____ 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____

7b. _____

7c. _____

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	_____	_____	_____
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	_____	_____	_____

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Interview School Special teacher
 Interviews School Special ed Supervisor
 File Reviews

Please indicate the time it took for you to complete this survey: 15 minutes

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Irvin Cassola, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Tehama County Dept. of Education
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at Red Bluff, California.
Date *City*


Signature

Irvin Cassola
Print Name

E-mail Address

Phone Number

SELPA: TCDE

School District (if serving multiple districts, list all): Flournoy

Date: 2/30/08

Name of BICM Completing Survey: Ken Brinkhoff

Title: Principal

Phone Number(s): 530-833-5331

Email Address: Ken.Brinkhoff@flournoy.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>		<p>1a. <u>0</u></p> <p>1b. <u>N/A</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>		<p>2. <u>N/A</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>		<p>3a. <u>N/A</u></p> <p>3b. <u>0</u></p> <p>3c. <u>0</u></p> <p>3d. <u>0</u></p> <p>3e. <u>0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDL.	f. <u>0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 5 mins.

Thank you very much for taking the time to complete this survey.

Tri-City

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at mlenahan@gmail.com.

SELPA: THE CITY

Date: 3/15/08

Person Completing Survey: LEE KAPLAN

Title: DIRECTOR PUBLIC SERVICES + THE CITY SELPA

Phone Number(s): (310) 842-4230 x4201

Email Address: selpa@ccosd.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	
2. How many BICM surveys have been returned to you?	8
3. If not all BICM surveys have been returned, please indicate reason.	
4. How many districts are in your SELPA?	
5. How many district level surveys have been returned to you?	3
6. If not all district surveys have been returned, please indicate reason.	2

6 BICM's returned
BICM's this year

SELPA 1

SELPA
COPY

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)?		
a. What year did this occur? <u>2002</u>		
b. What is the basis for your estimate? <u>Review of Sample Plan, Adoption on committee</u>		
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)?		
a. What year did this occur? <u>2002</u>		
b. What is the basis for your estimate? <u>Review of documents</u>		
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures?		
a. What year did this occur? <u>2007 - Review period</u>		
b. What is the basis for your estimate? <u>Review of documents</u>		
c. How often does your SELPA do this? <u>as needed</u>		

CUSD SELPA DIRECTOR IS ALSO DISTRICT DIRECTOR

SELPA 2

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Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? <u>2002</u> b. What is the basis for your estimate? c. How often does your SELPA do this? <u>as needed</u>	10. <u>participated</u>	10. _____
B. Training		
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? <u>2006-07</u> b. What is the basis for your estimate? <u>PENT participation</u>	11. <u>PSYCH/PENT</u>	11. <u>150</u>
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? <u>2008</u> b. What is the basis for your estimate? <u>class at time met 10 hrs + 5 hr</u> c. How often does your SELPA do this? <u>annually thru</u>	12. <u>REP WORKING ON FORM WITH DEVELOPER</u>	12. <u>in a class</u>
	12. <u>PSYCH 5-6</u>	12. <u>36 @</u>

SELPA3

00334.0010055274.1

<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? <u>2007</u></p> <p>b. What is the basis for your estimate? <u>Was 2 days training</u></p> <p>c. How often does your SELPA do this? <u>annual</u></p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p>	<p>13. Position <u>Psych</u></p>	<p>13. # of Hours <u>16 hrs</u></p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? <u>did not lead, psych attend</u></p> <p>b. What is the basis for your estimate? <u>was led & present. list</u></p> <p>c. How often does your SELPA do this?</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p>	<p>14. <u>0</u></p>	<p>14. <u>0</u></p>
<p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>		
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? <u>2002</u></p> <p>b. What is the basis for your estimate? <u>group training, schedule</u></p>	<p>15. <u>3 psychs</u> <u>1 program specialist</u></p>	<p>15. <u>3</u> <u>3</u></p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? <u>2008</u></p> <p>b. What is the basis for your estimate? <u>all new</u></p> <p>c. How often does your SELPA do this? <u>as needed</u></p>	<p>16. <u>2 pages</u></p>	<p>16. <u>1</u></p>

SELPA 4

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	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>2007</u> b. What is the basis for your estimate? <u>via paper distribution. attached.</u> c. How often does your SELPA do this? <u>once by district</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>NO</u>	17. <u>3 papers</u>	17. <u>1 hr</u>
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? _____ b. What is the basis for your estimate? _____	18. <u>over done by SELPA</u>	18.
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____	19. <u>over done by SELPA</u>	19.
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? _____ b. What is the basis for your estimate? _____ c. How often does your SELPA do this? _____ d. If provided by independent contractor for SELPA, state the cost and list what is included.	20. <u>not done by SELPA</u>	20.

SELPA 5

00334.00100/55274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Yes

Cost: \$ 58.68 X 2 For: Travel
 Cost: \$ 16 psycnts/district For: Special Ed
 Cost: \$ _____ For: _____
 Cost: \$ _____ For: _____
 Cost: \$ _____ For: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	# Attdg.	District/Position	# of Hours
	22	PSYCHS	16
23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23	done by district	23
24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	24	Not done by SELPA	24

SELPA 6

00334.00100/5274.1

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$ 117,360
 Is this figure typical of annual costs and for how long has it been typical? 2 yrs
 If not, what have you typically done?
 What do you intend to do in the future?

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.

Position	# of Hours
Director	3 hrs

27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)

Position	# of Hours
Director	0

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document.

Thank you very much for taking the time to complete this survey.

SELPA 7

00334.0010055274.1

District

SELPA: 21003
District: C.C.O.S.D.

Date: 3/19/08

District

Person completing survey: Eckert
Title: DIRECTOR PUBLIC SERVICES
Phone Number(s): (310) 842-4220
Email Address: _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 9

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. <u>PSYCH S</u>	2. <u>630</u>
	a. <u>TERMINALS</u>	a. <u>630</u>
	b. <u>PSYCH</u>	b. <u>512</u>
	c. <u>PSYCH</u>	c. <u>270</u>
	d. <u>PSYCH</u>	d. <u>27</u>
	e. <u>PSYCH</u>	e. <u>12</u>
	f. <u>PSYCH</u>	f. <u>1.9</u>
	g. <u>PSYCH</u>	g. <u>1.9</u>
	3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. <u>PSYCH</u>

District 2

0033460100/55274.1

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.
 4a. 0

Case #: _____
 (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. <u>N/A</u>	5. _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____

This tax was received by GFI FAXmaker fax server. For more information, visit http://www.gfi.com

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing PAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
		0		\$
		1		\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____

Thank you for taking the time to complete this survey.

District 4

00334.00100/55274.1

No BICM activity

BICM

Toulumne County

SELPA

DECLARATION

I, JAN KEARNS, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Executive DIRECTOR
by Toolumne County SELPA
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/17, 2012, at Redding, California.
Date *City*

Jan Kearns
Signature

JAN KEARNS
Print Name

jan.kearns@gmail.com
E-mail Address

(530) 262-2070
Phone Number

SELPA

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

COPY

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at mmlenahan@gmail.com.

SELPA: Tuolumne

Date: 8/11/08

Person Completing Survey: JAN KEARNS

Title: Director

Phone Number(s): 209 536-2040

Email Address: JKEARNS@TUOLUMNE.K12.CA.US

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	<u>2</u>
2. How many BICM surveys have been returned to you?	<u>2</u>
3. If not all BICM surveys have been returned, please indicate reason.	<u>2 - Did not send</u>
4. How many districts are in your SELPA?	<u>12</u>
5. How many district level surveys have been returned to you?	<u>12</u>
6. If not all district surveys have been returned, please indicate reason.	<u>12 - Did not send</u>

12 - Did not send
12 - Did not send
BICM surveys through the SELPA

SELPA 1

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>2004-05 (in local plan)</u> b. What is the basis for your estimate? <u>see x for said policy</u>	7. SELPA Director Principal School Psychs	7. 5 5 3
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>2004-05</u> b. What is the basis for your estimate? <u>see above</u>	8. SELPA Director	8. 2
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006-07</u> b. What is the basis for your estimate? <u>Away for review by committee</u> c. How often does your SELPA do this? <u>As needed</u>	9. SELPA Director Gov Board (12 members) Subcommittee	9. 8 1 5

<p>10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>see above for prior procedures</u></p> <p>c. How often does your SELPA do this? <u>see below (see meeting)</u></p>	<p>Position</p> <p>10. <u>SELPA Director</u> <u>EX Board Member</u></p>	<p># of Hours</p> <p>10. <u>1 hr</u> <u>5 hr each</u></p>
<p>B. Training</p> <p>Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.</p>		

<p>11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p>	<p>Position</p> <p>11. <u>None</u></p>	<p># of Hours</p> <p>11. <u>0</u></p>
<p>12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>separ. by attendee</u></p> <p>c. How often does your SELPA do this? <u>As needed - staff turnover</u></p>	<p>Position</p> <p>12. <u>School psych</u> <u>School psych</u></p>	<p># of Hours</p> <p>12. <u>24</u> <u>24</u></p>

SELPA 3

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	Position	# of Hours
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p>	<p>13. <u>None</u></p>	<p>13. <u>0</u></p>
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur? _____</p> <p>b. What is the basis for your estimate? _____</p> <p>c. How often does your SELPA do this? _____</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included. _____</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	<p>14. <u>None</u></p>	<p>14. <u>0</u></p>
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>Report by trainer</u></p>	<p>15. <u>School psych</u> <u>School psych</u></p>	<p>15. <u>5 hr</u> <u>5 hr</u></p>
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? <u>2006-07</u></p> <p>b. What is the basis for your estimate? <u>Report by trainer</u></p> <p>c. How often does your SELPA do this? <u>annually</u></p>	<p>16. <u>School psych</u> <u>School psych</u></p>	<p>16. <u>3 hr</u> <u>3 hr</u></p>

SELPA 4

00334.00100/55274.1

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>2006-07</u> b. What is the basis for your estimate? <u>Report by trainer</u> c. How often does your SELPA do this? <u>Quarterly</u> d. If provided by independent contractor for SELPA, state the cost and list what is included.	17. School psych School psych	17. 3 hr 3 hr
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? b. What is the basis for your estimate?	18. Done	18. 0
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>2007-08</u> b. What is the basis for your estimate? <u>Report</u> c. How often does your SELPA do this? <u>3x/yr</u>	19. Lead School psych Teachers aides	19. 24 24 24 24
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>2007-08</u> b. What is the basis for your estimate? <u>training provided by SELPA</u> c. How often does your SELPA do this? <u>2-3x/yr</u> d. If provided by independent contractor for SELPA, state the cost and list what is included.	20. Teacher Teacher	20. 28

SELPA 5

00334.00100/55274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Did not hold trainings

Cost: \$ _____ For: _____
 Paid By: _____

	# Attdg.	District/Position	# of Hours
22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	22.	22. <i>D/A</i>	22.
23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23.	23.	23.
24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	24.	24. <i>A</i>	24.

No District Activity

District

BICM

DECLARATION

I, Wendy Pound, hereby declare as follows:
Print Name

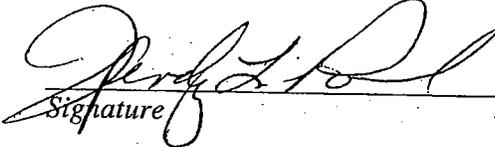
1. In the 2007-2008 school year, I was employed as a School Psychologist
by Tuolumne County Superintendent of Schools Office
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 17, 2012, at Sonora, California.
Date *City*


Signature

Wendy Li Pound
Print Name

wpound@tuolcoe.k12.ca.us
E-mail Address

(209) 536-2087
Phone Number

SELPA: 106 Date: 3/11/2008
 School District (if serving multiple districts, list all):
 Name of BICM Completing Survey: Wendy Round
 Title: School Psychologist
 Phone Number(s): (209) 536-2087
 Email Address: wround@tuolcoe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>8</u> 1b. <u>3</u> 1c. <u>5</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u> </u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0</u> 3b. <u>21</u> 3c. <u>0</u> 3d. <u>21</u> 3e. <u>7</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

BICM 2

00334.00100/55828.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <input checked="" type="checkbox"/> 11 4b. <input type="checkbox"/> 4c. 30 4d. 3 4e. <input checked="" type="checkbox"/> 4f. <input checked="" type="checkbox"/> 4g. 44 4h. 14</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <input checked="" type="checkbox"/> 15 5b. 15 5c. <input checked="" type="checkbox"/> 15 5d. 15 5e. 3</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <input checked="" type="checkbox"/> 5 6b. 5 6c. 30 6d. 5 6e. 1 6f. <input checked="" type="checkbox"/> 6g. 44 6h. 8</p>

BICM3

00334.00100/55828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 8

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
Teachers/SELPA	8	5
SA1 / SES	4	2
Admin / SELPA	4	2
Teacher / SELPA	10	5
SA1	0	0
Admin	0	0
SES - SA1	4	2
TH - SA1	2	1
SELPA - SELPA	18	10
	48	28

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

BICM 4

00334.00100/55828.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. 2
a. Performing emergency behavioral interventions.	a. 1
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 1
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

BICM
Contractor Billing File
~~2006/2007~~ *Planner*

Please indicate the time it took for you to complete this survey: *1.5 hours*

Thank you very much for taking the time to complete this survey.

BICM 5

DECLARATION

I, Casey Donahue, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school psychologist
Title of Position
by Tuolumne Co. Superintendent of Schools
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 17, 2012, at Sonoma, California.
Date *City*

Casey Donahue
Signature

Casey Donahue
Print Name

cdonahue@tuolcoe.k12.ca.us
E-mail Address

209-536-2052
Phone Number

BICM

SELPA: Tuolumne County Date: 3/11/2008
 School District (if serving multiple districts, list all): Seneca High School District

Name of BICM Completing Survey: Casey Donahue
 Title: School Psychologist
 Phone Number(s): 209-536-2052
 Email Address: cdonahue@tuolcoe.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: a. new cases (PBIP for first time), and b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u> 1b. <u>1</u> 1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>5 hours</u> 3b. <u>10 hours</u> 3c. <u>2 hours</u> 3d. <u>12.5</u> 3e. <u>12.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>2 hours</u> 4b. <u>4 hours</u> 4c. <u>24 hours</u> 4d. <u>4 hours</u> 4e. <u>4 hours</u> 4f. <u>8 hours</u> 4g. <u>45 hours</u> 4h. <u>46 hours</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>0</u> 5b. <u>5 hours</u> 5c. <u>24 hours</u> 5d. <u>5 hours</u> 5e. <u>5 hours</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0 hours</u> 6b. <u>2 hours</u> 6c. <u>14 hours</u> 6d. <u>10 hours</u> 6e. <u>4 hours</u> 6f. <u>3 hours</u> 6g. <u>30 hours</u> 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. _____
 7b. 2
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	SELPA/Teacher SELPA/Cordinator SELPA/Program Spec Senora High/Principal	<u>4</u> <u>4</u> <u>4</u> <u>4</u>	<u>1</u> <u>1</u> <u>1</u> <u>1</u>
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	SELPA Teacher " Parareductor " Parareductor " Parareductor " Parareductor	<u>37</u> <u>49</u> <u>32</u> <u>25</u> <u>17</u>	<u>3</u> <u>3</u> <u>3</u> <u>3</u> <u>3</u>

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. <u>13 hours</u> b. <u>0</u> c. <u>0</u> d. <u>2 hours</u> e. <u>0 hours</u> f. <u>0 hours</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Day planners
- Daily Schedule/Bitnot
- Time Management Log

Please indicate the time it took for you to complete this survey: 3 hours

Thank you very much for taking the time to complete this survey.

West Orange

SELPA

DECLARATION

I, Robyn Moses, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Coordinator of Special Education
Title of Position
by Ocean View School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 20, 2012, at Huntington Beach, California.
Date *City*

Robyn J. Moses
Signature

Robyn J. Moses
Print Name

rmoses@hbuhisd.edu
E-mail Address

714-903-7000 x4620
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

WSP Orange

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PRPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: WDCSE
 DATE: 2/13/08
 School District (if serving multiple districts, list all):

Name of BICM Completing Survey: Robyn Moses, Program Director / BICM & Title: Jiah Hemsley, Executive Director
 Phone Number(s): 714-903-7000
 Email Address: rmoses@hbuhd.org and jhemsley@hbuhd.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	
2. How many BICM surveys have been returned to you?	<u>16</u>
3. If not all BICM surveys have been returned, please indicate reason.	<u>Remaining 3 personnel had no BICM activities in 2006-2007.</u>
4. How many districts are in your SELPA?	<u>5</u>
5. How many district level surveys have been returned to you?	<u>5</u>

6. If not all district surveys have been returned, please indicate reason.
Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)?	7 SELPA Director BICMS District Director	7. 24 6 2
a. What year did this occur? 1993-1994		
b. What is the basis for your estimate? Review of documents interviews		
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)?	8. SELPA Director	8. 2
a. What year did this occur? 1993-1994		
b. What is the basis for your estimate? Reviews of Superintendents Council minutes		
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures?	9. SELPA Program Director SELPA Program Specialists BICMS District Director	9. 60 40 4 4
a. What year did this occur? 2006-2007		
b. What is the basis for your estimate? documents reviews, interviews		
c. How often does your SELPA do this? Periodically, as new research legislation or hearing decisions are reviewed		

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? 2007-2008 b. What is the basis for your estimate? Participation, council meeting agenda c. How often does your SELPA do this? as needed	10. SELPA Program Director District Directors SELPA Director	10. 4 5 1

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? b. What is the basis for your estimate?	11.	11.
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this?	12. Dept. of Education (OCDE)	12.

BICM training was developed by Orange County Dept. of Education (OCDE)

BICM training developed by OCDE

	Position	# of Hours
<p>13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification?</p> <p>a. What year did this occur?</p> <p>b. What is the basis for your estimate?</p> <p>c. How often does your SELPA do this?</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>\$ _____</p> <p style="text-align: center;">Per OCDE</p>	13.	13.
<p>14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs?</p> <p>a. What year did this occur?</p> <p>b. What is the basis for your estimate?</p> <p>c. How often does your SELPA do this?</p> <p>d. If provided by independent contractor for SELPA, state the cost and list what is included.</p> <p>\$ _____</p> <p style="text-align: center;">Per OCDE</p> <p>Note: If #13 and #14 are the same in your SELPA, do not duplicate count.</p>	14.	14.
<p>15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)?</p> <p>a. What year did this occur?</p> <p>b. What is the basis for your estimate?</p> <p>was conducted by OCDE through 6/10/07</p>	15.	15.
<p>16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers?</p> <p>a. What year did this occur? 2006-2007</p> <p>b. What is the basis for your estimate? participation calendar</p> <p>c. How often does your SELPA do this? mtg. notes</p> <p>as new research, information necessitates</p>	<p>16. SELPA Program Director SELPA Program Specialist District Directors Secretary</p>	<p>16. 65 55 6 4</p>

SELPA 4

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	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>training logs</u> c. How often does your SELPA do this? <u>approx 6 times/year</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>\$ 30.00 per trainee for materials ≈ \$ 3360.00</u>	17. SELPA Program Director SELPA Program Specialists	17. 108/year 108/year
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? b. What is the basis for your estimate? <u>per OCDE</u>		18.
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>calendars</u> c. How often does your SELPA do this? <u>as necessitated by new research/information</u>	19. Program Director Program Specialist Directors	19. 30 30 5
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>training logs</u> c. How often does your SELPA do this? <u>6 times/year</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____	20. Program Director Program Specialist	20. 38/year 38/year

SELPA 5

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<p>21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.</p> <p>5 Psychologists currently in BICM training. Costs to District were daily rate of pay as per Psychologists' salary scale. OCDE assumed all other costs except 1 session per trainee, which Districts funded at approx \$300 per trainee.</p> <p>Cost: \$ ___ For: ___ Paid By: ___ Cost: \$ ___ For: ___ Paid By: ___ Cost: \$ ___ For: ___ Paid By: ___ Cost: \$ ___ For: ___ Paid By: ___</p>	<p># Attde:</p>	<p>District/Position</p>	<p># of Hours</p>
<p>22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/ prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).</p> <p>per OCDE</p>	<p>22.</p>	<p>22. Principal Asst. Principal Instructional Aide Teacher Psychologist</p>	<p>22. 10 10 100 120 30</p>
<p>23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.</p> <p>per OCDE in 2006-2007 (B.A.S.I.C.)</p> <p>District lead since 8/07</p>	<p>23. teachers assistants</p>	<p>23.</p>	<p>23.</p>
<p>24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.</p> <p>per OCDE in 2006-2007 (B.A.S.I.C.)</p> <p>District lead since 8/07</p>	<p>24.</p>	<p>24. Principal Asst. Principal Instructional Aide Teacher Psychologist</p>	<p>24. 6 6 60 72 18</p>

25. If your SELPA paid for training for BICMs or PBIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$
 a. Is this figure typical of annual costs and for how long has it been typical?
 b. If not, what have you typically done?
 c. What do you intend to do in the future?
 costs were for daily rate of pay. Current cost is daily rate x 3 days. 2007-2008 anticipation is 140 staff.
 Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. Director	26. 2
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. <input type="radio"/>	27. <input type="radio"/>

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.
 See HBHSTD Staff report

Please indicate the amount of time in hours or portions thereof spent to complete this document. 13

Thank you very much for taking the time to complete this survey.

DECLARATION

I, James E. Hemsley, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a WOCSE Executive Director
Title of Position
by Huntington Beach Union High School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 20, 2012, at Hunt. Beach, California.
Date *City*

James E. Hemsley
Signature

James E. Hemsley
Print Name

Jhemsley@socal.net.com
E-mail Address

(714) 762-3349
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

WSP Oberg

1915

Dear SELPA Director:

SELPA Level Survey

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at rmilenahan@gmail.com.

SELPA: WDCGSE
 DATE: 2/13/08
 School District (if serving multiple districts, list all):

Name of BICM Completing Survey: Robyn Moses, Program Director / BICM & Jiah Hemsley, Executive Director
 Title:
 Phone Number(s): 714-903-7000
 Email Address: rmoses@hbuhdsd.org and jhemsley@hbuhdsd.org

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	
2. How many BICM surveys have been returned to you?	16
3. If not all BICM surveys have been returned, please indicate reason. <u>Remaining 3 personnel had no BICM activities in 2006-2007.</u>	13
4. How many districts are in your SELPA?	5
5. How many district level surveys have been returned to you?	5

6. If not all district surveys have been returned, please indicate reason.
Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? 1993-1994 b. What is the basis for your estimate? Review of documents, interviews	7 SELPA Director BICMS District Directors	7. 24 6 2
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? 1993-1994 b. What is the basis for your estimate? Reviews of Superintendents Council minutes	8. SELPA Director	8. 2
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? 2006-2007 b. What is the basis for your estimate? documents reviews, interviews c. How often does your SELPA do this? Periodically, as new research legislation, or hearing decisions are received	9. SELPA Program Director SELPA Program Specialist BICMS District Director	9. 60 40 4 4

	Position	# of Hours
10. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for the most recently updated procedures? a. What year did this occur? 2007-2008 b. What is the basis for your estimate? participation, meeting agenda c. How often does your SELPA do this? as needed	10. SELPA Program Director District Director SELPA Director	10. 4 5 1

B. Training

Please indicate the amount of time in hours or portions thereof spent in 2006-07, by SELPA position, on the following activities. If designated one time only, indicate year when accomplished and how much time spent by position. The questions allow the listing of costs for hiring independent contractors or sending employees to outside training.

	Position	# of Hours
11. How much total actual time in hours or portions thereof was spent, by position, to design training for initial BICM certification (one time only)? a. What year did this occur? b. What is the basis for your estimate? BICM training was developed by Orange County Dept. of Education (OCDE)	11. 11.	11. 12.
12. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for initial BICM certification? a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? BICM training developed by OCDE	12.	12.

	Position	# of Hours
13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification? a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ ___		13.
14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs? a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this? d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ ___		14.
Note: If #13 and #14 are the same in your SELPA, do not duplicate count. Per OCDE		
15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)? a. What year did this occur? b. What is the basis for your estimate?		15.
16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers? a. What year did this occur? b. What is the basis for your estimate? c. How often does your SELPA do this?	was conducted by OCDE through 6/10/7 2006-2007 Participation Calendar Mtg. notes as New research, information necessitates	16. 65 55 6 4

SELPA 4

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	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>training logs</u> c. How often does your SELPA do this? <u>approx. 6 times/year</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>\$ 30.00 per trainee for materials ≈ \$ 3360.00</u>	17. SELPA Program Director SELPA Program Specialist	17. 108/year 108/year
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? b. What is the basis for your estimate? <u>Per OCDE</u>		18.
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>calendars</u> c. How often does your SELPA do this? <u>as necessitated by new research/information</u>	19. Program Director Program Specialist Directors	19. 30 30 5
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>training logs</u> c. How often does your SELPA do this? <u>6 times/year</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. \$ _____	20. Program Director Program Specialist	20. 38/year 38/year

SELPA 5

00334.00100/55828.1

<p>21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.</p> <p>5 Psychologists currently in BICM training. Costs to District were daily rate of pay as per Psychologists' salary scale. OCDE assumed all other costs except 1 session per trainee, which Districts funded at approx \$300 per trainee.</p> <p>Cost: \$ ___ For: ___ Paid By: ___ Cost: \$ ___ For: ___ Paid By: ___ Cost: \$ ___ For: ___ Paid By: ___ Cost: \$ ___ For: ___ Paid By: ___</p>			
<p>22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).</p> <p>per OCDE</p>	<p># Attde.</p>	<p>District/Position</p> <p>22. Principal Asst. Principal Instructional Aide Teacher Psychologist</p>	<p># of Hours</p> <p>22. 10 10 100 120 30</p>
<p>23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.</p> <p>per OCDE in 2006-2007 (B.A.S.1.C) District lead since 8/07</p>	<p>23. Teachers assistants</p>		<p>23.</p>
<p>24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.</p> <p>per OCDE in 2006-2007 (B.A.S.1.C) District lead since 8/07</p>	<p>24.</p>	<p>24. Principal Asst. Principal Instructional Aide Teacher Psychologist</p>	<p>24. 6 6 60 72 18</p>

25. If your SELPA paid for training for BICMs or PEIP implementers in 2006-07 by sending them to trainings, what was the cost?
 \$

a. Is this figure typical of annual costs and for how long has it been typical?
 b. If not, what have you typically done? *costs were for daily rate of pay. Current*
 c. What do you intend to do in the future? *costs daily rate x 3 days. 2007-2008 anticipation is 140 staff.*

costs
costs
costs

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.

C. Other SELPA Staff Activities:

	Position	# of Hours
26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.	26. Director	26. 2
27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)	27. <input type="radio"/>	27. <input type="radio"/>

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.
See HB015D Staff report

Please indicate the amount of time in hours or portions thereof spent to complete this document. **13**

Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, JUDITH GRAHAM-JOHNSON, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Dir. of Student Services
by Huntington Beach City School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 29 April, 2012, at Los Angeles, California.
Date *City*

Judith Graham-Johnson
Signature

JUDITH GRAHAM-JOHNSON
Print Name

gjf@earthlink.net
E-mail Address

(213) 712-0667
Phone Number

SELPA: WOCUSE

Date: 1 Feb. 2008

District: Huntington Beach City
 Person completing survey: J. Grahams Johnson
 Title: Dir. of Student Services
 Phone Number(s): 714 964-8888
 Email Address: judi.grahams-johnson@hbcsd.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

	Position	# of Hours
1.		<u>9</u>
2.		<u>X # of incidents</u>
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	a. Performing emergency behavioral interventions.	<u>45 min per per</u>
	b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	<u>30 per per</u>
	c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	<u>30 per per</u>
	d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	<u>2 hrs. adm, ten general</u>
	e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	<u>2 hrs.</u>
	f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	<u>15 min adm</u>
	g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	<u>1 hr.</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?		
		<u>3 hrs / year</u>
		<u>3 hrs / year</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. _____
	_____	_____
	_____	_____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
	a. _____	_____
	b. _____	_____
c. _____	_____	
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
	a. _____	_____
	b. _____	_____
c. _____	_____	
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____	8. _____
	a. _____	_____
	b. _____	_____
c. _____	_____	

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	See SELPA report			\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____

Thank you for taking the time to complete this survey.

DECLARATION

I, Elizabeth Williams, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director, Special Education
by Ocean View School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 25, 2012, at Huntington Beach, California.
Date *City*

Elizabeth Williams
Signature

Elizabeth Williams
Print Name

lwilliams@ovsd.org
E-mail Address

714-847-2551
Phone Number

SELPA: WCCSE
 District: Ocean View
 Person completing survey: Elizabeth Williams
 Title: Director Special Education
 Phone Number(s): 714-846-8551 x 1315
 Email Address: williams@ovsd.org

Date: 1-23-08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 20

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.

a. Performing emergency behavioral interventions.
 b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
 e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

Position	# of Hours
2.	
a. teacher, aide, psych	
b. psych.	
c. gen ed + sped teachers, psych, she admin.	
d. gen ed / admin / tech / para	
e. psych, site admin, district administrator, gen ed teacher, sped	
f. gen ed	
g. district admin	
3.	
a. gen ed, instructional	
b. admin, Sr. ed	
c. 3 hrs	
d. 45 min	
e. 30 min	
f. 2.5 hrs	
g. 1 hr	

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. _____
	_____	_____
	_____	_____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
	a. _____	_____
	b. _____	_____
	c. _____	_____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
	a. _____	_____
	b. _____	_____
	c. _____	_____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____	8. _____
	a. _____	_____
	b. _____	_____
	c. _____	_____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	000 SELPA report			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____

Thank you for taking the time to complete this survey.



OCEAN VIEW SCHOOL DISTRICT
 Huntington Beach, California

2007/2008 Teachers' Salary Schedule

(Effective July 1, 2006)



		A	B**	C**	D**
Exp. Steps	B.A.	B.A. + 15	B.A. + 30	B.A. + 45 or M.A.	B.A. + 60 Incl M.A. or M.A. + 15
→ 1	36,581	39,288	42,194	45,317	48,671
2	38,227	41,055	44,094	47,357	50,861
3	38,227	42,902	46,077	49,487	53,149
4	38,227	44,834	48,151	51,714	55,541
5	38,227	46,851	50,318	54,041	58,040
6			52,582	56,474	60,653
7			54,948	59,016	63,383
8			57,422	61,671	66,234
9			60,006	64,445	69,215
10	38,227	46,851	62,705	67,346	72,329
11				70,377	75,584
12					78,985
16*					82,540
21*					86,254
26*					90,136

Intern Teacher Salary will be fixed at the rate of 89.4% of A-1 - \$35,123

*Prior service credit granted for employment does count for longevity steps D-16, D-21 & D-26

** With Preliminary or Professional Clear Credential

186 Days - New Teachers

184 Days - Returning Teachers

Board Adopted: 1/16/2007

06-07sa/nchrs.123



OCEAN VIEW SCHOOL DISTRICT
HUMAN RESOURCES



2007/2008 MANAGEMENT/CONFIDENTIAL SALARY SCHEDULE

CERTIFICATED

POSITION	STEPS					DAYS
	1	2	3	4	5	
*Assistant Superintendent, Human Resources	127,896	134,291	141,007	-----	-----	225+
*Assistant Superintendent, Curriculum and Instruction	127,896	134,291	141,007	-----	-----	225+
*Director, Educational Support Services	120,552	126,579	132,908	-----	-----	225+
*Director, Special Education/Student Services	120,552	126,579	132,908	-----	-----	225+
*Director, Instruction	120,552	126,579	132,908	-----	-----	225+
Coordinator, Categorical Programs	107,953	-----	-----	-----	-----	220
Coordinator, Preschool & School Readiness Programs	107,953	-----	-----	-----	-----	220
Coordinator, BTSA Induction/Professional Development Programs	107,953	-----	-----	-----	-----	220
6-8 Principal	96,505	101,331	106,396	111,717	117,303	210
K-5 Principal	93,692	98,376	103,294	108,457	113,881	210
6-8 Assistant Principal	88,258	92,670	97,304	102,170	107,279	210
K-5 Assistant Principal	85,261	89,523	93,999	98,701	103,635	210

*Position assigned only after student enrollment reaches 850

CLASSIFIED

POSITION	STEPS					DAYS
	1	2	3	4	5	
**Chief Financial Officer	127,896	134,304	141,012	-----	-----	225+
**Chief Operations & Facilities Officer	127,896	134,304	141,012	-----	-----	225+
**Director of Classified Personnel	95,364	100,212	105,264	110,592	116,208	225+
**Director, Fiscal Services	95,364	100,212	105,264	110,592	116,208	225+
**Director Of Information Services	74,520	78,276	82,236	86,424	90,792	225+
**Risk Manager	74,520	78,276	82,236	86,424	90,792	225+
**Director of Purchasing	59,652	62,676	65,868	69,192	72,696	225+
**Director of Transportation	59,652	62,676	65,868	69,192	72,696	225+
**Director of Food Services (11 months/yr)	58,894	61,875	65,010	68,310	71,753	225+
**Maintenance & Operations Manager	62,676	65,868	69,192	72,696	76,356	225+
**English Language Learner (ELL) Program Supervisor	58,212	61,152	64,248	67,500	70,920	225+
**Graphic Communications Supervisor	58,212	61,152	64,248	67,500	70,920	225+
**Child Care Program Supervisor	58,212	61,152	64,248	67,500	70,920	225+
**Accounting Supervisor	58,212	61,152	64,248	67,500	70,920	225+
**/++ Executive Assistant	54,468	57,228	60,144	63,180	66,384	225+
**/++ Administrative Assistant	49,368	51,864	54,468	57,228	60,144	225+

lotus07-08sallmgt1.123

Board Adopted: 3/20/2007

Effective: July 1, 2007



**OCEAN VIEW SCHOOL DISTRICT
 HUMAN RESOURCES**



2006/2007 PSYCHOLOGIST SALARY SCHEDULE

POSITION	STEPS					DAYS
	1	2	3	4	5	
Psychologist	70,929	75,332	80,011	84,840	89,676	190
Psychologist Intern	35,464					190

Earned Doctorate @ \$1,000
 \$300 after 5 and 10 years of service in Ocean View
 \$800 after 15, 20 and 25 years of service in Ocean View (Does not apply to individual contracts)

Board Adopted: 9/12/2006
 Effective: July 1, 2006

lotus06-07salpsy

DECLARATION

I, FRANK DONAVAN, hereby declare as follows:
Print Name

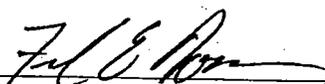
1. In the 2007-2008 school year, I was employed as a Spec. Ed. Administrator
by Westminster School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/20/12, 2012, at Santa Ana, California.
Date *City*


Signature

FRANK DONAVAN
Print Name

fdonovan@ocde.us
E-mail Address

(714) 828-1766
Phone Number

SELPA: WOCCE
 District: WESTMINSTER SD
 Person completing survey: FRANK DONAVAN
 Title: Administrator, Sp. Ed.
 Phone Number(s):
 Email Address: DONAVANF@WBSD.K12.CO.US

Date: _____

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?
12

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	Position	# of Hours
49 a. Performing emergency behavioral interventions.	Principal, Sp Ed Teacher SLL Rylee, Mde	14.25
39 b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	Principal, Sp Ed Teacher SLL Rylee, Mde	3
30 c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	Sp Ed Teacher A. De, SLL Rylee	3.5
120 d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	Principal, SLL Rylee Sp Ed Teacher, G. T. De	40
120 e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	Principal, Sp Ed Teacher SLL Rylee	6
15 f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	Sp Ed Director	1.5
60 g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	Sp Ed Director	1
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. Total Page BICM	3 3

District 2

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

4a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. _____

4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ a. _____ b. _____ c. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

District 3

00334.00100/5274.1

SEE
 SEARCH
 REPORT

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certified and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Teacher, Tech, Admin, Support
 Parva, (PRE-WORKER)
 Mrs + SGAS-775

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 2 hrs.

DUF 2-1-08

District 4

00134.0010035574.1

DECLARATION

I, Sonia Edwards, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director, Support Services
Title of Position
by Fountain Valley School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 23, 2012, at Huntington Beach, California.
Date *City*

Sonia Edwards
Signature

Sonia Edwards
Print Name

soniaronedwards@gmail.com
E-mail Address

(714) 858-1114
Phone Number

SELPA: ADOCSSC
 District: Fountain Valley
 Person completing survey: Sonia Edwards
 Title: Director Support Services
 Phone Number(s): (714) 843-3281
 Email Address: edwards@fvsd.k12.ca.us

Date: 2/1/08

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 4

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.
- a. Performing emergency behavioral interventions.
 - b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.
 - c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.
 - d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.
 - e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.
 - f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
 - g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.

Position	# of Hours
2. Principal, Aide, Special Ed Teacher	2.
a. <u>Psychologist Teacher</u>	<u>14 hours</u>
b. <u>Principal</u>	<u>3 hrs.</u>
c. <u>Principal and special ed teacher, psychologist teacher</u>	<u>8 hrs.</u>
d. <u>Principal, special ed teacher, special ed teacher</u>	<u>8 hrs.</u>
e. <u>Gen. Ed. Teacher, special ed teacher, principal</u>	<u>8 hrs.</u>
f. <u>Principal</u>	<u>1.5 hrs.</u>
g. <u>Director</u>	<u>4 hrs.</u>
3. <u>Admin</u>	3.
<u>Psychologists</u>	<u>3 hrs per year</u>

3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?

District 2

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 4. 0
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. _____
	a. _____	a. _____
	b. _____	b. _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
	a. _____	a. _____
	b. _____	b. _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
	a. _____	a. _____
	b. _____	b. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____	8. _____
	a. _____	a. _____
	b. _____	b. _____
	c. _____	c. _____

N/A

N/A

District 3

003340010055274.1

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing PAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	See SELPA Report			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: _____

Thank you for taking the time to complete this survey.

District 4

00334.00100/5274.1

District

1946

SELPA: WOCESSE
 District: Huntington Beach Union High School District
 Person completing survey: Jim Keating
 Title: Director
 Phone Number(s): 714 903-7000
 Email Address: jkeating@hubsd.org

Date: 13 Feb. 2008

1. How many Behavioral Emergency Reports were completed by staff in 2006-07? 1

2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.	Position	1. # of Hours
a. Performing emergency behavioral interventions.	2. Teacher Aide	2. 4
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	a. Administrator	a. 11
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	b. Administrator	b. 2.5
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	c. All above	c. 3 hrs. per day for 20 hrs
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	d. Psychologist	d. 4
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	e. Teacher	e. 4
g. Reviewing "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. Administrator	f. 4
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	g. Site Admin.	g. 9 hrs
	h. Director	h. 2
	3. Director Psychologist	3. 5

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4. 0
 4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ _____ _____	6. _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ _____ _____	7. _____ _____ _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ _____ _____	8. _____ _____ _____

District 3

00334.00100/5274.1

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	See SELPA report			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 1.5 hours

Thank you for taking the time to complete this survey.

SELPA: WRESE Date: 1-28-08
 School District (if serving multiple districts, list all): WSD
 Name of BICM Completing Survey: Michelle Cue
 Title: School Psych
 Phone Number(s): (914) 894-7344
 Email Address: mcue@wst.k12.ct.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 2</p> <p>1b. 1</p> <p>1c. 1</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. 5</p> <p>3b. 20</p> <p>3c. 4/15</p> <p>3d. 245</p> <p>3e. 245</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 4b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 40 hrs 4b. 6.0 hrs 4c. 2 hrs 4d. 10 hrs 4e. 11 hrs 4f. 2 hrs 4g. 24 hrs 4h. 24 hrs</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 2.0 5b. 6.0 5c. 2.0 5d. 10.0 5e. 10.0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 4.0 6b. 6.0 6c. 20.0 6d. 6.0 6e. 4.0 6f. 3.0 6g. 24.0 6h. 24.0</p>

10.0 hrs
 40 hrs x 1.5

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Migs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	S.E. Principal S.P. Dir. Sp. Ed. Reg. Sp/Art Aide (1:1)	8 8 12 12 12	2 2 2 2 2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	S.E. T. Reg. Sp. Dir. Aide (1:1) OT	1080 40 360 1080 80	

180 X

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. <u>None only</u>
a. Performing emergency behavioral interventions.	a. <u>5.0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>1.0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>10.0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>3.0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>4.0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>1.0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. <u>IEP/PBIP</u>	
Please provide the <u>sample template</u> for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information
Calendars
IEPs
Reports
SEIS
Computer files
SLP
Sp.Ed.T

Please indicate the time it took for you to complete this survey: 4.0

Thank you very much for taking the time to complete this survey.

BICM

DECLARATION

I, Natasha Wagener, hereby declare as follows:
Print Name

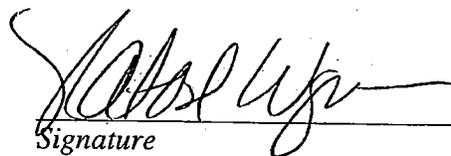
1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Huntington Beach City School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 26, 2012, at Huntington Beach, California.
Date *City*


Signature

Natasha Wagener
Print Name

natasha.adam@hbcisd.k12.ca.us
E-mail Address

(714) 378-2043
Phone Number

WDCCSE
 SELPA: _____ Date: 1/28/08
 School District (if serving multiple districts, list all): Huntington Beach City SD
 Name of BICM Completing Survey: Natasha Wagener
 Title: School Psychologist
 Phone Number(s): (714) 378-2043
 Email Address: natasha.wagener@hbcsd.k12.ca.us

<p>1. a. How many students did you serve in 2006-07 who had PIPs? Of this total, please specify the number of: b. new cases (PIIP for first time), and c. preexisting cases (entered 2006-07 with PIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 2 1b. 1 1c. 1</p>
<p>2. How many students with PIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 1</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 30 min. 3b. 5 hrs. 3c. 15 hrs. 3d. 20.5 hrs. 3e. ~21 hrs.</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 6 hrs. 4b. 4 hrs. 4c. 1 hr. 4d. 7 hrs. 4e. 4 hrs. 4f. 2 hrs. 4g. 24 hrs. 4h. ~ 24 hrs.</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 30 min 5b. 5 hrs. 5c. 15 hrs. 5d. 20.5 hrs. 5e. 20.5 hrs.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 hrs. 6b. 5 hrs. 6c. 2 hrs. 6d. 3 hrs. 6e. 3 hrs. 6f. 1 hrs. 6g. 14 hrs. 6h. 14 hrs.</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Gen Ed Teacher SPED Provider Principal Speech Therapist	6 6 6 6	3 3 3 3
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	1 to 1 aide Gen Ed Teacher SPED teacher	900 180 720	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. 	11. a. 0 b. 2 hrs. c. 0 d. 6 hrs. e. 6 hrs. f. 0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for <u>FAAs</u> and <u>PBIPs</u> that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Palm Pilot (calendar) IEPs
Bien Notebooks SEIS
Medical Logs

Please indicate the time it took for you to complete this survey: / *hrs*

Thank you very much for taking the time to complete this survey.

DECLARATION

I, NANCY LOUGH, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a PROGRAM SPECIALIST
by HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT
Employer (Name of District, County Office of Education, or SELPA) *Title of Position*

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/19/, 2012, at HUNTINGTON BEACH, California.
Date *City*

Nancy M. Lough
Signature

NANCY M. LOUGH
Print Name

n.lough@hbuhd.edu
E-mail Address

714) 903-7000, ext. 4625
Phone Number

SELPA: WOODGSE

School District (if serving multiple districts, list all): HBVHSD, FRSD

Date: 2/17/08

Name of BICM Completing Survey: Nancy Lough
 Title: Program Specialist
 Phone Number(s): 714-903-7000
 Email Address: n1ough@hbvhdsd.org

1.	
a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.	1a. <u>7</u> 1b. <u>1</u> 1c. <u>6</u>
2. How many students with PBIPs also received AB3632 mental health services in 2006-07?	
2. <u>5</u>	
3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:	
a. Providing parent notice and obtaining consent for assessment.	3a. <u>1</u>
b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)	3b. <u>10</u>
c. Writing FAA.	3c. <u>2</u>
d. Total of answers to 3a, 3b, and 3c.	3d. <u>13</u>
e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?	3e. <u>13</u>
Note: This question addresses only the students who were new cases in 2006-07 (line 1b).	

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. _____</p> <p>4b. <u>5</u></p> <p>4c. <u>5</u></p> <p>4d. <u>1</u></p> <p>4e. <u>2</u></p> <p>4f. <u>2</u></p> <p>4g. <u>1</u></p> <p>4h. <u>16</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____</p> <p>5b. <u>0</u></p> <p>5c. <u>0</u></p> <p>5d. <u>0</u></p> <p>5e. <u>0</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>0</u></p> <p>6b. <u>12</u></p> <p>6c. <u>3</u></p> <p>6d. <u>3</u></p> <p>6e. <u>3</u></p> <p>6f. <u>3</u></p> <p>6g. <u>24</u></p> <p>6h. <u>4</u></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 7

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
	9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Admin/Director	7
SPED Teacher		30	3
Gen Ed Teacher		3	3
OT		7	7
Autism Spec.		7	7
Psychologist		38	18
SLP		7	3
APPE		7	3
District Asst.		180	1080
SPED Teacher		180	1080
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Aut. Spec.	100	
	Instruc. Asst.	360	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. _____
a. Performing emergency behavioral interventions.	a. _____
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. _____
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. _____
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. _____
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. _____
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

SITS
Amorel log

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Susan Castrillon, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by Ocean View School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-18, 2012, at Huntington Beach, California.
Date *City*

Susan Castrillon
Signature

Susan Castrillon
Print Name

scastrillon@ovsd.org
E-mail Address

714-846-2891
Phone Number

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all): *Pease View School District*
 Name of BICM Completing Survey: *Susan Castillion*
 Title: *School Psychologist*
 Phone Number(s): *714.846.2891*
 Email Address: *SCastillion@ovsd.org*

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 2 /</p> <p>1b. /</p> <p>1c. /</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 50</p> <p>3b. 10</p> <p>3c. 15.5</p> <p>3d. 25.5</p> <p>3e. 25.5</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. 2
 4b. 2
 4c. 2
 4d. 2
 4e. 0
 4f. 0
 4g. 8
 4h. 8

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. 0
 5b. 0
 5c. 0
 5d. 0
 5e. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. 0
 6b. 0
 6c. 0
 6d. 0
 6e. 0
 6f. 0
 6g. 0
 6h. 0

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	General Ed Sp Ed Teacher Principal School Counselor School Psych	10	1
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	0	0	0
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	SDC Teacher	900	1

980
 900

# of Hours	
11. 4	11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.
a. 4	
b. 5	
c. 2	
d. 1.5	
e. 0	
f. 7.5	
	12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- *Calendars*
- *IEP's*
- *SEIS*
-
-

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Jeanette SKeen, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by the Ocean View School District *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 18, 2012, at Huntington Beach, California.
Date *City*

Jeanette C. SKeen
Signature

Jeanette C. SKeen
Print Name

jskeen@ovsd.org
E-mail Address

(714) 842-0626 ext. 3336
Phone Number

SELPA: None Date: 1/28/08
 School District (if serving multiple districts, list all): Dean View School District
 Name of BICM Completing Survey: Jeanette Sker
 Title: School Psychologist
 Phone Number(s): (714) 842-0626
 Email Address: Jsker@yahoo.com

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>a. Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>5</u> 1b. <u>0</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment. <u>30 min</u> b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) <u>5-7 hrs</u> c. Writing FAA. <u>13-15 hrs</u> d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 3b. 3c. 3d. 3e.</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <p>a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. <i>~ 2 hrs.</i> c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. (<i>3 months Review</i>) e. Making modifications to PBIPs in subsequent IEP team meetings. (<i>3 months Review</i>) f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?</p> <p><i>Review Plan for PBIP</i> <i>2 hours</i></p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4b. 4c. 4d. 4e. 4f. 4g. 4h.</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c). <i>0</i></p>	<p>5a. 5b. 5c. 5d. 5e.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c. <i>0</i></p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 6b. 6c. 6d. 6e. 6f. 6g. 6h.</p>

BICM 3

00334.00100/55828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.
7b.
7c.

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent. <i>Pre-existing</i>			
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.			

initial

*Kids w/out
 BIP*

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <i>0</i>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <i>0</i>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <i>0</i>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <i>0</i>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <i>0</i>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <i>0</i>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

*Ment-CAL
 Calendar
 -IEP*

*Computer Files
 -SETS*

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Frank Nakase, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psych
by OUSD
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 7/18/, 2012, at Huntington Beach, California.
Date *City*

[Signature]
Signature

FRANK D. NAKASE
Print Name

FNakase@ousd.org
E-mail Address

714 847-2551
Phone Number

SELPA: _____ Date: _____
 School District (if serving multiple districts, list all):
 Name of BICM Completing Survey: FRANCO NAKASE
 Title: School Psych
 Phone Number(s): 714 847-2551
 Email Address: FNakase@dv5b.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <input type="radio"/></p> <p>1b. <input type="radio"/></p> <p>1c. <input type="radio"/></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <input type="radio"/></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>14.5</u></p> <p>3b. <u>8</u></p> <p>3c. <u>8</u></p> <p>3d. <u>18.5</u></p> <p>3e. <u>16.5</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 3 4b. 2 4c. 1 4d. 5 4e. 5 4f. 5 4g. 7.5 4h. 7.5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 0 6d. 0 6e. 0 6f. 0 6g. 0 6h. 0</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 0

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	0 VSD SDC/less General Ed teacher Administrator Speech Language Specialist SDC/RSR General Ed, teacher Administrator Speech lang	7 6 1.5 each	0 0 2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.		22.5	2

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. 3.0 b. .5 c. 1.5 d. .5 e. 1.5 f. 4.5
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Jamie Pearson, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
by the Ocean View School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 18, 2012, at Huntington Beach, California.
Date *City*

Jamie Pearson
Signature

Jamie Pearson
Print Name

jpearson@ovsd.org
E-mail Address

(714) 846-6602 x 2340
Phone Number

W0225E
 SELPA: Date: 1/28/08
 School District (if serving multiple districts, list all): DVSD
 Name of BICM Completing Survey: Jamie Pearson
 Title: School Psych
 Phone Number(s): 714 846-0624 x2061
 Email Address: JPearson@ovsd.org

<p>1. How many students did you serve in 2006-07 who had PBIIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u></p> <p>1b. <u>1</u></p> <p>1c. <u>1</u></p>
<p>2. How many students with PBIIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>30 min.</u></p> <p>3b. <u>5 hours</u></p> <p>3c. <u>15 hours</u></p> <p>3d. <u>20.5 hours</u></p> <p>3e. <u>20.5 hours</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ol style="list-style-type: none"> Preparing draft of PBIPs for IEP meetings. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. Training for and monitoring PBIPs across settings. Evaluating PBIPs effectiveness. Making modifications to PBIPs in subsequent IEP team meetings. Making modifications to PBIPs outside of IEP team meetings. Total of answers to 4a through 4f. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 2 4b. 0 4c. 2 4d. 2 4e. 2 4f. 2 4g. 12 hours 4h. 12 hours</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on PAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 3 6b. 3 6c. 0 6d. 3 6e. 1 6f. 1 6g. 17 hours 6h. 17 hours</p>

BICM3

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7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.
 7b.
 7c. 2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
Gen. Ed. Teacher Administrator Spe. Ed Teacher Speech Therapist School Psych Speech Therapist	10	

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

Gen. Ed. Teacher Administrator Spe. Ed Teacher Speech Therapist	8	
--	---	--

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

DM-01-02 SDC Teacher	2760 hours	
-------------------------	---------------	--

4180
 5
 900

1800
 9150
 2700

BICM 4

00334.00100/55828.1

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <ul style="list-style-type: none"> a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. 	<p>11. <input checked="" type="checkbox"/> 1 a. <input type="checkbox"/> b. <input type="checkbox"/> c. <input type="checkbox"/> d. <input type="checkbox"/> e. <input type="checkbox"/> f. <input type="checkbox"/></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendar
- IEP's
- _____
- _____
- _____
- _____

Please indicate the time it took for you to complete this survey: 1 hour

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Robyn Moses, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Coordinator of Special Education
by Ocean View School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 20, 2012, at Huntington Beach California.
Date *City*

Robyn J. Moses
Signature

Robyn Moses
Print Name

rmoses@hbuhisd.edu
E-mail Address

714-903-7000 x 4620
Phone Number

SELPA: W005E Date: 2/1/08
 School District (if serving multiple districts, list all): 0VSD
 Name of BICM Completing Survey: (Robyn Moses for Ann Miller)
 Title: School Psychologist
 Phone Number(s):
 Email Address:

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>4</u> 1b. <u>1</u> 1c. <u>3</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>1</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b,)?</p>	<p>3a. <u>30 min.</u> 3b. <u>5 hours</u> 3c. <u>3 hours</u> 3d. <u>8.5 hours</u> 3e. <u>7.5 hours</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 1 hour 4b. 9 hours 4c. 1.5 hours 4d. 1 hour 4e. 8 4f. 8 4g. 5.5 hours 4h. 5.5 hours</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 20 hours 6d. 6 hours 6e. 4 hours 6f. 24 hours 6g. 8 hours 6h. 8 hours</p>

BICM 3

00334.00100/55828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 1
 7c. 2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Migs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	District Program Director	27	2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	District Director	8	5
	Speech Therapist	14	7
	Teacher (ESD)	8	2
	Teacher (General)	3	2
	School Psychologist	7	5
	Aides	2100	
	Teachers (SDC)	144	
	Psychiatrists	75	

BICM 4

00334.00100/55828.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 2
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 2
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 2
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 2
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 3
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 5
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- *SES/comp. IEP database*
- *CAPI records (purview)*
- *emrg reports*

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Robyn Moses, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Coordinator of Special Education
by Ocean View School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 20, 2012, at Huntington Beach, California.
Date *City*

Robyn J. Moses
Signature

Robyn J. Moses
Print Name

rmoses@hbuhsd.edu
E-mail Address

714-903-7000 x4620
Phone Number

SELPA: WPCSE Date: 2/1/08
 School District (if serving multiple districts, list all): 0 USD
 Name of BICM Completing Survey: (Robyn Mason for)
 Title: Lead School Psychologist
 Phone Number(s): Holly Miner
 Email Address:

<p>1. a. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 3 1b. 2 1c. 1</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 2</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. 2 3b. 11 3c. 5 3d. 18 3e. 9</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4 4b. 8 4c. 4 4d. 6 4e. 6 4f. 0 4g. 27 4h. 13.5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 3 6d. 3 6e. 3 6f. 3 6g. 9 6h.</p>

BICM 3

00334.00100/55828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 18
 7b. 18
 7c. 3

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	psych intern school counselor SDE teacher autism specialist SSP teacher gen ed teacher gen ed teacher psych intern school counselor SDE teacher gen ed teacher	18 8 18 12 5 10 2 6 6 6 2	7 4 7 4 3 2 3 3 3 3
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	nicol psych intern SDE teachers	1400 90 180	

# of Hours	
11.	<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>
7	a.
2	b.
4	c.
8	d.
2	e.
2	f.
	<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- _____
- _____
- _____

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Lorrie Whittle, hereby declare as follows:
Print Name

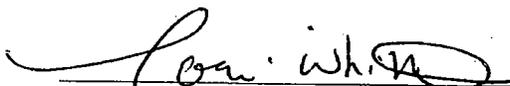
1. In the 2007-2008 school year, I was employed as a School Psychologist
by WSD / WOCCE *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/7, 2012, at Westminster, California.
Date *City*


Signature

Lorrie Whittle
Print Name

lwhittle@usd.k12-ca.us
E-mail Address

(714) 894-7344
Phone Number

SELPA: WCCSE
 Date: 1-28-08
 School District (if serving multiple districts, list all):
 Name of BICM Completing Survey: Lorrie W.H. Hte
 Title: School Psychologist
 Phone Number(s): 714 894-7212 ext 196
 Email Address: lw@wccsd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>3</u></p> <p>1b. <u>2</u></p> <p>1c. <u>1</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>3</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>2</u></p> <p>3b. <u>8</u></p> <p>3c. <u>8</u></p> <p>3d. <u>18</u></p> <p>3e. <u>9</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4 4b. 4 4c. 1200 4d. 2000 4e. 6 4f. 6 4g. 2420 4h. 1210</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 2 5b. 8 5c. 8 5d. 18 5e. 18</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 4 6b. 4 6c. 1200 6d. 1200 6e. 6 6f. 6 6g. 2420 6h. 2420</p>

BICM 3

00334.00100/55828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 3

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs.	# IEP Mtes
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	WSD / SDC Teacher WSD / General Ed Teacher WSD / Instruction Assist WSD / Instruction Assist WSD / School Psych. WSD / School Nurse	6	3
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	WSD / SDC Teacher WSD / SDC Teacher WSD / Instructional Assist WSD / Instructional Assist WSD / School Psych. WSD / School Nurse	1,200	9

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 18
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 18
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 4
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 16
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 16
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 3
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Day planners
- Palm pilot
- 2006-2007 calendars
- Student confidential file

Please indicate the time it took for you to complete this survey: 3 hours

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Michael R. Cue, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by Westminster School District
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/8/2012, 2012, at Huntington Beach, California.
Date *City*

Michael Ray Cue
Signature

Michael Ray Cue
Print Name

mcue66@verizon.net
E-mail Address

(714) 960-2919
Phone Number

SELPA: WRSR Date: 1-28-08
 School District (if serving multiple districts, list all): WST
 Name of BICM Completing Survey: Mike Cue
 Title: School Psych
 Phone Number(s): (914) 894-7344
 Email Address: mcue@wst.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 2 1b. 1 1c. 1</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 0</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. .5 3b. 20 3c. 4143 3d. 248 3e. 248</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 400 hrs 4b. 600 hrs 4c. 20 hrs 4d. 10 hrs 4e. 4 hrs 4f. 2 hrs 4g. 24 hrs 4h. 24 hrs</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 200 5b. 600 5c. 200 5d. 1000 5e. 1000</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 40 6b. 600 6c. 200 6d. 600 6e. 400 6f. 200 6g. 2400 6h. 2400</p>

Ms. MKS
 4/2/15

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 2
 7b. 0
 7c. 0

	District/Position	# of Hrs	# IEP Mtgs
8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	SE Principal SP Ed Dir. SP Ed Reg. SP/AT Aide (1:1)	88 12 12 12 12 12	2 2 2 2 2 2
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	SE Principal SP Ed SP Ed Dir. SP Ed Reg. SP Aide (1:1)	4 4 12 8 8 8 4	2 2 2 2 2 2 2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	S.P.E.T. Reg. Sp. Dir Aide (1:1) OT	1080 40 360 1080 80	

180 X

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11. <u>13.5m and 1</u>
a. Performing emergency behavioral interventions.	a. <u>5.0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>1.0</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>10.0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>3.0</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>4.0</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>1.0</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	<u>IEP/PBIP</u>
Please provide the <u>sample template</u> for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Calendars
IEPs
Reports

SEIS
Computer Files
SLP

Sp.Ed.T

Sources of Information

Please indicate the time it took for you to complete this survey: 4.0

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Margaret Benedict, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist
Title of Position
by OVSD
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/18/12, 2012, at Huntington Beach, California.
Date *City*

Margaret Benedict
Signature

Margaret Benedict
Print Name

~~mbenedict@ovsd.org~~ mbenedict@ovsd.org
E-mail Address

714-842-6608 ext 2723
Phone Number

SELPA: WCCSE
 Date: 2/4/08
 School District (if serving multiple districts, list all): Ocean View School District
 Name of BICM Completing Survey: Margaret Bannick
 Title: School Psychologist BICM
 Phone Number(s): 714-842-6608
 Email Address: mbannick@ovsd.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 6</p> <p>1b. 3</p> <p>1c. 3</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. 5</p> <p>3a. 3 hrs</p> <p>3b. 30</p> <p>3c. 5</p> <p>3d. 38</p> <p>3e. 13.6</p>

BICM 2

0034.0010055828.1

DATE RECEIVED: FEB. 4, 2008

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing EAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. (3-month reviews) e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 5 4b. 6 4c. 31 4d. 3 4e. 1 4f. 1 4g. 47 4h. 15.6</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on EAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 1.5 5b. 18 5c. 0 5d. 19.5 5e. 6.5</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 1 6b. 14 6c. 31 6d. 3 6e. 1 6f. 1 6g. 51 6h. 17</p>

BICM3

00334.0010055828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. 0
 7c. 5

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	General Ed, Special Principal, Counselor, Speech Therapist	5.5 16 16 4 4	11 11 2 2 1
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Gen. Ed Teacher Administrator Specialist (Spec Teacher) Nurse SDC Teacher Instructional Aides Administrative Speech Therapist School Nurse	3.5 8.5 8.5 108 hr 108 hr 54 hr 18-415 1 hr	7 7 7

BICM 4

00034.00100/55828.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 44 hrs
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 17.5 hrs
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 23 hrs
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for EAA and determine necessity for interim PBIP.	d. 23 hrs
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 6 hrs
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 6 hrs.
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Calendar
- Personal files/tracking sheets
- Palm pilot
- Consultation with IEP team

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

BICK 5

003140010035828.1

DECLARATION

I, Janet Halliday, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a school psychologist
by Ocean View School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-25-, 2012, at Huntington Beach, California.
Date *City*

[Signature]
Signature

Janet Halliday
Print Name

janethalliday1@gmail.com
E-mail Address

714 614 5873
Phone Number

00334.00100/343883.1

08/24/2012 09:39AM From: 7143728109

Page: 004 R=96%

SELPA: *WCCSE* Date: *2-5-2008*
 School District (if serving multiple districts, list all): *Ocean View*
 Name of BICM Completing Survey: *Janet Halliday*
 Title: *Psych.*
 Phone Number(s): *714 847 2551*
 Email Address: *Janet.Halliday@okva.org*

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. 5 1b. 3 1c. 2</p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. 1</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p>	<p>3a. 2 3b. 24 3c. 30 3d. 56 3e. 18.6</p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 36 4b. 7 4c. 6 4d. 6 4e. 3 4f. 3 4g. 61 4h. 20</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. 0 5b. 0 5c. 0 5d. 0 5e. 0</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. 0 6b. 0 6c. 0 6d. 6 6e. 5 6f. 3 6g. 14 6h. 7</p>

BLCM 3

00234.0010055828.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: *///*

b. Number of students requiring 2 IEP team meetings: *///*

c. Number of students requiring 3 or more IEP team meetings: */*

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 3
7b. 1
7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

District/Position	# of IEPs	# IEP Mts
<i>Pin.</i>	<i>7</i>	<i>2</i>
<i>Sr. Ed. Teacher</i>	<i>7</i>	<i>2</i>
<i>Gen. Ed. Teacher</i>	<i>4</i>	<i>1</i>
<i>Sr. Assoc. Autism Spec.</i>	<i>6</i>	<i>2</i>
<i>Inclusion Spec.</i>	<i>6</i>	<i>1</i>
<i>Of</i>	<i>3</i>	<i>1</i>
<i>AAE</i>	<i>3</i>	<i>0</i>
	<i>3</i>	<i>0</i>
<i>Sr. Ed. Teacher</i>	<i>730</i>	
<i>Instructional Assist.</i>	<i>2,728</i>	
<i>Autism Specialist</i>	<i>457</i>	
<i>Inclusion Spec.</i>	<i>4</i>	
<i>Gen. Ed. Teacher</i>	<i>72</i>	

BICM 4

00334,00100155828.1

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>a. <input type="radio"/> b. <input type="radio"/> c. <input type="radio"/> d. <input type="radio"/> e. <input type="radio"/> f. <input type="radio"/></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- SEIS
- IEPs
- PBIPs
- FAAs

Please indicate the time it took for you to complete this survey: *2 hours*

Thank you very much for taking the time to complete this survey.

BICKS

0034.0010055828.1

BICM

SELPA: W0655E Date: 1/28/08
 School District (if serving multiple districts, list all): Fountain Valley School District
 Name of BICM Completing Survey: Shannon Dilday
 Title: School Psychologist/BICM
 Phone Number(s): (714) 378-4220 or (714) 843-3278
 Email Address: dildays@fUSD.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u></p> <p>1b. <u>2</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>1</u></p> <p>3a. <u>60 minutes</u></p> <p>3b. <u>16 hours</u></p> <p>3c. <u>20 hours</u></p> <p>3d. 20 <u>27</u> hours</p> <p>3e. 20 <u>18.5</u> hours</p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 4 hours 4b. 4 hours 4c. 3 hours 4d. <input type="checkbox"/> 4e. <input type="checkbox"/> 4f. <input type="checkbox"/> 4g. 11 hours 4h. 5.5 hours</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <input type="checkbox"/> 5b. <input type="checkbox"/> 5c. <input type="checkbox"/> 5d. <input type="checkbox"/> 5e. <input type="checkbox"/></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <input type="checkbox"/> 6b. <input type="checkbox"/> 6c. <input type="checkbox"/> 6d. <input type="checkbox"/> 6e. <input type="checkbox"/> 6f. <input type="checkbox"/> 6g. <input type="checkbox"/> 6h. <input type="checkbox"/></p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

- Number of students requiring 1 IEP team meeting:
- Number of students requiring 2 IEP team meetings:
- Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.	1
7b.	1
7c.	2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
General Education Teacher	4	1
Special Education Teacher	4	1
Principal-Administrator	4	1
Speech/Lang. Therapist	4	1
School Psychologist	4	1
*District: Family Psychologist		

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

0	0	0
---	---	---

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

District: FVSD	70 hours	
- Special Education Teacher	20 hours	
- Teacher Assistant #1	20 hours	
- Teacher Assistant #2	20 hours	
- Teacher Assistant #3	20 hours	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. a. b. 1 hour c. 30 minutes d. e. f. 15 minutes
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- Daily Planner
- Medical logs
- IEP documents / Review files

Please indicate the time it took for you to complete this survey: 45 minutes

Thank you very much for taking the time to complete this survey.

Zhenis

Yolo

SELPA

DECLARATION

1. CAMILLE GIOMETTI-MAY, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a ASSISTANT SUPERINTENDENT/SELPA
by YOLO COUNTY SELPA
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24, 2012, at WOODLAND, California.
Date *City*

Camille Giometti-May
Signature

CAMILLE GIOMETTI-MAY
Print Name

CAMILLE.GIOMETTI-MAY@YCOE.ORG
E-mail Address

530.668.3787
Phone Number

Positive Behavioral Intervention Plan/Functional Analysis Assessment Survey

SELPA Level Survey

Dear SELPA Director:

The purpose of this survey is to collect information on the costs of implementing the Hughes Bill, including PBIPs/FAAs. The information asked for below is in two parts. Part I asks that you provide summary data on the number of survey forms returned to you and some additional information. Part II asks for data on Hughes Bill procedures, training, and data reporting which SELPA staff provide. Please be sure to report only for SELPA staff, not district staff. For questions, contact Kate Parnes at Fagen Friedman's Oakland Office at 510-550-8200, by cell at 650-400-2288, or by email at kparnes@fagenfriedman.com. For questions on the spreadsheet, contact Mike Lenahan at milenahan@gmail.com.

SELPA: Yolo County SELPA
 Person Completing Survey: CAMILLE Giametti-May
 Title: ASSISTANT SUPERINTENDENT/SELPA
 Phone Number(s): 530-668-3782
 Email Address: cgiametti-may@yocoe.org

Date: 2-1-08

Part I: SELPA DATA SUMMARY:

Please review all surveys returned to you and verify that they are complete. Please send us copies of all completed BICM and district surveys.

1. How many total BICMs are in your SELPA?	<u>44</u>
2. How many BICM surveys have been returned to you?	<u>6</u>
3. If not all BICM surveys have been returned, please indicate reason.	
4. How many districts are in your SELPA?	<u>5 Districts</u>
5. How many district level surveys have been returned to you?	<u>1 YCOE</u> <u>5-BICMS</u>
6. If not all district surveys have been returned, please indicate reason.	<u>3-DIRECTORS</u> <u>STARTING CRISIS INFO-RETURNED</u>

SELPA 1
 CIBO - OF KRALGS DISTRICT
 UNAVAILABLE / BUSINESS DIRECTOR
 TOO BUSY -

CLERS

SELPA

Part II: SELPA LEVEL ACTIVITIES

A. PBIP Procedures in the Local Plan

Each SELPA Local Plan includes procedures on Hughes Bill behavioral interventions and emergency interventions. Please attach a copy of these procedures from your Local Plan.

	Position	# of Hours
7. How much total actual time in hours or portions thereof was spent, by position, to develop procedures for the Local Plan that reflected the required Hughes Bill elements (one time only)? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>PROGRAM SPECIALIST BEHAVIOR MEETINGS OF BICM TERM -</u>	7. <u>BICMS PROGRAM SPEC.</u>	7. <u>30 HRS. 30 HRS.</u>
8. What was the total actual time in hours or portions thereof spent, by position, to obtain governing board(s) approval for procedures (one time only)? a. What year did this occur? <u>2006-2007/2008-2009</u> b. What is the basis for your estimate? <u>PERSONNEL AGREEMENT COUNCIL MINUTES -</u>	8. <u>SELPA DIRECTOR</u>	8. <u>2 HRS.</u>
9. What was the total actual time in hours or portions thereof spent, by position, for the most recent review/update of procedures? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>PROGRAM SPECIALIST</u> c. How often does your SELPA do this? <u>NOT ESTABLISHED YET - SAME PATT?</u> <u>Will be every other year</u>	9. <u>BICMS PROGRAM SPEC</u>	9. <u>30 HRS 30 HRS</u>

	Position	# of Hours
13. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for initial BICM certification? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>VSP-CONTRACT</u> c. How often does your SELPA do this? <u>YEARLY</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>\$3,000</u>	13. <u>PROGRAM SPEC.</u>	13. <u>24 HRS</u>
14. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training update for certified BICMs? a. What year did this occur? <u>2006-2007</u> <u>2007-2008</u> b. What is the basis for your estimate? <u>TRAINING-COMMENDAR</u> c. How often does your SELPA do this? <u>TRAINING-CONTRACT</u> <u>YEARLY</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>\$3,000</u>	14. <u>PROGRAM SPEC</u>	14. <u>40</u>
Note: If #13 and #14 are the same in your SELPA, do not duplicate count. 15. How much total actual time in hours or portions thereof was spent, by position, to design training for PBIP implementers (one time only)? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>BICM-TRAINING</u> <u>REPORTS AT MEETINGS</u>	15. <u>BICMS</u> <u>PROGRAM SPEC</u>	15. <u>8 HRS</u>
16. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training for PBIP implementers? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>STAFF REPORT-BICMS</u> c. How often does your SELPA do this? <u>YEARLY</u>	16. <u>BICMS</u> <u>PROGRAM SPEC</u>	16. <u>8 HRS</u> <u>8 HRS.</u>

SELPA 4

00334.00100/5274.1

	Position	# of Hours
17. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training for PBIP implementers? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>STAFF REPORT</u> c. How often does your SELPA do this? <u>YEARLY</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. _____	17. <u>BICMS</u> <u>ADG RM-SPEC</u>	17. <u>16</u>
18. How much total actual time in hours or portions thereof was spent, by position, to design training on emergency behavioral interventions (one time only)? a. What year did this occur? <u>2006-2007</u> b. What is the basis for your estimate? <u>STAFF REPORT - MANUAL</u>	18. <u>PROGRAM SPEC</u>	18. <u>32</u>
19. How much total actual time in hours or portions thereof was spent, by position, for the most recent update of training on emergency behavioral interventions? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>STAFF REPORT</u> c. How often does your SELPA do this? <u>TRAINING CHANDMAN</u>	19. <u>PROGRAM SPEC</u>	19. <u>20 HR</u>
20. How much total actual time in hours or portions thereof was spent, by position, to lead the most recent training on emergency behavioral interventions? a. What year did this occur? <u>2007-2008</u> b. What is the basis for your estimate? <u>STAFF CHANDMAN</u> c. How often does your SELPA do this? <u>YEARLY</u> d. If provided by independent contractor for SELPA, state the cost and list what is included. <u>\$ 3,000 - PART OF BICM TRAINING</u>	20. SPROR & RM SPEC <u>VSP-PROGRAM SPEC</u>	20. <u>40 HRS</u>

SELPA 5

00334.00100/55274.1

21. If you held initial BICM certification training in 2006-07, what was the cost other than any listed above - i.e., did BICMs pay a registration fee, were they paid a daily rate, were there substitute costs? Also, please state who paid the costs - i.e., individuals, district, county office, SELPA.

Cost: \$ _____ For: _____ Paid By: _____
 Cost: \$ _____ For: _____ Paid By: _____

22. If your SELPA held a BICM training in 2006-07, list the number of BICMs/ prospective BICMs who attended by district and position, i.e., teacher, psychologist, other, and the length of the training in hours (i.e., 4 hours).	# Attdg.	District/Position	# of Hours
1. ESPARTEO 2 WININGS	30 3 16 4	TOTAL YCOG DAVIS WBUSD WASHINGTON	6 6 6 6 6
23. If your SELPA held a training for PBIP implementers in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	23.	23.	23.
24. If your SELPA held a training on emergency behavioral intervention in 2006-07, list the number of persons who attended by district and position, and the length of the training in hours.	24.	24.	24.

14 ERD AT
DISTRICT - NO RECORDS
14 ERD DISTRICT
FOR SITES / NO RECORDS

25. If your SELPA paid for training for BICMs or PBP implementers in 2006-07 by sending them to trainings, what was the cost?
\$1,200
 a. Is this figure typical of annual costs and for how long has it been typical? 2 years
 b. If not, what have you typically done?
 c. What do you intend to do in the future? Continue CPERT 2 - TRAINING - PERM OIGM - REGISTRATION

Note: Please provide sample evidence of all trainings such as flyers, sign-in sheets, etc.
DAILY RATE 6TS
 C. Other SELPA Staff Activities:

26. Indicate total actual time in hours or portions thereof spent in 2006-07, by SELPA position, to collect data from the "Behavioral Emergency Reports" to be reported annually to CDE.

Position	# of Hours
26. SELPA Director	26. 2 HRS

27. Indicate the total actual time in hours or portions thereof spent in 2006-07 by SELPA position in due process hearings (including mediation) and other related due process activities solely on Hughes Bill issues. (Do not duplicate data from District directors.)

27. <u>0</u>	27. <u>0</u>

28. For each SELPA staff position listed above in Part A, B or C, please provide compensation data for 2006-07 on the attached certificated/classified spreadsheets. For each position listed, provide the average salary and benefit level.

Please indicate the amount of time in hours or portions thereof spent to complete this document. 4 HRS.
 Thank you very much for taking the time to complete this survey.

District

DECLARATION

I, Mila Spengler, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Director of Special Education
Title of Position
by Davis Joint Unified School District
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 2, 2012, at Davis, California.
Date *City*

Mila Spengler
Signature

Mila Spengler
Print Name

milaspeng3@yahoo.com
E-mail Address

530-757-2817
Phone Number

SELPA: Yale Date: Jan 25, 2008
 District: Davis-Santa Lucia-Santa District
 Person completing survey: Director of Special Education - Mia Spangler
 Title: Director of Special Education
 Phone Number(s): (530) 757-3300 x113 or x112
 Email Address: mspangler@dvsd.k12.ca.us

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?
 1. 31

	Position	# of Hours
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. <u>Teacher</u>	2. <u>53 hours</u>
	a. <u>Para-educator</u>	a. <u>34 hours</u>
	b. <u>Teacher</u>	b. <u>31 hours</u>
	c. <u>Teacher</u>	c. <u>40 hours</u>
	d. <u>Teacher</u>	d. <u>8 hours</u>
	e. <u>Behavioralist</u>	e. <u>4 hours</u>
	f. <u>Psychologist</u>	f. <u>3 hours</u>
	g. <u>Psychologist</u>	g. <u>12 hours</u>
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	g. <u>Director</u>	g. <u>10 hours</u>
	3. <u>Principal</u>	3. <u>2 hrs</u>
	<u>Behavioralist</u>	<u>5 hrs</u>
	<u>Teacher</u>	<u>5 hours</u>
		<u>12 HRS</u>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case. 4a. 0

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____ _____ _____	5. _____ _____ _____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____ a. _____ b. _____ c. _____	6. _____ _____ _____ _____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____ a. _____ b. _____ c. _____	7. _____ a. _____ b. _____ c. _____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____ a. _____ b. _____ c. _____	8. _____ a. _____ b. _____ c. _____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
	<i>N/A</i>			\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: ~~_____~~ 2.5 hours

Thank you for taking the time to complete this survey.

DECLARATION

I, Susan Cooper, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Special Ed Coordinator
by Esparto Unified School District.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/24, 2012, at Woodland, California.
Date *City*


Signature

Susan Cooper
Print Name

scooper@espartok12.org
E-mail Address

530-787-4851 ex 407
Phone Number

Giometti-May, Camille

From: Cooper, Susan [scooper@espartok12.org]
Sent: Thursday, January 24, 2008 10:35 AM
To: Giometti-May, Camille
Subject: BICM

Camille, I am hoping tha Yonda and Mary will send their soon. Susan

SELPA Yolo County District: Esparto Unified Person completing survey: Susan Cooper Title: Esparto Coordinator Phone Number(s): (530) 787-4151 ex 407 Address 26675 Palinfeld Street, Esparto, CA 95627

1. How many Behavioral Emergency Reports were completed by staff in 2006-07?

1. 0	# of Hours
------	------------

2648

	Position	
2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours. a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE. g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.	2. a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____	2. a. _____ b. _____ c. _____ d. _____ e. _____ f. _____ g. _____
3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?	3. _____ _____ _____ _____	3. 0 _____ _____ _____

4.	0
4a.	0

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue?
 - a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

Case #: _____ (use OAH filing number)

of Hours

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 10 minutes

Thank you for taking the time to complete this survey.

Susan Cooper
Special Education Coordinator
Esparto Middle School
(530) 787-4151 ex 407
scooper@espartok12.org

DECLARATION

I, Emilie Simmons, hereby declare as follows:
Print Name

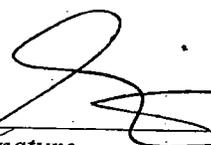
1. In the 2007-2008 school year, I was employed as a DIRECTOR of Educational Services
by Winters Joint Unified School District *Title of Position*
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-24-12, 2012, at Woodland, California.
Date *City*


Signature

Emilie Simmons
Print Name

e.Simmons@wintersjUSD.org
E-mail Address

530 795-6115
Phone Number

SELPA: Yolo
 District: Winters JUSD

Date: 1-23-08

Person completing survey: Emilie Simmons
 Title: Director of Educational Services
 Phone Number(s): 530 795-6154
 Email Address: ESimmons@wintersjusb.org

<p>1. How many Behavioral Emergency Reports were completed by staff in 2006-07?</p>	<p>1. <u>0</u></p>
<p>2. How much total actual time in hours or portions thereof was spent in 2006-07 on the following activities related to emergency behavioral interventions? List by position and hours.</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p> <p>g. Reviewing "Behavioral Emergency Reports" and forwarding to SELPA.</p>	<p>2. Position # of Hours</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p> <p>g. _____</p>
<p>3. How much total actual time was spent by which positions in 2006-07 informing school personnel of prohibited behavioral interventions?</p>	<p>3. _____</p>

4. How many due process requests were filed against your district in 2006-07 where Hughes Bill matters were at issue? 0

a. Of these requests, in how many instances did the district file a written response? For each case listed in 4a, answer questions 5-8 below. Use a separate sheet for each case.

4a. _____

Case #: _____ (use OAH filing number)

	Position	# of Hours
5. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to file a written response?	5. _____	5. _____
	_____	_____
	_____	_____
6. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to convene, prepare for, and attend a resolution session?	6. _____	6. _____
	a. _____	_____
	b. _____	_____
7. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and attend mediation?	7. _____	7. _____
	a. _____	_____
	b. _____	_____
8. For the Hughes Bill issues in this case, how much total actual time in hours or portions thereof did it take in 2006-07, per position, to prepare for and participate in the due process hearing?	8. _____	8. _____
	a. _____	_____
	b. _____	_____
	c. _____	_____

9. If the district employed attorneys or other independent contractors for due process or Hughes Bill activities – such as developing FAAs, PBIPs or attending IEP team meetings – please provide information to the extent possible regarding the number of students for whom the activity was performed, the activity performed, the hours of work and by whom, and the fees which the district paid.

# of Students	Activity Performed	# of Hrs	Provider Name/Profession	Fees
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

10. For each district employee listed on this survey, for all district BICMs, and for every district position listed on district BICM surveys, please provide compensation data for 2006-07 on the attached certificated and classified spreadsheets. For each position listed, provide the average salary and benefits level.

Please Note: Please indicate the source(s) of the information provided above; examples might include calendars, datebooks, day planners etc. Please include copies of mediation agreements, due process decisions, or other documents supporting claimed due process and independent contractor expenses. Remember to black out all personally identifiable student information.

Please indicate the amount of time it took to complete this document: 5 minutes

Thank you for taking the time to complete this survey.

0006-07 Data Collection for Classified Positions

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	HRV SR Benefits	HRV H & W	Total Hourly Rate
GARCIA, C - DIS AIDE	17,754.00	4,186.39	2,205.00	207.5	6	14.26	3.36	1.77	19.39
HALL, R - RSP AIDE	22,466.00	4,422.21	2,205.00	210	6	17.83	3.51	1.75	23.09
HARPER, D - DIS AIDE	5,972.00	1,408.20	1,103.00	185	2.74	11.78	2.78	2.18	16.74
HENRY, M.E. - RSP AIDE	14,490.00	2,852.21	2,205.00	205	6	11.78	2.32	1.79	15.89
HOFSTRAND, A - DIS AIDE	14,489.00	3,416.51	2,205.00	205	6	11.78	2.78	1.79	16.35
KELLEY CALVERT, T - RSP AIDE	17,540.00	3,452.57	2,205.00	205	6	14.26	2.81	1.79	18.86
KLIMPER, L - RSP AIDE	18,277.00	3,597.64	2,205.00	207.5	6	14.68	2.89	1.77	19.34
MCCONNELL, K - RSP AIDE	17,754.00	3,494.70	2,205.00	207.5	6	14.26	2.81	1.77	18.84
MULDONG, P - DIS AIDE	15,178.00	3,578.97	2,205.00	205	6	12.34	2.91	1.79	17.04
NEANDER, S - RSP AIDE	22,924.00	4,512.36	2,205.00	210	6	18.19	3.58	1.75	23.52
OCHOA, E - RSP AIDE	24,162.00	4,756.05	2,205.00	210	6	19.18	3.77	1.75	24.70
RIISE, R - SDC AIDE	13,523.00	2,661.87	2,058.00	205	5.6	11.78	2.32	1.79	15.89
ROMERO, S - DIS AIDE	17,754.00	3,494.70	2,205.00	207.5	6	14.26	2.81	1.77	18.84
SANCHEZ, M - DIS AIDE	6,628.00	1,562.88	1,286.00	160.75	3.5	11.78	2.78	2.29	16.84
TACKETT, K - DIS AIDE	7,633.00	1,799.86	1,470.00	162	4	11.78	2.78	2.27	16.83
TIPPETTS, J - DIS AIDE	17,540.00	3,452.57	2,205.00	205	6	14.26	2.81	1.79	18.86
WOODS, D - SDC AIDE	25,086.00	4,933.99	2,205.00	210	6	19.89	3.92	1.75	25.56
JORDAN, W - DIS AIDE	19,108.00	4,505.67	0.00	181	6	17.59	4.15	0.00	21.74

This will be for any classified position, management, and non-management that participated in any of the attached processes.

This comes from the salary schedule for the position.

STATS: PERS, MEDICARE, SUP, WORKERS COMP, and any other benefit other than column 5.

This includes employer paid medical, dental, vision and life insurance.

These are the work-days associated with the position, including holidays & vacation.

These are hours per day of the position (possibly contractual).

This column is automatically calculated and is protected.

BICM

DECLARATION

I, Priscilla Moore, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Inclusion Specialist
by Davis Joint Unified School District.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at DAVIS, California.
Date *City*


Signature

Priscilla A Moore
Print Name

pmoore@djusd.net
E-mail Address

707 301 6940
Phone Number

SELPA: Yolo Date: 1/25/08
 School District (if serving multiple districts, list all): Davis Unified School dist.

Name of BICM Completing Survey: Priscilla Moore
 Title: Inclusion Specialist
 Phone Number(s): 530 757-5480
 Email Address: pmoore@djust.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u> 2 HRS.</p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1.0</u> 3b. <u>12.0</u> 3c. <u>5.0</u> 3d. <u>18.0</u> 3e. <u>18.0</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

54 HR

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. <u>3.0</u> 4b. <u>2.0</u> 4c. <u>12.0</u> 4d. <u>5.0</u> 4e. <u>0.0</u> 4f. <u>0.0</u> 4g. <u>22.0</u> 4h. <u>28.0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with <u>preexisting</u> PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>N/A</u> 5b. <u>N/A</u> 5c. _____ 5d. _____ 5e. _____</p> <p style="text-align: center;">84 HRS.</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of <u>preexisting</u> PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. <u>N/A</u> 6c. <u>N/A</u> 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting: _____

b. Number of students requiring 2 IEP team meetings: _____

c. Number of students requiring 3 or more IEP team meetings: _____

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.	Gen Ed teacher	4	2
	Paraeducator	4	2
	Paraeducator	4	2
	SLP	4	2
	OT	4	2
	School Psych	4	2
10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.	Gen Ed teacher	10	1
	Para	60	60
	Para Administrator	5	5
		135	

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. 3 20.0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. 2.0
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. 3.0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. 0.0
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. 0.0
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. 25.0
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Patricia H. Newman hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Special Education Teacher
Title of Position
by Davis Joint Unified Schools
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 1st, 2012, at Davis, California.
Date *City*

Patricia H Newman
Signature

Patricia H. Newman
Print Name

pnewman@djUSD.net
E-mail Address

530 - 757 - 5475
Phone Number

BICM

SELPA: Yolo Date: 01-28-08
 School District (if serving multiple districts, list all): Davis FE Unified School Dist.

Name of BICM Completing Survey: Patty Neumann, Brian Patterson
 Title: Inclusion Spec, Behavior Spec.
 Phone Number(s): (530) 757-5480
 Email Address: pneumann@djUSD.k12.ca.us / bpatterson@djUSD.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>a. new cases (PBIP for first time), and</p> <p>b. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases. (divide total from line 3d by number of new cases on line 1b.)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>2. <u>0</u></p> <p>3a. <u>0.5</u></p> <p>3b. <u>12.0</u></p> <p>3c. <u>3.0</u></p> <p>3d. <u>15.5</u></p> <p>3e. <u>15.5</u></p> <p><u>44.5</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>3.0</u></p> <p>4b. <u>4.5</u></p> <p>4c. <u>27.0</u> <u>21.0</u></p> <p>4d. <u>6.0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>34.0</u></p> <p>4h. <u>34.0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with <u>preexisting</u> PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>N/A</u></p> <p>5b. <u>N/A</u></p> <p>5c. <u>N/A</u></p> <p>5d. <u>N/A</u></p> <p>5e. <u>N/A</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of <u>preexisting</u> PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>N/A</u></p> <p>6b. <u>N/A</u></p> <p>6c. <u>N/A</u></p> <p>6d. <u>N/A</u></p> <p>6e. <u>N/A</u></p> <p>6f. <u>N/A</u></p> <p>6g. <u>N/A</u></p> <p>6h. <u>N/A</u></p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 0
 7c. 1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.	District/Position	# of Hrs	# IEP Mtgs
	Incl. Spec *	4.5	3
	Para educator	4.5	3
	General Ed teacher	4.5	3
	SLP	4.5	3
	OT	4.5	3
	school psych	4.5	3
	N/A		
	Incl. Spec.	10.0	
	Para Educ.	10.0	
	Gen Ed teacher	1.0	
		<u>21.0</u>	

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

* 2006 Incl. Spec. was not yet BICM

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	a. <u>4</u> <u>6.0</u>
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	b. <u>1.5</u>
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	c. <u>8.0</u>
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	d. <u>n/a</u>
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	e. <u>1.5</u>
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	f. <u>0.5</u>
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	<u>17.5</u>

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 0.5

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Brian Patterson, hereby declare as follows:
Print Name

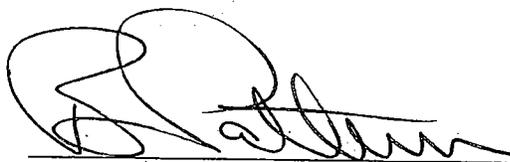
1. In the 2007-2008 school year, I was employed as a Behavior Specialist
Title of Position
by Davis JE Unified, Yolo Co Selpa
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/26/12, 2012, at Davis, California.
Date *City*


Signature

Brian Patterson
Print Name

brian.patterson.ca@gmail.com
E-mail Address

630-219-8295
Phone Number

BICM

SELPA: Yolo Date: 01-28-08
 School District (if serving multiple districts, list all): Davis JT Unified School Dist.

Name of BICM Completing Survey: Patty Newman, Brian Patterson
 Title: Inclusion Spec; Behavior Spec.
 Phone Number(s): (530) 757-5480
 Email Address: pnewman@djUSD.k12.ca.us / bpatterson@djUSD.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases. (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>0.5</u></p> <p>3b. <u>12.0</u></p> <p>3c. <u>3.0</u></p> <p>3d. <u>15.5</u></p> <p>3e. <u>15.5</u></p> <p><u>46.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b)

2146

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? 	<p>4a. <u>3.0</u> 4b. <u>4.5</u> 4c. <u>27.0</u> <u>21.0</u> 4d. <u>6.0</u> 4e. <u>0</u> 4f. <u>0</u> 4g. <u>34.0</u> 4h. <u>34.0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>5a. <u>N/A</u> 5b. <u>N/A</u> 5c. _____ 5d. _____ 5e. _____</p> <p style="text-align: center;"><u>102.5</u></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. <u>N/A</u> 6e. <u>N/A</u> 6f. _____ 6g. _____ 6h. _____</p>

BICM.3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a.	0
7b.	0
7c.	1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
Incl. Spee.*	4.5	3
Para educator	4.5	3
General Ed teacher	4.5	3
SUP	4.5	3
OT	4.5	3
school psych	4.5	3

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

N/A		
-----	--	--

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

Incl. Spee.	10.0
Para Educ.	10.0
Gen Ed teacher	1.0
	21.0

* 2006 Incl. Spee. was not yet BICM

BICM 4

00334:00100/55274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	11.
a. Performing emergency behavioral interventions.	4. 6.0
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	1.5
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	8.0
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	n/a
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	1.5
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	0.5
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	17.5

Please provide the sample template for FAAs and PBIPs that you use.

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Please indicate the time it took for you to complete this survey: 0.5

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Gurpreet Kaur, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Analyst
by Woodland Joint Unified School District.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)
2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.
3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27, 2012, at Woodland, California.
Date *City*

Gurpreet Kaur
Signature

Gurpreet Kaur
Print Name

Gurpreet.Kaur@wjust.org
E-mail Address

(530) 218-2449
Phone Number

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>0</u></p> <p>4b. <u>0</u></p> <p>4c. <u>0</u></p> <p>4d. <u>0</u></p> <p>4e. <u>0</u></p> <p>4f. <u>0</u></p> <p>4g. <u>0</u></p> <p>4h. <u>0</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. <u>1.5 hr</u></p> <p>5b. <u>20 hrs</u></p> <p>5c. <u>0 hrs</u></p> <p>5d. <u>30 hrs</u></p> <p>5e. <u>13 hrs</u></p> <p style="text-align: center;">22.5</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. <u>15 hrs</u></p> <p>6b. <u>18 hrs</u></p> <p>6c. <u>90 hrs</u></p> <p>6d. <u>30 hrs</u></p> <p>6e. <u>12 hrs</u></p> <p>6f. <u>30 hrs</u></p> <p>6g. <u>195 hrs</u></p> <p>6h. <u>65 hrs</u></p> <p style="text-align: center;">455</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 3
 7c. 0

3

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position
 AIA

of Hrs

IEP Mtgs

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

ATMUN
 VSA
 SDD
 SIP
 GARD

3
 3
 3
 3
 3

2
 2
 2
 2
 2

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

PARAPROFESSOR
 WORKER

1000 hrs
 500 hrs

15
 10

2100 HR

<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p># of Hours</p> <p>11. <u>0</u></p> <p>a. <u>0</u></p> <p>b. <u>0</u></p> <p>c. <u>0</u></p> <p>d. <u>0</u></p> <p>e. <u>0</u></p> <p>f. <u>0</u></p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Notes in student file

IEP

IEP notes

Please indicate the time it took for you to complete this survey:

Thank you very much for taking the time to complete this survey.

4 hrs.

DECLARATION

I, Judith Granada-Dewey hereby declare as follows:
Print Name

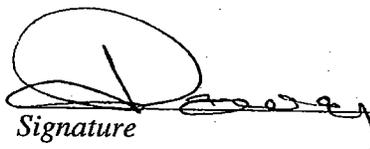
1. In the 2007-2008 school year, I was employed as a Sch. Psych to Beh. Anal.
Print Name of Position
by WUSD + Yolo Co. Off. of Educ.
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 9, 2012, at W. Sacramento California.
Date *City*


Signature

Judith Granada-Dewey
Print Name

jgranadewey@wusd.k12.ca.us
E-mail Address

916-375-7600
Phone Number

SELPA: Yolo County
 School District (if serving multiple districts, list all): Washington Unified
 Date: 1-22-08

Name of BICM Completing Survey: Judith Stranahan - Dewey; Christy Savage
 Title: BCBA School Psychologist; Behavior Specialist
 Phone Number(s): 916-345-7100
 Email Address: jstranahan@wusd.k12.ca.us; csavage@wusd.k12.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>2</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received ABB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1.25 hrs</u> 3b. <u>50.0</u> 3c. <u>12.0</u> 3d. <u>13.25</u> 3e. <u>31.6</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).
158.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <p>a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. 11.0 hrs 4b. 6 4c. 94 4d. 8 4e. 2 4f. 6 4g. 127 4h. 63.5</p> <p><i>Handwritten note: 4 staff x 16 hrs x emerg. training + behaviorists + mentoring</i></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p> <p><i>Handwritten: 190.5</i></p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM 3

00334.00100/55274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	11. hrs
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2. "
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	"
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	6. "
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	3. "
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	33
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- 1) B.I.P.'s
- 2) FAA Reports
- 3) I.E.P.'s
- 4) Emergency reports
- 5) Training records
- 6) Consultation notes
- 7) IEP notes
- 8) File/Transcription notes

Please indicate the time it took for you to complete this survey: 10.0 hrs

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00100/55274.1

DECLARATION

I, Christy Savage, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a Behavior Specialist
by Washington Unified School District
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5-9-12, 2012, at West Sacramento, California.
Date *City*

Christy Savage
Signature

Christy Savage
Print Name

CSavage@wusd.k12.ca.us
E-mail Address

916-375-7600 ext. 1352
Phone Number

SELPA: Yolo County

School District (if serving multiple districts, list all): Washington Unified

Date: 1-22-08

Name of BICM Completing Survey: Judith Granada-Dewey; Christy Savage
 Title: BCBA School Psychologist; Behavior Specialist
 Phone Number(s): 916-345-7100
 Email Address: jgranadadewey@usd.kir.ca.us; csavage@usd.kir.ca.us

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>2</u> 1b. <u>2</u> 1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>1.25 hrs</u> 3b. <u>50.0</u> 3c. <u>12.0</u> 3d. <u>63.25</u> 3e. <u>31.6</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b). 158.1

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p><i>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</i></p>	<p>4a. 11.0 hrs 4b. 6 4c. 94 4d. 8 4e. 2 4f. 6 4g. 127 4h. 63.5</p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p><i>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</i></p>	<p>5a. 190.5 5b. 190.5 5c. 190.5 5d. 190.5 5e. 190.5</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per #4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p><i>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</i></p>	<p>6a. 190.5 6b. 190.5 6c. 190.5 6d. 190.5 6e. 190.5 6f. 190.5 6g. 190.5 6h. 190.5</p>

BICM 3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting:
 a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:
 Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

District/Position	# of Hrs	# IEP Mtes
SLP therapist	1 hr	3
SDC teacher	6 "	3
OT	4 "	2
	(16)	(8)
N		
A		
Paraprofessor	540 + 120	#1: 95 days
SDC teacher	540 + 120	#2: 100 "
SLP Therapist	21 + 25	120 "
	376 hrs	150 mtes
TOTAL		2x wk

3,966 HRS

BICM 4

00334.0010055274.1

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?	
a. Performing emergency behavioral interventions.	1.5 hrs
b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.	2 "
c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.	4 "
d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.	6 "
e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.	3 "
f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	33
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.	
Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

- 1) B.I.P.'s
- 2) FAA Reports
- 3) I.E.P.'s
- 4) Emergency reports
- 5) Training records
- 6) Consultation notes
- 7) I.E.P. notes
- 8) File/consultation notes

Please indicate the time it took for you to complete this survey: 1.0 hrs

Thank you very much for taking the time to complete this survey.

BICM 5

00334.00100/55274.1

DECLARATION

I, Judith Granada-Dawsey, hereby declare as follows:
Print Name

1. In the 2007-2008 school year, I was employed as a School Psychologist A ^{with Beh. Analyst responsibilities}
Title of Position
by WUSD + Yolo Co Ofc of Ed
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 9, 2012, at W. Sacramento, California.
Date *City*


Signature

Judith Granada-Dawsey
Print Name

jgrandawey@wusd.k12.ca.us
E-mail Address

916-425-3883
Phone Number

SELPA: Yolo

School District (if serving multiple districts, list all): Washington

Date: 1/28/08

Name of BICM Completing Survey: United Yolo County Office of Education
 Title: Ed. Psych-UBUSD * Judith Brancaga-Spicer * Amy Higgins-Boyd > CO-BICM
 Phone Number(s): (530) 688-3753
 Email Address: Higgins-Boyd@ycoe.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>0</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>0</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>3a. <u>30 min</u></p> <p>3b. <u>20 hrs</u></p> <p>3c. <u>5 hrs</u></p> <p>3d. <u>25.5 hrs</u></p> <p>3e. <u>25.5 hrs</u></p> <p><u>76.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:

- a. Preparing draft of PBIPs for IEP meetings.
- b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs.
- c. Training for and monitoring PBIPs across settings.
- d. Evaluating PBIPs effectiveness.
- e. Making modifications to PBIPs in subsequent IEP team meetings.
- f. Making modifications to PBIPs outside of IEP team meetings.
- g. Total of answers to 4a through 4f.
- h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)?

4a. 5 hrs
 4b. 2 hrs
 4c. 16 hrs
 4d. 8 hrs
 4e. 0
 4f. 2 hr
 4g. 27 hrs
 4h. 27 hrs

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.

5a. _____
 5b. _____
 5c. _____
 5d. _____
 5e. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.

6a. _____
 6b. _____
 6c. _____
 6d. _____
 6e. _____
 6f. _____
 6g. _____
 6h. _____

Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).

(81)

~~6a. _____
 6b. _____
 6c. _____
 6d. _____
 6e. _____
 6f. _____
 6g. _____
 6h. _____~~

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 1
 7b. _____
 7c. _____

2

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtgs
PSY	1 hr	1
SLP	1 hr	1
SDC	1 hr	1
RN	1 hr	1

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

YCOE SIDA Teacher	40 hrs	<u>536</u>
YCOE Open Spec	8 hr	
YCOE PARCA Fed.	480 hrs	
YCOE PSY	8 hrs	

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11.</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

File NOTES

IEPs & IEP NOTES

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Amy Higgins-Boyd, hereby declare as follows:
Print Name

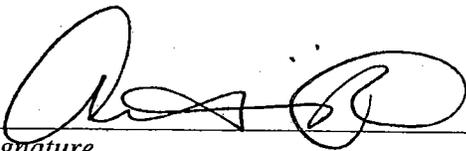
1. In the 2007-2008 school year, I was employed as a Behavior Specialist
by Yolo County Office of Education.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4/27/12, 2012, at Woodland, California.
Date *City*


Signature

Amy Higgins-Boyd
Print Name

higgins-boyd@ycbe.org
E-mail Address

530 681-2373
Phone Number

SELPA: Yolo

Date: 1/28/08

School District (if serving multiple districts, list all):

Washington

United

Yolo County

Office of Ed.

Name of BICM Completing Survey:

Judith

Bravada - Spivey

Amy Higgins - Boyd

Title: Ed. Psych-UBUSD

x

Beh. Analyst

VODF

> CO - BICM

Phone Number(s):

(530) 688-3753

higgins-boyd@ycoe.org

Email Address:

higgins-boyd@ycoe.org

<p>1. How many students did you serve in 2006-07 who had PBIPs?</p> <p>Of this total, please specify the number of:</p> <p>b. new cases (PBIP for first time), and</p> <p>c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u></p> <p>1b. <u>1</u></p> <p>1c. <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p>	<p>2. <u>2</u></p>
<p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities:</p> <p>a. Providing parent notice and obtaining consent for assessment.</p> <p>b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.)</p> <p>c. Writing FAA.</p> <p>d. Total of answers to 3a, 3b, and 3c.</p> <p>e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b)?</p> <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>3a. <u>30 min</u></p> <p>3b. <u>20 hrs</u></p> <p>3c. <u>5 hrs</u></p> <p>3d. <u>25.5 hrs</u></p> <p>3e. <u>25.5 hrs</u></p> <p><u>76.5</u></p>

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>5 hrs</u> 4b. <u>2 hrs</u> 4c. <u>16 hrs</u> 4d. <u>0 hrs</u> 4e. _____ 4f. <u>2 hr</u> 4g. <u>27 hrs</u> 4h. <u>27 hrs</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

(81)

	# of Hours
11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions? a. Performing emergency behavioral interventions. b. Notifying parent and/or residential care providers within one school day of use of emergency interventions. c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review. d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP. e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency. f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.	11. _____ a. _____ b. _____ c. _____ d. _____ e. _____ f. _____
12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments. Please provide the sample template for FAAs and PBIPs that you use.	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

File NOTES
IEPs & IEP NOTES

Please indicate the time it took for you to complete this survey: _____

Thank you very much for taking the time to complete this survey.

DECLARATION

I, Amy Higgins-Boyd, hereby declare as follows:
Print Name

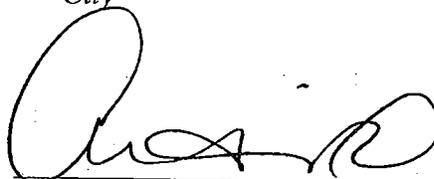
1. In the 2007-2008 school year, I was employed as a Behavior Specialist
by Yolo County Office of Education.
Title of Position
Employer (Name of District, County Office of Education, or SELPA)

2. In the 2007-2008 school year, I completed the attached Positive Behavioral Intervention Plan (PBIP) survey regarding the Hughes Bill mandate. When answering the survey questions, I consulted various records and sources.

3. I have reviewed my attached survey responses. When I responded to the survey my responses were accurate and complete to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 4-27, 2012, at Woodland, California.
Date *City*


Signature

Amy Higgins-Boyd
Print Name

higginsboyd@ycoe.org
E-mail Address

(530) 681-2373
Phone Number

SELPA: Yelp
School District (if serving multiple districts, list all): Wichita USD

Date: 1/22/08

Name of BICM Completing Survey: Amy Higgins - Boyd
Title: Behavior Analyst
Phone Number(s): 530 669-5563
Email Address: ahiggins@pdsd01.yelp.org

<p>1. How many students did you serve in 2006-07 who had PBIPs? Of this total, please specify the number of: b. new cases (PBIP for first time), and c. preexisting cases (entered 2006-07 with PBIP). Please ensure that the total is an unduplicated count.</p>	<p>1a. <u>1</u> 1b. <u>1</u> 1c. <u>0</u> <u>2</u></p>
<p>2. How many students with PBIPs also received AB3632 mental health services in 2006-07?</p> <p>3. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following initial FAA activities: a. Providing parent notice and obtaining consent for assessment. b. Information gathering and assessment (including direct observation, interviews with significant others, and review of available data such as assessment reports; conducting ecological inventory of settings where behavior occurs; review of health and medical factors; review of records showing effectiveness of previously used behavioral interventions; developing baseline of frequency, duration, and intensity of the targeted behavior.) c. Writing FAA. d. Total of answers to 3a, 3b, and 3c. e. What was the average time you spent on initial FAAs for new cases (divide total from line 3d by number of new cases on line 1b.)?</p>	<p>2. _____</p> <p>3a. <u>30 minutes</u> 3b. <u>20 hours</u> <u>20.5</u> 3c. <u>8 hours</u> <u>28.5</u> 3d. <u>28.5 hours</u> 3e. <u>28.5 hours</u></p> <p style="text-align: center;"><u>45.5</u></p>

Note: This question addresses only the students who were new cases in 2006-07 (line 1b).

<p>4. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities for initial PBIPs:</p> <ul style="list-style-type: none"> a. Preparing draft of PBIPs for IEP meetings. b. Attending IEP meetings, reviewing FAAs and finalizing PBIPs. c. Training for and monitoring PBIPs across settings. d. Evaluating PBIPs effectiveness. e. Making modifications to PBIPs in subsequent IEP team meetings. f. Making modifications to PBIPs outside of IEP team meetings. g. Total of answers to 4a through 4f. h. What was the average time you spent on initial PBIP activities (divide total from line 4g by number of new cases on line 1b)? <p>Note: This question addresses only the students who were new cases in 2006-07 (line 1b).</p>	<p>4a. <u>5 hours</u> 4b. <u>5 hours</u> 4c. <u>12 hours</u> 4d. <u>3 hours</u> 4e. <u>0</u> 4f. <u>3 hours</u> 4g. <u>28 hours</u> 4h. <u>2.8 hours</u></p>
<p>5. How much total actual time in hours or portions thereof did you spend in 2006-07 on FAA activities for students with preexisting PBIPs? Itemize activities per #3. For the total, add lines 5a, 5b and 5c and enter on 5d. For the average, divide total from line 5d by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>5a. _____ 5b. _____ 5c. _____ 5d. _____ 5e. _____</p> <p style="text-align: center;">84</p>
<p>6. How much total actual time in hours or portions thereof did you spend in 2006-07 on activities for review or revision of preexisting PBIPs? Itemize activities per # 4. For the total, add lines 6a through 6f and enter on line 6g. For the average, divide total from line 6g by number of preexisting cases on line 1c.</p> <p>Note: This question addresses only the students who entered 2006-07 with a preexisting PBIP (line 1c).</p>	<p>6a. _____ 6b. _____ 6c. _____ 6d. _____ 6e. _____ 6f. _____ 6g. _____ 6h. _____</p>

BICM3

00334.00100/55274.1

7. Of the students that you served in 2006-07, please identify the number of IEP team meetings in which addressing the PBIP was a component of the IEP team meeting.

a. Number of students requiring 1 IEP team meeting:
 b. Number of students requiring 2 IEP team meetings:
 c. Number of students requiring 3 or more IEP team meetings:

Note that the total of 7a, 7b and 7c should equal your answer in 1a (all the students you served who had PBIPs).

7a. 0
 7b. 1
 7c. 0

1

8. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when it was discussed for the first time? List by district and position, and show the number of IEP team meetings the hours represent.

District/Position	# of Hrs	# IEP Mtes
Principal	1	2
SDC	2	2
PSY	2	2
APE	2	2
SLP	2	2
Para Ed.	2	2
OT	2	2
Para Ed.	2	2

Winters J.V.S.D.
 Staff

9. How much total actual time in hours or portions thereof was spent in 2006-07 solely on PBIP issues in IEP team meetings by non-BICM personnel (including classified) when the student had a preexisting PBIP? List by district and position, and show the number of IEP team meetings the hours represent.

~~NA~~

10. How much total actual time in hours or portions thereof was spent in 2006-07 in the implementation/monitoring of PBIPs by non-BICM personnel (including classified)? List by district and position.

Para Educator	504 hrs
SLP	12 hrs
Teacher	105 hrs
PSY	16 hrs
O.T.	16 hrs

633 hrs

	# of Hours
<p>11. How much total actual time in hours or portions thereof did you spend in 2006-07 on the following activities related to emergency behavioral interventions?</p> <p>a. Performing emergency behavioral interventions.</p> <p>b. Notifying parent and/or residential care providers within one school day of use of emergency interventions.</p> <p>c. Completing a "Behavioral Emergency Report" for file; forwarding copy to administrator for review.</p> <p>d. Scheduling and holding IEP team meetings for students without a PBIP solely to review the behavioral emergency report, determine necessity for FAA and determine necessity for interim PBIP.</p> <p>e. Scheduling and holding IEP team meetings for students with PBIPs solely to determine if PBIP modifications were required due to behavioral emergency.</p> <p>f. Reporting data in "Behavioral Emergency Reports" to administrator for annual report to CDE.</p>	<p>11. _____</p> <p>a. _____</p> <p>b. _____</p> <p>c. _____</p> <p>d. _____</p> <p>e. _____</p> <p>f. _____</p>
<p>12. Please provide three (3) FAAs/PBIPs (black out all personally identifiable student information) from 2006-07 which represent various levels of complexity and intensity. Also, please provide three (3) IEPs for students who have both PBIPs and AB3632 services with all attachments.</p> <p>Please provide the sample template for FAAs and PBIPs that you use.</p>	

PLEASE NOTE: For questions such as #3 which request data related to time, please list below the sources of information used. Examples might be calendars, day planners etc.

Sources of Information

Documentation in File
IEP & IEP Notes

Please indicate the time it took for you to complete this survey: 3 hrs

Thank you very much for taking the time to complete this survey.

AMENDED EXHIBIT 2C

Declarations of R.Michael Lenahan and Linda Grundhoffer

DECLARATION OF R. MICHAEL LENAHAN

I, R. Michael Lenahan, declare as follows:

1. I have personal knowledge of the facts stated herein. If called as a witness, I could and would competently testify to these facts.
2. I am a financial consultant on CSM-4464, the Behavioral Intervention Plans Test Claim before the Commission on State Mandates. My relevant professional experience and my role as a BIP mandate consultant are explained in more detail in my previous declaration attached to Co-Claimants' December 16, 2010 Revised Proposed Parameters and Guidelines.
3. Linda Grundhoffer and I were consultants retained by Fagen Friedman & Fulfrost to compile the data in the Hughes Bill Cost Survey in 2007-2008. Ms. Grundhoffer and I divided the work, each of us assuming primary responsibility for certain SELPAs. I was primarily responsible for compiling the data for the following SELPAs: Clovis, Fresno County, Fresno Unified, Lodi Area, Marin County, South County, San Joaquin County, Solano County, Tehama County, West Orange County, and Tuolumne County. Then, together, we worked with Department of Finance staff, who had completed a similar compilation, to resolve discrepancies and ensure the final numbers for all SELPAs were as accurate as possible. We ultimately agreed with the Department of Finance to the numbers in the "reconciled spreadsheets."
4. Amended Exhibit 2D herein contains a true and correct copy of the "reconciled spreadsheets."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED on August 14, 2012 in Walnut Creek, California.

R. Michael Lenahan
R. Michael Lenahan

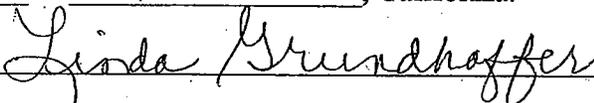
DECLARATION OF LINDA GRUNDHOFFER

I, Linda Grundhoffer, declare as follows:

1. I have personal knowledge of the facts stated herein. If called as a witness, I could and would competently testify to these facts.
2. I am a financial consultant on CSM-4464, the Behavioral Intervention Plans Test Claim before the Commission on State Mandates. My relevant professional experience and my role as a BIP mandate consultant are explained in more detail in my previous declaration attached to Co-Claimants' December 16, 2010 Revised Proposed Parameters and Guidelines.
3. Michael Lenahan and I were consultants retained by Fagen Friedman & Fulfrost to compile the data in the Hughes Bill Cost Survey in 2007-2008. Mr. Lenahan and I divided the work, each of us assuming primary responsibility for certain SELPAs. I was primarily responsible for compiling the data for the following SELPAs: Butte County, Calaveras County, Glenn County, Inyo County, Modoc County, Mono County, Poway Unified, Sonoma County, Tri-City, and Yolo County. Then, together, we worked with Department of Finance staff, who had completed a similar compilation, to resolve discrepancies and ensure the final numbers for all SELPAs were as accurate as possible. We ultimately agreed with the Department of Finance to the numbers in the "reconciled spreadsheets."
4. Amended Exhibit 2D herein contains a true and correct copy of the "reconciled spreadsheets."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED on AUGUST 9, 2012 in DANVILLE, California.



Linda Grundhoffer

AMENDED EXHIBIT 2D

Reconciled Spreadsheets

Table of Contents

SELPA*	PAGES
Butte	2102 – 2122
Calaveras	2123 – 2133
Clovis	2134 – 2140
Fresno County	2141 – 2219
Fresno Unified	2220 – 2226
Glenn	2227 – 2236
Inyo	2237 – 2244
Lodi	2245 – 2256
Marin	2257 – 2265
Modoc	2266 – 2272
Mono**	2273 – 2274
Poway	2275 – 2284
San Joaquin	2285 – 2302
Solano	2303 – 2322
Sonoma	2323 – 2342
South County-San Diego	2343 – 2399
Tehama	2400 – 2420
Tri-City	2421 – 2427
Tuolumne County	2428 – 2434
West Orange	2435 – 2460
Yolo	2461 – 2373

*Notes on Organization:

- Within each SELPA, the surveys are organized by survey “level” as follows: SELPA, District, BICM. While most SELPAs contain all three levels, some contain only one or two levels. This is intentional, accurately reflecting the survey returns.

**As Mono and Inyo have the same SELPA Director, we combined the data from both SELPAs in Inyo’s reconciled spreadsheets. Therefore, Mono does not have its own reconciled spreadsheets. Please note, however, that Mono reported zero costs.

00334.00100/376566.1

Butte

SELPA

SELPA Level		Butte County				
Number of BICM's in SELPA		4				
Number of BICM surveys returned		4				
Number of LEA's in SELPA		15				
Number of LEA surveys returned		15				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes
Local Plan						
* 7 - Procedures development	SELPA Director	73.24	8.00		585.92	
	Sr. Secretary	33.07	8.00		264.56	
	Prog Spec	72.05	8.00		576.40	
	11 @ 8 hr/lea Coordinators	770.35	8.00		6,162.80	Hourly rate changed
	7 @ 8 hr/lea Superintendents	596.78	8.00		4,774.24	
* 8 - Governing Board approval	Coordinators	770.35	42.50		32,739.88	
	Superintendents	596.78	12.50		7,459.75	52,563.55
Training						
* 11 - Design training for initial BICM certification	Prog Spec	72.05	20.00		1,441.00	3,458.40
** 12 - Update of training for initial BICM certification	Prog Spec	72.05	4.00	288.20		Annually
** 13 - Lead training for initial BICM certification	Prog Spec	72.05	24.00	1,729.20		Annually
** 14 - Lead training update for certified BICM's	Prog Spec	72.05	0.00	0.00		Should be 0
* 15 - Design training for PBIP implementers	N/A					
** 16 - Update training for PBIP implementers	N/A					N/A
** 17 - Lead training for PBIP implementers	N/A					N/A
* 18 - Design training on Emergency Behavioral Interventions	Prog Spec	72.05	20.00		1,441.00	4,947.81
	Sr. Secretary	33.07	8.00		264.56	
** 19 - Update training on Emergency Behavioral Interventions	Prog Spec	72.05	2.00	144.10		Twice/year
** 20 - Lead training on Emergency Behavioral Interventions	Prog Spec	72.05	43.00	3,098.15		Annually
21 - Other costs of BICM certification training					736.77	1,932.44
						0.00
22 - Number of participants in BICM training by position/hours	Psy - Chico	47.90	3.50	167.65		
	Psy - OCESD	60.63	3.50	212.21		
	Tchr - OCESD	62.28	3.50	217.98		
23 - Number of participants in PBIP training by position/hours	Psy - Chico	47.90	3.50	167.65		
	Psy - OCESD	60.63	3.50	212.21		
	Tchr - OCESD	62.28	3.50	217.98		
24 - Number of participants in Emergency Beh Interv training by position/hours	Psy - Chico	47.90	1.00	47.90		170.81
	Psy - OCESD	60.63	1.00	60.63		
	Tchr - OCESD	62.28	1.00	62.28		
25 - Other training costs	N/A				0.00	0.00
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	73.24	1.00	73.24		73.24
	Sr Secretary	33.07	2.00			
27 - Due process hearings	N/A			0.00	0.00	N/A 0.00
SELPA LEVEL TOTALS			243.00	6,699.37	56,446.88	
Time to complete survey	Prog Spec	72.05	2.00	144.10		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

District

District Level	Butte County SELPA	
	District Level Summary Totals	
1 - # of Reports	39.00	
2 Activities		
a - performing emergency interventions	117.75	5,925.95
b - 1 day notification of use of emergency intervention	63.00	3,256.02
c - Completing report	59.00	3,407.95
d - Scheduling and holding IEP meetings for students without PBIP	78.50	4,375.46
e - Scheduling and holding IEP meetings for students with PBIP	44.75	2,545.80
f - Reporting data for annual report to CDE	33.00	1,610.57
g - Reviewing reports & forwarding to SELPA	2.00	111.80
	21,233.54	
3 - Informing school personnel	109.75	4,259.26
4 - Number of due process requests filed		
a - Number of written responses For each response in 4a, there must be answers to 5 -8		
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance	22.50	2,892.92
DISTRICT LEVEL TOTALS	530.25	28,385.71
Time to complete survey	5.74	392.93

District Level				
1 - # of Reports	0.00			
		Butte COE		
		Position	Hourly Rate	# of Hours
				Total Costs
2 Activities				
a - performing emergency interventions	Teacher	52.59	30.00	1,577.70
	Paraprofessional	29.21	20.00	584.20
b - 1 day notification of use of emergency intervention	Secretary	0.00	5.00	0.00
	Psychologist	65.90	5.00	329.50
c - Completing report	Teacher	52.59	10.00	525.90
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	52.59	4.00	210.36
	Psychologist	65.90	4.00	263.60
	Administrator	71.16	4.00	284.64
e - Scheduling and holding IEP meetings for students with PBIP	Teacher	52.59	3.00	157.77
	Psychologist	65.90	3.00	197.70
	Administrator	71.16	3.00	213.48
f - Reporting data for annual report to CDE	Secretary	33.07	1.00	33.07
g - Reviewing reports & forwarding to SELPA	n/a			
				21,233.54
3 - Informing school personnel	Psychologist	65.90	5.00	329.50
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	n/a			
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			97.00	4,707.42
Time to complete survey	Sp Ed Director	85.20	2.00	170.40

District Level				
1 - # of Reports	0.00			
		Bangor		
		Position	Hourly Rate	# of Hours
				Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
	21,233.54			
3 - Informing school personnel	Psychologist	50.61	0.25	12.65
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8	n/a			
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			0.25	12.65
Time to complete survey	Psychologist	50.61	0.08	4.05

District Level				
1 - # of Reports	0.00			
		Biggs		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
	21,233.54			
3 - Informing school personnel	Psychologist	50.61	0.75	37.96
4 - Number of due process requests filed	n/a			
a - Number of written responses	n/a			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			0.75	37.96
Time to complete survey	Psychologist	50.61	0.08	4.05

District Level				
1 - # of Reports	1.00			
		Chico Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	Principal	50.01	1.00	50.01
c - Completing report	Teacher	41.25	3.50	144.38
d - Scheduling and holding IEP meetings for students without PBIP	Principal	50.01	7.00	350.07
	Teacher	41.25	7.00	288.75
	Psychologist	47.90	7.00	335.30
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	Principal	50.01	3.00	150.03
	Teacher	41.25	3.00	
g - Reviewing reports & forwarding to SELPA	Principal	50.01	1.00	50.01
				21,233.54
3 - Informing school personnel	Principal	50.01	3.00	150.03
	Teacher	41.25	3.00	123.75
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8	n/a			
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	Behavior Consultant		22.50	2,892.92
DISTRICT LEVEL TOTALS			61.00	4,535.25
Time to complete survey	Principal	50.01	0.50	25.01

District Level				
1 - # of Reports	0.00			
		Durham		
		Position	Hourly Rate	# of Hours
				Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
	21,233.54			
3 - Informing school personnel	Psychologist	64.27	1.00	64.27
4 - Number of due process requests filed	n/a			
a - Number of written responses	n/a			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			1.00	64.27
Time to complete survey	Psychologist	64.27	0.25	16.07

District Level				
1 - # of Reports	0.00			
		Feather Falls		
		Position	Hourly Rate	# of Hours
2 Activities				Total Costs
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
	21,233.54			
3 - Informing school personnel	Psychologist	50.61	0.50	25.31
4 - Number of due process requests filed	n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	n/a			
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			0.50	25.31
Time to complete survey	Psychologist	64.27	0.17	10.73

District Level					
1 - # of Reports		0.00			
			Golden Feather		
		Position	Hourly Rate	# of Hours	Total Costs
2 Activities					
a - performing emergency interventions		n/a			
b - 1 day notification of use of emergency intervention		n/a			
c - Completing report		n/a			
d - Scheduling and holding IEP meetings for students without PBIP		n/a			
e - Scheduling and holding IEP meetings for students with PBIP		n/a			
f - Reporting data for annual report to CDE		n/a			
g - Reviewing reports & forwarding to SELPA		n/a			
	21,233.54				
3 - Informing school personnel		Psychologist	50.61	0.25	12.65
4 - Number of due process requests filed		n/a			
a - Number of written responses		n/a			
- For each response in 4a, there must be answers to 5 -8					
5 - Filing Response		n/a			
6 - Resolution Session		n/a			
7 - Mediation		n/a			
8 - Due Process Hearing		n/a			0.00
9 - Outside Assistance		n/a			
DISTRICT LEVEL TOTALS				0.25	12.65
Time to complete survey		Psychologist	64.27	0.08	5.14

District Level				
1 - # of Reports		0.00		
		Manzanita and Pioneer		
		Position	Hourly Rate	# of Hours
2 Activities				Total Costs
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
	21,233.54			
3 - Informing school personnel	Psychologist	50.61	0.50	25.31
4 - Number of due process requests filed	n/a			
a - Number of written responses	n/a			
For each response in 4a, there must be answers to 5-8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			0.50	25.31
Time to complete survey	Psychologist	50.61	0.25	12.65

District Level				
1 - # of Reports	0.00			
		Orville City Elementary		
		Position	Hourly Rate	# of Hours
2 Activities				Total Costs
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
	21,233.54			
3 - Informing school personnel	Sp Ed Director	64.39	2.00	128.78
4 - Number of due process requests filed	n/a			
a - Number of written responses	n/a			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			2.00	128.78
Time to complete survey	Sp Ed Director	64.39	0.33	21.25

BICM

BICM Level - Butte		BICM Summary	
		# of Hours	Total Costs
1a Number of Students with PBIP			
New	3		
Existing	1		
3 - FAA Activities			
a - Parent notice and consent		3.00	179.70
b - Information gathering & assessment		90.00	5,391.00
c - Writing FAA		23.00	1,461.70
	7,032.40		
4- Initial PBIP			
a - Preparing draft for IEP		11.00	634.90
b - Attending IEP meetings		12.00	754.80
c - Training/monitoring PBIP		20.00	1,318.00
d - Evaluating PBIP effectiveness		4.00	263.60
e - Modifications in IEP meetings		4.00	263.60
f - Modifications outside of IEP meetings		10.00	659.00
	3,893.90		
5 - FAA activities for pre-existing PBIP			0.00
6 - Review/revision of pre-existing PBIP		9.00	593.10
7 - IEP's where PBIP was a component			
Students with 1 IEP	7		
Students with 2 IEP's	3		
Students with 3 or more IEP's	0		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		37.00	1,495.11
9 - PBIP issues in IEP by non-BICM's when pre-existing		3.00	170.78
10 - Implementation/monitoring of PBIP's by non-Bicm's		26.00	1,430.50
Emergency Behavior Interventions			
a - Performing interventions		2.00	131.80
b - One day notification			
c - Completing report for file			
d - IEP meetings for no PBIP		1.00	65.90
e - IEP meetings with PBIP		2.00	131.80
f - Reporting dat for annual CDE report	461.30	2.00	131.80
BICM LEVEL TOTALS		259.00	15,077.09
Completing survey		3.00	179.70

BICM Level - Butte		Chico Unified		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP				
New	1			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	47.90	1.00	47.90
b - Information gathering & assessment	Psychologist	47.90	30.00	1,437.00
c - Writing FAA	Psychologist	47.90	3.00	143.70
		7,032.40		
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	47.90	5.00	239.50
b - Attending IEP meetings	Psychologist	47.90	2.00	95.80
c - Training/monitoring PBIP	n/a			
d - Evaluating PBIP effectiveness	n/a			
e - Modifications in IEP meetings	n/a			
f - Modifications outside of IEP meetings	n/a			
		3,893.90		
5 - FAA activities for pre-existing PBIP	n/a			0.00
6 - Review/revision of pre-existing PBIP	n/a			0.00
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	1			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's				
when discussed for the first time	4 Administrator	50.01	7.00	350.07
	4 Parent	0.00	7.00	0.00
	4 Speech Ther	41.25	7.00	288.75
	4 Psychologist	47.90	7.00	335.30
9 - PBIP issues in IEP by non-BICM's				
when pre-existing	n/a			
10 - Implementation/monitoring of PBIP's				
by non-Bicm's	n/a			
Emergency Behavior Interventions				
a - Performing interventions	n/a			
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS			69.00	2,938.02
Completing survey	Psychologist	47.90	1.00	47.90

BICM Level - Butte		Orville City Elementary		
		Position	Hourly Rate	# of Hours
1a Number of Students with PBIP				Total Costs
New	0			
Existing	0			
3 - FAA Activities	n/a			
a - Parent notice and consent				
b - Information gathering & assessment				
c - Writing FAA				
	7,032.40			
4- Initial PBIP				
a - Preparing draft for IEP	n/a			
b - Attending IEP meetings	n/a			
c - Training/monitoring PBIP	n/a			
d - Evaluating PBIP effectiveness	n/a			
e - Modifications in IEP meetings	n/a			
f - Modifications outside of IEP meetings	n/a			
	3,893.90			
5 - FAA activities for pre-existing PBIP	n/a			
6 - Review/revision of pre-existing PBIP	n/a			
7 - IEP's where PBIP was a component				
Students with 1 IEP	n/a			
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a			
Emergency Behavior Interventions	n/a			
a - Performing interventions				
b - One day notification				
c - Completing report for file				
d - IEP meetings for no PBIP				
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS				0.00
Completing survey				0.00

BICM Level - Butte		Butte COE			
		Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP					
New	2				
Existing	1				
3 - FAA Activities					
a - Parent notice and consent	n/a	Psychologist	65.90	2.00	131.80
b - Information gathering & assessment		Psychologist	65.90	60.00	3,954.00
c - Writing FAA		Psychologist	65.90	20.00	1,318.00
	7,032.40				
4- Initial PBIP					
a - Preparing draft for IEP		Psychologist	65.90	6.00	395.40
b - Attending IEP meetings		Psychologist	65.90	10.00	659.00
c - Training/monitoring PBIP		Psychologist	65.90	20.00	1,318.00
d - Evaluating PBIP effectiveness		Psychologist	65.90	4.00	263.60
e - Modifications in IEP meetings		Psychologist	65.90	4.00	263.60
f - Modifications outside of IEP meetings		Psychologist	65.90	10.00	659.00
	3,893.90				
5 - FAA activities for pre-existing PBIP					
n/a	n/a				
6 - Review/revision of pre-existing PBIP					
Psychologist		Psychologist	65.90	9.00	593.10
7 - IEP's where PBIP was a component					
Students with 1 IEP	7				
Students with 2 IEP's	2				
Students with 3 or more IEP's	0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					
Teacher	2	Teacher	52.59	4.00	210.36
Nurse	1	Nurse	47.03	1.00	47.03
Psychologist	2	Psychologist	65.90	4.00	263.60
9 - PBIP issues in IEP by non-BICM's when pre-existing					
Teacher	1	Teacher	52.59	1.00	52.59
Nurse	1	Nurse	47.03	1.00	47.03
Principal	1	Principal	71.16	1.00	71.16
10 - Implementation/monitoring of PBIP's by non-Bicm's					
Teacher		Teacher	52.59	20.00	1,051.80
Nurse		Nurse	47.03	2.00	94.06
Principal		Principal	71.16	4.00	284.64
Emergency Behavior Interventions					
a - Performing interventions		Psychologist	65.90	2.00	131.80
b - One day notification	n/a				
c - Completing report for file	n/a				
d - IEP meetings for no PBIP		Psychologist	65.90	1.00	65.90
e - IEP meetings with PBIP		Psychologist	65.90	2.00	131.80
f - Reporting dat for annual CDE report		Psychologist	65.90	2.00	131.80
BICM LEVEL TOTALS				190.00	12,139.07
Completing survey		Psychologist	65.90	2.00	131.80

BICM Level - Butte		Position	Butte County SELPA		
			Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP					
New	0				
Existing	0				
3 - FAA Activities	n/a				
a - Parent notice and consent					
b - Information gathering & assessment					
c - Writing FAA					
	7,032.40				
4- Initial PBIP					
a - Preparing draft for IEP	n/a				
b - Attending IEP meetings	n/a				
c - Training/monitoring PBIP	n/a				
d - Evaluating PBIP effectiveness	n/a				
e - Modifications in IEP meetings	n/a				
f - Modifications outside of IEP meetings	n/a				
	3,893.90				
5 - FAA activities for pre-existing PBIP	n/a				
6 - Review/revision of pre-existing PBIP	n/a				
7 - IEP's where PBIP was a component					
Students with 1 IEP	n/a				
Students with 2 IEP's					
Students with 3 or more IEP's					
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a				
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a				
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a				
Emergency Behavior Interventions	n/a				
a - Performing interventions					
b - One day notification					
c - Completing report for file					
d - IEP meetings for no PBIP					
e - IEP meetings with PBIP					
f - Reporting dat for annual CDE report					
BICM LEVEL TOTALS				0.00	0.00
Completing survey					

Calaveras

SELPA

SELPA Level		Calaveras County				
Number of BICM's in SELPA	3					
Number of BICM surveys returned	3					
Number of LEA's in SELPA	4					
Number of LEA surveys returned	1					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Dir	70.33	2.00		140.66	
	Program Mgr	67.20	4.00		268.80	
* 8 - Governing Board approval	SELPA Dir	70.33	2.00		140.66	
	Program Mgr	67.20	2.00		134.40	
	Psychologist	52.70	6.00		316.20	
Training						
* 11 - Design training for initial BICM certification	Psychologist	52.70	16.00		843.20	
	Program Mgr	67.20	16.00		1,075.20	
** 12 - Update of training for initial BICM certification	n/a					N/A
** 13 - Lead training for initial BICM certification	n/a					N/A
** 14 - Lead training update for certified BICM's	Psychologist	52.70	20.00	1,054.00		No answer
	Program Mgr	67.20	8.00	537.60		
* 15 - Design training for PBIP implementers	Behv. Spec.	42.21	5.00		211.05	
** 16 - Update training for PBIP implementers	Behv. Spec.	42.21	5.00	211.05		No answer
** 17 - Lead training for PBIP implementers	Behv. Analyst	42.21	4.00	168.84		No answer Survey says \$100/hour- this is not an employee
* 18 - Design training on Emergency Behavioral Interventions	Behv. Spec/ Psychologist	42.21 52.70	3.00 3.00		126.63 158.10	
** 19 - Update trainin on Emergency Behavioral Interventions	Behv. Spec/ Psychologist	42.21 52.70	16.00 16.00	675.36 843.20		No answer
** 20 - Lead training on Emergency Behavioral Interventions	Behv. Spec/ Psychologist	42.21 52.70	48.00 48.00	2,026.08 2,529.60		No answer
21 - Other costs of BICM certification training	n/a					
22 - Number of participants in BICM training by position/hours	n/a					
23 - Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in Emergency Beh Interv training by position/hours	n/a					
25 - Other training costs	n/a					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	66.51	1.00	66.51		
	Psychologist	52.70	1.00	52.70		
	Behv Spec	42.21	1.00	42.21		
	Information An	21.59	1.00	21.59		
27 - Due process hearings						
TOTAL			228.00	8,228.74	3,414.90	
Time to complete survey	Assoc. Supt	33.94	1.00	33.94		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

2006-07 Data Collection for Certificated CALAVERAS

Position	Annual Salary	Annual SR Benefits	Annual H & W	Annual Work Days	Hours per Day	Hourly Salary	Hourly SR Benefits	Hourly H & W	Total Hourly Rate
SAMPLE Teacher Position	60,000.00	9,900.00	9,000.00	183	6.5	50.44	8.32	7.57	66.33
This will be for any certificated position, management and non-management that participated in any of the attached processes	This comes from the salary schedule for the position	STRS, PERS, PARS, FICA, Medicare, SUI, Workers Comp and any other employer paid benefit other than Column G	This includes employer paid medical, dental, vision and life insurance	These are the work days associated with the position	These are hours per day for the position (possibly contractual)	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected	This column is automatically calculated and is protected
Psychologist	70,115.03	8,804.91	7,500.00	205	8	42.75	5.37	4.57	52.70
Information Analyst	31,761.60	5,641.82	7,500.00	260	8	15.27	2.71	3.61	21.59
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
						#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

District

District Level		Calaveras County SELPA		
1 - # of Reports	0			
		Calaveras Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	n/a			
b - 1 day notification of use of emergency intervention	n/a			
c - Completing report	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	n/a			
f - Reporting data for annual report to CDE	n/a			
g - Reviewing reports & forwarding to SELPA	n/a			
3 - Informing school personnel	n/a			
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
For each response in 4a, there must be answers to 5-8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			0.00	0.00
Time to complete survey	Sp Ed Director	66.92	0.25	16.73

BICM

BICM Level - Calaveras		BICM Summary		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New				
Existing				
3 - FAA Activities				
a - Parent notice and consent				
b - Information gathering & assessment				
c - Writing FAA				
4- Initial PBIP				
a - Preparing draft for IEP				
b - Attending IEP meetings				
c - Training/monitoring PBIP				
d - Evaluating PBIP effectiveness				
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP				
6 - Review/revision of pre-existing PBIP				
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				
9 - PBIP issues in IEP by non-BICM's when pre-existing				
10 - Implementation/monitoring of PBIP's by non-Bicm's				
Emergency Behavior Interventions				
a - Performing interventions			3.00	158.10
b - One day notification			2.00	105.40
c - Completing report for file				
d - IEP meetings for no PBIP			24.00	1,264.80
e - IEP meetings with PBIP				
f - Reporting dat for annual CDE report			2.00	105.40
BICM LEVEL TOTALS			31.00	1,633.70
Completing survey	Psychologist		0.66	34.78

BICM Level - Calaveras	BICM Summary				Vallecito Union			
	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP	0				0			
New								
Existing								
3 - FAA Activities					n/a			
a - Parent notice and consent								
b - Information gathering & assessment								
c - Writing FAA								
4- Initial PBIP					n/a			
a - Preparing draft for IEP								
b - Attending IEP meetings								
c - Training/monitoring PBIP								
d - Evaluating PBIP effectiveness								
e - Modifications in IEP meetings								
f - Modifications outside of IEP meetings								
5 - FAA activities for pre-existing PBIP					n/a			
6 - Review/revision of pre-existing PBIP					n/a			
7 - IEP's where PBIP was a component					n/a			
Students with 1 IEP								
Students with 2 IEP's								
Students with 3 or more IEP's								
8 - PBIP issues in IEP by non-BICM's when discussed for the first time					n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing					n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's					n/a			
Emergency Behavior Interventions					n/a			
a - Performing interventions			3.00	159.10				
b - One day notification			2.00	105.40				
c - Completing report for file								
d - IEP meetings for no PBIP			24.00	1,264.80				0.00
e - IEP meetings with PBIP								0.00
f - Reporting dat for annual CDE report			2.00	105.40				0.00
BICM LEVEL TOTALS			31.00	1,633.70			0.00	0.00
Completing survey	Psychologist		0.66	34.78	Psychologist	52.70	0.08	4.22

Clovis

SELPA

SELPA Level	CLOVIS UNIFIED	35,667 P2 ADA				
Number of BICM's in SELPA	30					
Number of BICM surveys returned	8	22 BICM's did not complete PBIP or FAA during 2006-07				
Number of LEA's in SELPA	1					
Number of LEA surveys returned	1					Answer June 9
						Hourly rates are from a March 19 email from Clovis
						From Kay Lenheim, Dir Spec Ed & Psych Services
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	52.88	1.00		52.88	How was this rate derived?
	Prog Spec	58.05	24.00		1,393.20	
	School Psych	59.32	4.50		266.94	
* 8 - Governing Board approval	SELPA Director	52.88	1.00		52.88	How was this rate derived?
	Area Supt	65.94	1.00		65.94	How was this rate derived?
Training						
* 11 - Design training for initial BICM certification	Asst Dir	52.54	12.00		630.48	How was this rate derived?
**12 - Update of training for initial BICM certification	Psychologist	59.32	16.00	949.12		
**13 - Lead training for initial BICM certification	Asst Director	52.54	16.00	840.64		How was this rate derived?
	PENT rep Psychologist	59.32	20.00	1,186.40		
	Psychologist	59.32	80.00	4,745.60		
**14 - Lead training update for certified BICM's	Same as #13					
* 15 - Design training for PBIP implementers	Behavior Specialist	47.63	68.00		3,238.84	How was this rate derived?
**16 - Update training for PBIP implementers				0.00		
**17 - Lead training for PBIP implementers	As needed Individually					
*18 - Design training on Emergency Behavioral Interventions	Program Specialist	58.05	10.00		580.50	
	Asst Director	52.54	4.00		210.16	How was this rate derived?
	Classified Support	35.49	8.00		283.92	
**19 - Update trainin on Emergency Behavioral Interventions	Program Specialist	58.05	20.00	1,161.00		
**20 - Lead training on Emergency Behavioral Interventions	MANDT Trainers	41.53	96.00	3,986.88		How was this rate derived?
21 - Other costs of BICM certification training	Registration			0.00	750.00	
22 - Number of participants in BICM training by position/hours	7 Psychologists	59.32	112.00	6,643.84		16 hrs each
23 - Number of participants in PBIP training by position/hours	NOT HELD					
24 - Number of participants in Emergency Beh Interv training by position/hours	44 Teachers	62.28	308.00	19,182.24		7 hrs each
25 - Other training costs				750.00	0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Director	52.88	2.00	105.76		How was this rate derived?
27 - Due process hearings	NONE					
Sub Total				105.76		
SELPA LEVEL TOTAL			803.50	39,657.24	7,525.74	
Time to complete survey	SELPA Director	52.88	3.00	158.64		
NOTES:						
one asterisk indicates a one time cost						
two asterisks indicates annual or more frequent costs						

District

District Level		Clovis Unified			Answer June 9
					Hourly rates are from a March 19 email from Clovis
1 # of Behavioral Emergency Reports	14				From Kay Lenheim, Dir. Spec Ed & Psych Services
2 Activities	Position	Hourly Rate	# of Hours	Total Costs	
a - performing emergency interventions	BICM	59.32	181.00	10,736.92	
b - 1 day notification of use of emergency intervention	BICM	59.32	16.00	949.12	
c - Completing report	BICM	59.32	24.00	1,423.68	
d - Scheduling and holding IEP meetings for students without PBIP	BICM	59.32	49.00	2,906.68	
e - Scheduling and holding IEP meetings for students with PBIP	BICM	59.32	9.00	533.88	
f - Reporting data for annual report to CDE	BICM	59.32	20.00	1,186.40	
g - Reviewing reports & forwarding to SELPA	Director	52.88	1.00	52.88	How was this number arrived at?
3 - Informing school personnel	Psychologist Director	55.54	4.00	222.16	How was this number arrived at?
	BICM	59.32	10.00	593.20	
4 - Number of due process requests filed	n/a				
a - Number of written reponses	0				
answers to 5 -8					
5 - Filing Response	n/a			0.00	
6 - Resolution Session	n/a			0.00	
7 - Mediation	n/a			0.00	
8 - Due Process Hearing	n/a			0.00	
9 - Outside Assistance	n/a			0.00	
DISTRICT LEVEL TOTALS			314.00	18,604.92	
Time to complete survey	SELPA Director	52.88	2.00	105.76	

BICM

BICM Level		Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	17					Answer June 9
New	13					Hourly rates are from a March 19 email from Clovis
Existing	4					From Kay Lenheim Dir. Spec Ed & Psych Services
2 PBIP's with AB 3632 services	9					
3 - FAA Activities						
a - Parent notice and consent		Psychologist	59.32	5.50	326.26	
b - Information gathering & assessment		Psychologist	59.32	286.00	16965.52	
c - Writing FAA		Psychologist	59.32	56.50	3351.58	
4- Initial PBIP						
a - Preparing draft for IEP		Psychologist	59.32	59.50	3529.54	
b - Attending IEP meetings		Psychologist	59.32	53.00	3143.96	
c - Training/monitoring PBIP		Psychologist	59.32	111.00	6584.52	
d - Evaluating PBIP effectiveness		Psychologist	59.32	30.00	1779.6	
e - Modifications in IEP meetings		Psychologist	59.32	16.00	949.12	
f - Modifications outside of IEP meetings		Psychologist	59.32	16.00	949.12	
5 - FAA activities for pre-existing PBIP					0	
5a Parent notice		Psychologist	59.32	1.00	59.32	
5b Information gathering		Psychologist	59.32	2.00	118.64	
5c Writing FAA		Psychologist	59.32	5.00	296.6	
6 - Review/revision of pre-existing PBIP					0	
a - Preparing draft for IEP		Psychologist	59.32	4.00	237.28	
b - Attending IEP meetings		Psychologist	59.32	6.00	355.92	
c - Training/monitoring PBIP		Psychologist	59.32	6.00	355.92	
d - Evaluating PBIP effectiveness		Psychologist	59.32	8.00	474.56	
e - Modifications in IEP meetings		Psychologist	59.32	1.50	88.98	
f - Modifications outside of IEP meetings		Psychologist	59.32	7.00	415.24	
7 - IEP's where PBIP was a component						
Students with 1 IEP	6					
Students with 2 IEP's	6					
Students with 3 or more IEP's	5					
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	20	Teacher	62.28	41.75	2600.19	
	12	Program Specialist	58.05	35.00	2031.75	
	6	SLP	58.28	17.00	990.76	
	10	Site Admin	63.34	22.25	1409.315	Number of Hours changed
	3	OT	61.36	6.00	368.16	
						Removed formula that should not have been on D 49
9 - PBIP issues in IEP by non-BICM's when pre-existing	3	Program Specialist	58.05	28.00	1625.4	
	4	Teacher	62.28	3.50	217.98	
10 - Implementation/monitoring of PBIP's by non-Bicm's		Teacher	62.28	459.00	28586.52	Hourly rate changed
		Instr Assistant	37.78	506.00	19116.68	How was this rate derived?
		Site Administrator	63.34	2.00	126.68	
		Program Specialist	58.05	11.00	638.55	
11 - Emergency Behavior Interventions						
a - Performing interventions		Psychologist	59.32	181.00	10736.92	
b - One day notification		Psychologist	59.32	16.00	949.12	
c - Completing report for file		Psychologist	59.32	24.00	1423.68	
d - IEP meetings for no PBIP		Psychologist	59.32	49.00	2906.68	
e - IEP meetings with PBIP		Psychologist	59.32	9.00	533.88	
f - Reporting data for annual CDE report		Psychologist	59.32	19.00	1127.08	
BICM LEVEL TOTALS				2,103.50	115,371.03	
Completing survey		Psychologist	59.32	16.00	949.12	

Fresno County

SELPA

SELPA Level	FRESNO COUNTY		73258 ADA				
Number of BICM's in SELPA		56					
Number of BICM surveys returned		51					
Number of LEA's in SELPA		32					
Number of LEA surveys returned		19	Some rural districts do not have a director-county may provide services				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:	
Local Plan							
* 7 - Procedures development	Psychologist	59.54	1.00		59.54		
	Psychologist	59.54	1.00		59.54		
	Directors' x 15	74.95	15.00		1,124.25		
* 8 - Governing Board approval	Psychologist	59.54	0.25		14.89		
	Psychologist	59.54	0.25		14.89		
	Director x 15	74.95	3.75		281.06	Number of hours changed from 4:75	
						Agree with change	
Training							
* 11 - Design training for initial BICM certification	Coordinator	65.05	88.00		5,724.40		
	Secretary	29.90	74.00		2,212.60		
**12 - Update of training for initial BICM certification	Coordinator	65.05	80.00		5,204.00		
	SELPA Sec	29.90	24.00		717.60		
	Psychologist x3	59.54	140.00		8,335.60		
**13 - Lead training for initial BICM certification	Coordinator	65.05	24.00		1,561.20		
	Psychologist x3	59.54	72.00		4,286.88		
	Secretary	29.90	2.00		59.80		
**14 - Lead training update for certified BICM's	N/A						
* 15 - Design training for PBIP implementers	N/A				0.00		
**16 - Update training for PBIP implementers	N/A				0.00		
**17 - Lead training for PBIP implementers	N/A						
*18 - Design training on Emergency Behavioral Interventions	Coordinator	65.05	32.00		2,081.60		
	Teacher	69.64	32.00		2,228.48		
	Psychologist	59.54	32.00		1,905.28		
**19 - Update training on Emergency Behavioral Interventions	Coordinator	65.05	4.00		260.20		
	Teacher	69.64	8.00		557.12		
	Psychologist	59.54	4.00		238.16		
**20 - Lead training on Emergency Behavioral Interventions	Coordinator	65.05	40.00		2,602.00		
	Teacher	69.64	40.00		2,785.60		
	Psychologist x 2	59.54	80.00		4,763.20		
21 - Other costs of BCIM certification training	Outside Registration				350.00		
	In SELPA				300.00		
	Sub's				400.00		
22 - Number of participants in BICM training by position/hours	Central/Psychologist(14)	52.73	336.00		17,717.28	24hrs per training	
	Coalinga-Huron/2 Psychologist and 1 Teacher(3)	177.88	24.00		4,269.12	24hrs per training	
	Firebaugh/Psychologist(3)	51.57	72.00		3,713.04	24hrs per training	
	Fowler/Psychologist(2)	61.57	48.00		2,955.36	24hrs per training	
	FCOE/Teachers(5)	61.28	120.00		7,353.60	24hrs per training	OK
	Kerman/Psychologist(2)	21.09	48.00		1,012.32	24hrs per training	Updated per most recent figures
	Kings Canyon/Psychologist(6)	61.57	144.00		8,866.08	24hrs per training	
	Kingsburg H.S./Psychologist(1)	61.57	24.00		1,477.68	24hrs per training	
	Mendota/Psychologist(1)	59.54	24.00		1,428.96	24hrs per training	
	Sanger/Psychologist(3)	59.54	72.00		4,286.88	24hrs per training	
	Sierra/Psychologist(3)	72.11	72.00		5,191.92	24hrs per training	
23 - Number of participants in PBIP training by position/hours	N/A						
24 - Number of participants in Emergency Beh Interv training by position/hours	Central/Para(1)	67.91	8.00		543.28		
	Firebaugh teacher(1)/Psych(2)/Admin(5)	60.11	64.00		3,847.04		
	FCOE/Teachers(7)/Para(17)/Psc(9)/Admin(2)	1,540.47	8.00		12,323.76	See Below	Please breakout this number. Using high figures I still come in significantly lower
	Kerman/para(1)	28.71	8.00		229.68		Changed from 62.99 OK
	Kings Canyon/Teacher(1)	46.81	8.00		374.48		
	Kingsburg elem/Teacher(1)/Para(1)	65.07	16.00		1,041.12		
	Kingsburg HS/para(1)	28.71	8.00		229.68		Changed from 62.99 OK
	Parlier/Teacher(1)	69.64	8.00		557.12		
	Riverdale/Admin(1)	59.65	8.00		477.20		
	Sanger/Teacher(2)/Para(1)/Psych(5)	520.18	8.00		4,161.44		Para Educator pay Changed from 62.99 See Below
	Washington Colony Elem/Teacher(1)/Para(1)/Admin(1)	151.34	8.00		1,292.32		Para Educator pay Changed from 62.99 OK
	Washington Union High/Psych(1)	67.91	8.00		543.28		
25 - Other training costs	N/A				1,753.61	0.00	
Staff Activities							
26 - Data collection from BER's for annual report to CDE	Coordinator II	65.05	10.00		650.50		
27 - Due process hearings	NONE						
TOTAL			1,951.25		104,460.91	29,963.72	
Time to complete survey	Coordinator II	65.05	14.00		910.70		
NOTES:							
one asterisk indicates a one time cost							
two asterisks indicates annual or more frequent costs							
Sanger				FCOE	Hourly rate per worksheet submitted with original packet - indicies compiled Jan 2008		
Tchr	63.69			Tchr - 7	61.40	429.80	
Tchr	63.69			Para - 7	28.71	488.07	
Spec Ed Asst	32.25			Psych - 9	55.18	496.62	
Psych (5) @ 72.11	360.55			Admin - 2	62.99	125.98	
	520.18			Prog Mgr?	1,540.47		

2751

District

District Level- Fresno County			
DISTRICT LEVEL TOTALS			
1 # of Behavioral Emergency Reports	# of Hours	Total Costs	
2 Activities			
a - performing emergency interventions	30.58	1,509.92	
b - 1 day notification of use of emergency intervention	14.50	747.10	
c - Completing report	30.50	1,749.09	
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	
f - Reporting data for annual report to CDE	30.75	1,736.13	
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	
3 - Informing school personnel	255.42	12,685.13	
4 - Number of due process requests filed	0.00	0.00	
a - Number of written responses answers to 5-8	0.00	0.00	
5 - Filing Response	0.00	0.00	
6 - Resolution Session	0.00	0.00	
7 - Mediation	0.00	0.00	
8 - Due Process Hearing	0.00	0.00	
9 - Outside Assistance	0.00	0.00	
TOTALS	466.75	24,531.13	
Time to complete survey	#REF!	#REF!	
Check Totals	466.75	24,531.13	

District Level- Fresno County				FRESNO COUNTY			
1 # of Behavioral Emergency Reports	DISTRICT LEVEL TOTALS			Darla Beeson	Golden Plains		
	I get 43	# of Hours	Total Costs	0	Hourly Rate	# of Hours	Total Costs
2 Activities							
a - performing emergency interventions		30.58	1,509.92	Psychologist	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	Psychologist	0.00	0.00	0.00
c - Completing report		30.50	1,749.09	Psychologist	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Psychologist	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Psychologist	0.00	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	Psychologist	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA		18.50	1,022.78	Psychologist	0.00	0.00	0.00
		38.25					
		Was 19.75					
3 - Informing school personnel		255.42	12,685.13	Psychologist	0.00	0.00	0.00
4 - Number of due process requests filed		0.00	0.00	n/a			
a - Number of written responses answers to 5-8		0.00	0.00	0			
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13			0.00	0.00
Time to complete survey		#REF!	#REF!	Psychologist	52.13	0.08	4.17
Check Totals		466.75	24,531.13				

District Level- Fresno County						
DISTRICT LEVEL TOTALS			Janet Safreno	Kerman Unified		
1 # of Behavioral Emergency Reports	44		0			
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	30.58	1,509.92	n/a	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention	14.50	747.10	n/a	0.00	0.00	0.00
c - Completing report	30.50	1,749.09	n/a	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	n/a	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	n/a	0.00	0.00	0.00
f - Reporting data for annual report to CDE	30.75	1,736.13	n/a	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 18.50 38.25 Was 19.75	1,022.78	n/a	0.00	0.00	0.00
3 - Informing school personnel	255.42	12,685.13	Psychologist	21.09	24.00	506.16
4 - Number of due process requests filed	0.00	0.00	n/a			
a - Number of written responses	0.00	0.00	0			
5 - Filing Response	0.00	0.00	n/a			0.00
6 - Resolution Session	0.00	0.00	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	0.00	n/a			0.00
TOTALS	466.75	24,531.13			24.00	506.16
Time to complete survey	#REF!	#REF!	Psychologist	21.09	0.25	5.27
Check Totals	466.75	24,531.13				

District Level- Fresno County						
DISTRICT LEVEL TOTALS			Patti Olsen	Kings Canyon		
1 # of Behavioral Emergency Reports	44		0			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	30.58	1,509.92	Psychologist	62.98	0.33	20.78
				Based on Average of three Phycologists \ Agree		
b - 1 day notification of use of emergency intervention	14.50	747.10	Psychologist	62.98	0.00	0.00
c - Completing report	30.50	1,749.09	Psychologist	62.98	0.50	31.49
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	Psychologist	62.98	0.00	0.00
e - Scheduling and holding IEP meetings for studetns with PBIP	60.00	3,503.36	Psychologist	62.98	0.00	0.00
f - Reporting data for annual report to CDE	30.75	1,736.13	Psychologist	62.98	0.25	15.75
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	Psychologist	62.98	0.25	15.75
	38.25	Not sure where the				
	Was 19.75					
3 - Informing school personnel	255.42	12,685.13	Psychologist	62.98	0.17	10.71
4 - Number of due process requests filed	0.00	0.00	n/a			
a - Number of written reponses answers to 5 -8	0.00	0.00	0			
5 - Filing Response	0.00	0.00	n/a			0.00
6 - Resolution Session	0.00	0.00	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	0.00	n/a			0.00
TOTALS	466.75	24,531.13			1.50	94.47
Time to complete survey	#REF!	#REF!	Lead Program Specialist	62.53	0.33	20.63
Check Totals	466.75	24,531.13				

District Level- Fresno County							
DISTRICT LEVEL TOTALS				Brad Bergstrom	Kingsburg Elementary		
1 # of Behavioral Emergency Reports	44			0			
	iget 43	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities							
a - performing emergency interventions		30.58	1,509.92	Psychologist	67.55	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	Psychologist	67.55	0.00	0.00
c - Completing report		30.50	1,749.09	Psychologist	67.55	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Psychologist	67.55	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Psychologist	67.55	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	Psychologist	67.55	0.00	0.00
g - Reviewing reports & forwarding to SELPA		18.50	1,022.78	Psychologist	67.55	0.00	0.00
		38.25					
		Was 19.75					
3 - Informing school personnel		255.42	12,685.13	Principal	65.25	13.50	880.88
				Psychologist	67.55	14.50	979.48
				RSP	63.54	11.50	730.71
				RSP Aide	20.44	11.50	235.06
				Title I Aide(2)	62.86	23.00	1,445.78
				Custodian	29.44	11.50	338.56
4 - Number of due process requests filed		0.00	0.00	n/a			
a - Number of written responses answers to 5 -8		0.00	0.00	0			
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13	0.00		85.50	4,610.46
Time to complete survey		#REF!	#REF!	Psychologist	67.55	1.00	67.55
Check Totals		466.75	24,531.13				

District Level- Fresno County								
DISTRICT LEVEL TOTALS				Cindy Schreiner	Kingsburg Joint Union			
1 # of Behavioral Emergency Reports	1 get 43:44	# of Hours	Total Costs	0	Position	Hourly Rate	# of Hours	Total Costs
2 Activities								
a - performing emergency interventions		30.58	1,509.92		Psychologist	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10		Psychologist	0.00	0.00	0.00
c - Completing report		30.50	1,749.09		Psychologist	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62		Psychologist	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36		Psychologist	0.00	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13		Psychologist	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA		18.50	1,022.78		Psychologist	0.00	0.00	0.00
		38.25						
		Was 19.75						
3 - Informing school personnel		255.42	12,685.13					0.00
								0.00
								0.00
								0.00
								0.00
4 - Number of due process requests filed		0.00	0.00	n/a				
a - Number of written responses		0.00	0.00	0				
answers to 5-8								
5 - Filing Response		0.00	0.00	n/a				0.00
6 - Resolution Session		0.00	0.00	n/a				0.00
7 - Mediation		0.00	0.00	n/a				0.00
8 - Due Process Hearing		0.00	0.00	n/a				0.00
9 - Outside Assistance		0.00	0.00	n/a				0.00
TOTALS		466.75	24,531.13				0.00	0.00
Time to complete survey	#REF!	#REF!		Vice Principal	45:30		0.25	11.33
Check Totals		466.75	24,531.13					

District Level- Fresno County							
DISTRICT LEVEL TOTALS				Sharon Plain	Laton		
1 # of Behavioral Emergency Reports	44	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities							
a - performing emergency interventions		30.58	1,509.92	Psychologist	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	Psychologist	0.00	0.00	0.00
c - Completing report		30.50	1,749.09	Psychologist	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Psychologist	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Psychologist	0.00	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	Psychologist	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 18.50 38.25% Was 19.75		1,022.78	Psychologist	0.00	0.00	0.00
3 - Informing school personnel		255.42	12,685.13	HS Learning Director	55.76	12.00	669.12
				LES Learning director	16.11	12.00	193.32
				LES Principal	59.65	12.00	715.80
				LES Resource Teacher	49.89	12.00	598.68
				HS Continuation Teacher	49.89	12.00	598.68
							0.00
4 - Number of due process requests filed		0.00	0.00	n/a			
a - Number of written reponses answers to 5 -8		0.00	0.00	0			
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13			60.00	2,775.60
Time to complete survey	#REF!	#REF!		Learning Director	55.76	0.25	13.94
Check Totals		466.75	24,531.13				

District Level- Fresno County								
DISTRICT LEVEL TOTALS				Rodney Smith	Mendota High			
1 # of Behavioral Emergency Reports	1 get 43	# of Hours	Total Costs	0	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions		30.58	1,509.92	Psychologist		0.00	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	Psychologist		0.00	0.00	0.00
c - Completing report		30.50	1,749.09	Psychologist		0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Psychologist		0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Psychologist		0.00	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	Psychologist		0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 34.75 38.25 Was 19.75	18.50	1,022.78	Psychologist		0.00	0.00	0.00
3 - Informing school personnel		255.42	12,685.13	Psychologist		62.34	24.00	1,496.16
				Principal		55.05	8.00	440.40
				Resource Teacher		48.21	8.00	385.68
				Special Ed Teacher		49.60	8.00	396.80
								0.00
								0.00
4 - Number of due process requests filed		0.00	0.00	n/a				
a - Number of written responses		0.00	0.00	0				
answers to 5 - 8								
5 - Filing Response		0.00	0.00	n/a				0.00
6 - Resolution Session		0.00	0.00	n/a				0.00
7 - Mediation		0.00	0.00	n/a				0.00
8 - Due Process Hearing		0.00	0.00	n/a				0.00
9 - Outside Assistance		0.00	0.00	n/a				0.00
TOTALS		466.75	24,531.13				48.00	2,719.04
Time to complete survey	#REF!	#REF!		Psychologist		62.34	2.00	124.68
Check Totals		466.75	24,531.13					

District Level- Fresno County							
DISTRICT LEVEL TOTALS				Shelley Manser	Monroe		
1 # of Behavioral Emergency Reports	Budget 43:44	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities							
a - performing emergency interventions		30.58	1,509.92	Psychologist	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	Psychologist	0.00	0.00	0.00
c - Completing report		30.50	1,749.09	Psychologist	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Psychologist	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Psychologist	0.00	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	Psychologist	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 3825-18:50 Was 19:75	18.50	1,022.78	Psychologist	0.00	0.00	0.00
3 - Informing school personnel		255.42	12,685.13	N/a			0.00
4 - Number of due process requests filed		0.00	0.00	n/a			0.00
a - Number of written responses		0.00	0.00	0			0.00
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13			0.00	0.00
Time to complete survey	#REF!	#REF!		Superintendent	44:00	0.08	3.52
Check Totals		466.75	24,531.13				

District Level- Fresno County							
DISTRICT LEVEL TOTALS			Antonio Aguilar	Parlier Unified			
1 # of Behavioral Emergency Reports	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
2 Activities							
a - performing emergency interventions	30.58	1,509.92	Psychologist	0.00	0.00	0.00	
b - 1 day notification of use of emergency intervention	14.50	747.10	Psychologist	0.00	0.00	0.00	
c - Completing report	30.50	1,749.09	Psychologist	0.00	0.00	0.00	
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	Psychologist	0.00	0.00	0.00	
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	Psychologist	0.00	0.00	0.00	
f - Reporting data for annual report to CDE	30.75	1,736.13	Psychologist	0.00	0.00	0.00	
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	Psychologist	0.00	0.00	0.00	
	38.25	Not sure where th					
	Was 19.75						
3 - Informing school personnel	255.42	12,685.13	Psychologist	46.32	1.00	46.32	
						0.00	
						0.00	
						0.00	
						0.00	
						0.00	
4 - Number of due process requests filed	0.00	0.00	n/a				
a - Number of written reponses answers to 5 -8	0.00	0.00	0				
5 - Filing Response	0.00	0.00	n/a			0.00	
6 - Resolution Session	0.00	0.00	n/a			0.00	
7 - Mediation	0.00	0.00	n/a			0.00	
8 - Due Process Hearing	0.00	0.00	n/a			0.00	
9 - Outside Assistance	0.00	0.00	n/a			0.00	
TOTALS	466.75	24,531.13			1.00	46.32	
Time to complete survey	#REF!	#REF!	SSS Director	59.50	0.25	14.88	
Check Totals	466.75	24,531.13					

District Level- Fresno County							
DISTRICT LEVEL TOTALS				Eric Bitter	Pine Ridge		
1 # of Behavioral Emergency Reports	44			0			
2 Activities	# of Hours	Total Costs		Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	30.58	1,509.92		Psychologist	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention	14.50	747.10		Psychologist	0.00	0.00	0.00
c - Completing report	30.50	1,749.09		Psychologist	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62		Psychologist	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36		Psychologist	0.00	0.00	0.00
f - Reporting data for annual report to CDE	30.75	1,736.13		Psychologist	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 18.50 38.25 Was 19.75	1,022.78		Psychologist	0.00	0.00	0.00
3 - Informing school personnel	255.42	12,685.13		Principal	14.88	0.50	7.44
4 - Number of due process requests filed	0.00	0.00	n/a				0.00
a - Number of written responses to 5-8	0.00	0.00	0				0.00
5 - Filing Response	0.00	0.00	n/a				0.00
6 - Resolution Session	0.00	0.00	n/a				0.00
7 - Mediation	0.00	0.00	n/a				0.00
8 - Due Process Hearing	0.00	0.00	n/a				0.00
9 - Outside Assistance	0.00	0.00	n/a				0.00
TOTALS	466.75	24,531.13				0.50	7.44
Time to complete survey	#REF!	#REF!		Principal	14.88	0.08	1.19
Check Totals	466.75	24,531.13					

District Level- Fresno County							
1 # of Behavioral Emergency Reports	DISTRICT LEVEL TOTALS			Mary McCall	West Park		
	44			0			
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
a - performing emergency interventions	30.58	1,509.92	Psychologist	0.00	0.00	0.00	
b - 1 day notification of use of emergency intervention	14.50	747.10	Psychologist	0.00	0.00	0.00	
c - Completing report	30.50	1,749.09	Psychologist	0.00	0.00	0.00	
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	Psychologist	0.00	0.00	0.00	
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	Psychologist	0.00	0.00	0.00	
f - Reporting data for annual report to CDE	30.75	1,736.13	Psychologist	0.00	0.00	0.00	
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	Psychologist	0.00	0.00	0.00	
3 - Informing school personnel	255.42	12,685.13	N/A	0.00	0.00	0.00	
4 - Number of due process requests filed	0.00	0.00	n/a				
a - Number of written responses	0.00	0.00	0				
5 - Filing Response	0.00	0.00	n/a			0.00	
6 - Resolution Session	0.00	0.00	n/a			0.00	
7 - Mediation	0.00	0.00	n/a			0.00	
8 - Due Process Hearing	0.00	0.00	n/a			0.00	
9 - Outside Assistance	0.00	0.00	n/a			0.00	
TOTALS	466.75	24,531.13			0.00	0.00	
Time to complete survey	#REF!	#REF!	Psychologist	52.13	0.08	4.17	
Check Totals	466.75	24,531.13					

District Level- Fresno County							
DISTRICT LEVEL TOTALS				Sheala Dunn Figueroa	Washington	Union	
1 # of Behavioral Emergency Reports	44	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities							
a - performing emergency interventions		30.58	1,509.92	Psychologist	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	Psychologist	0.00	0.00	0.00
c - Completing report		30.50	1,749.09	Psychologist	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Psychologist	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Psychologist	0.00	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	Psychologist	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 38/25 Was 19/25	18/50	1,022.78	Psychologist	0.00	0.00	0.00
3 - Informing school personnel		255.42	12,685.13	N/A	0.00	0.00	0.00
4 - Number of due process requests filed		0.00	0.00	n/a			0.00
a - Number of written responses answers to 5 -8		0.00	0.00	0			0.00
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13			0.00	0.00
Time to complete survey	#REF!	#REF!		Psychologist	62.93	0.25	13.23
Check Totals		466.75	24,531.13				

District Level- Fresno County						
1 # of Behavioral Emergency Reports	DISTRICT LEVEL TOTALS		Norma Barajas-Ruiz	Selma		
	44		0			
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	30.58	1,509.92	Psychologist	0.00	0.00	0.00
b - 1 day notification of use of emergency intervention	14.50	747.10	Psychologist	0.00	0.00	0.00
c - Completing report	30.50	1,749.09	Psychologist	0.00	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	Psychologist	0.00	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	Psychologist	0.00	0.00	0.00
f - Reporting data for annual report to CDE	30.75	1,736.13	Psychologist	0.00	0.00	0.00
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	Psychologist	0.00	0.00	0.00
3 - Informing school personnel	255.42	12,685.13	N/A	0.00	0.00	0.00
4 - Number of due process requests filed	0.00	0.00	n/a			0.00
a - Number of written responses	0.00	0.00	0			0.00
5 - Filing Response	0.00	0.00	n/a			0.00
6 - Resolution Session	0.00	0.00	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	0.00	n/a			0.00
TOTALS	466.75	24,531.13			0.00	0.00
Time to complete survey	#REF!	#REF!	Director of Pupil Service	59.69	0.08	4.78
Check Totals	466.75	24,531.13				

District Level- Fresno County							
1 # of Behavioral Emergency Reports	DISTRICT LEVEL TOTALS			Evert E. Craft	West Fresno		
	44			0			
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
a - performing emergency interventions	30.58	1,509.92	Psychologist	0.00	0.00	0.00	
b - 1 day notification of use of emergency intervention	14.50	747.10	Psychologist	0.00	0.00	0.00	
c - Completing report	30.50	1,749.09	Psychologist	0.00	0.00	0.00	
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	Psychologist	0.00	0.00	0.00	
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	Psychologist	0.00	0.00	0.00	
f - Reporting data for annual report to CDE	30.75	1,736.13	Psychologist	0.00	0.00	0.00	
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	Psychologist	0.00	0.00	0.00	
	38.25	Not sure where the					
	Was 19.75						
3 - Informing school personnel	255.42	12,685.13	N/A	0.00	0.00	0.00	0.00
							0.00
							0.00
							0.00
							0.00
4 - Number of due process requests filed	0.00	0.00	n/a				
a - Number of written responses	0.00	0.00	0				
answers to 5 - 8							
5 - Filing Response	0.00	0.00	n/a				0.00
6 - Resolution Session	0.00	0.00	n/a				0.00
7 - Mediation	0.00	0.00	n/a				0.00
8 - Due Process Hearing	0.00	0.00	n/a				0.00
9 - Outside Assistance	0.00	0.00	n/a				0.00
TOTALS	466.75	24,531.13			0.00	0.00	
Time to complete survey	#REF!	#REF!	Psychologist	55.18	0.25	13.80	
Check Totals	466.75	24,531.13					

District Level- Fresno County							
	DISTRICT LEVEL TOTALS			Jeanelle Pankratz	Fresno County		
1 # of Behavioral Emergency Reports	44			3			
2 Activities	# of Hours	Total Costs		Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	30.58	1,509.92		Teacher	61.40	0.75	46.05
b - 1 day notification of use of emergency intervention	14.50	747.10		Teacher	61.40	0.25	15.35
c - Completing report	30.50	1,749.09		Teacher	61.40	0.50	30.70
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62		Teacher	61.40	0.25	15.35
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36		Teacher	61.40	2.00	122.80
f - Reporting data for annual report to CDE	30.75	1,736.13		Teacher	61.40	0.25	15.35
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78		Program Manager	55.18	0.25	13.80
3 - Informing school personnel	255.42	12,685.13		Teacher	61.40	0.50	30.70
4 - Number of due process requests filed	0.00	0.00	n/a				0.00
a - Number of written responses	0.00	0.00	0				0.00
5 - Filing Response	0.00	0.00	n/a				0.00
6 - Resolution Session	0.00	0.00	n/a				0.00
7 - Mediation	0.00	0.00	n/a				0.00
8 - Due Process Hearing	0.00	0.00	n/a				0.00
9 - Outside Assistance	0.00	0.00	n/a				0.00
TOTALS	466.75	24,531.13				4.75	290.10
Time to complete survey	#REF!	#REF!		Psychologist	55.18	0.33	18.21
Check Totals	466.75	24,531.13					

District Level- Fresno County							
DISTRICT LEVEL TOTALS				D. Kourafas	American Union		
1 # of Behavioral Emergency Reports	1857	# of Hours	Total Costs	0	Hourly Rate	# of Hours	Total Costs
2 Activities							
a - performing emergency interventions		30.58	1,509.92	Teacher	61.40	0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	Teacher	61.40	0.00	0.00
c - Completing report		30.50	1,749.09	Teacher	61.40	0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	Teacher	61.40	0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	Teacher	61.40	0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	Teacher	61.40	0.00	0.00
g - Reviewing reports & forwarding to SELPA		18.50	1,022.78	Teacher	61.40	0.00	0.00
		38.25	Not sure where the				
		Was 19.75					
3 - Informing school personnel		255.42	12,685.13	Teacher	61.40	0.00	0.00
							0.00
							0.00
							0.00
							0.00
							0.00
4 - Number of due process requests filed		0.00	0.00	n/a			
a - Number of written responses		0.00	0.00	0			
answers to 5 - 8							
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13			0.00	0.00
Time to complete survey		#REF!	#REF!	Teacher	61.40	0.17	10.44
Check Totals		466.75	24,531.13				

District Level- Fresno County							
DISTRICT LEVEL TOTALS				Jennifer Litz	Big Creek		
1 # of Behavioral Emergency Reports	44			0			
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
a - performing emergency interventions	30.58	1,509.92	n/a		0.00	0.00	
b - 1 day notification of use of emergency intervention	14.50	747.10	n/a		0.00	0.00	
c - Completing report	30.50	1,749.09	n/a		0.00	0.00	
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	n/a		0.00	0.00	
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	n/a		0.00	0.00	
f - Reporting data for annual report to CDE	30.75	1,736.13	n/a		0.00	0.00	
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	n/a		0.00	0.00	
	38.25	Not sure where th					
	Was 19.75						
3 - Informing school personnel	255.42	12,685.13	n/a		0.00	0.00	
						0.00	
						0.00	
						0.00	
						0.00	
						0.00	
4 - Number of due process requests filed	0.00	0.00	n/a				
a - Number of written responses	0.00	0.00	0				
answers to 5 -8							
5 - Filing Response	0.00	0.00	n/a			0.00	
6 - Resolution Session	0.00	0.00	n/a			0.00	
7 - Mediation	0.00	0.00	n/a			0.00	
8 - Due Process Hearing	0.00	0.00	n/a			0.00	
9 - Outside Assistance	0.00	0.00	n/a			0.00	
TOTALS	466.75	24,531.13			0.00	0.00	
Time to complete survey	#REF!	#REF!	Psychologist	40.84	0.08	3.27	
Check Totals	466.75	24,531.13					

District Level- Fresno County							
DISTRICT LEVEL TOTALS				Valerie Johnson	Central Unified		
1 # of Behavioral Emergency Reports	181	# of Hours	Total Costs	0			
2 Activities				Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions		30.58	1,509.92	n/a		0.00	0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	n/a		0.00	0.00
c - Completing report		30.50	1,749.09	n/a		0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	n/a		0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	n/a		0.00	0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	n/a		0.00	0.00
g - Reviewing reports & forwarding to SELPA		18.50	1,022.78	n/a		0.00	0.00
		38.25	Not sure where the				
		Was 19.75					
3 - Informing school personnel		255.42	12,685.13	Director	47.77	1.00	47.77
				Psychologists(13)	56.47	6.00	338.82
				Teacher	41.25	6.00	247.50
				Program Specialist	42.44	1.50	63.66
							0.00
							0.00
4 - Number of due process requests filed		0.00	0.00	n/a			
a - Number of written responses		0.00	0.00	0			
answers to 5 -8							
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13			14.50	697.75
Time to complete survey		#REF!	#REF!	Director	47.77	2.00	95.54
Check Totals		466.75	24,531.13				

District Level- Fresno County							
1 # of Behavioral Emergency Reports	DISTRICT LEVEL TOTALS			Gary Easley	Caruthers		
	1 get 43 44	# of Hours	Total Costs	0	Position	Hourly Rate	# of Hours
2 Activities							
a - performing emergency interventions		30.58	1,509.92	n/a			0.00
b - 1 day notification of use of emergency intervention		14.50	747.10	n/a			0.00
c - Completing report		30.50	1,749.09	n/a			0.00
d - Scheduling and holding IEP meetings for students without PBIP		26.50	1,577.62	n/a			0.00
e - Scheduling and holding IEP meetings for students with PBIP		60.00	3,503.36	n/a			0.00
f - Reporting data for annual report to CDE		30.75	1,736.13	n/a			0.00
g - Reviewing reports & forwarding to SELPA		18.50	1,022.78	n/a			0.00
		38.25					
		Was 19.75					
3 - Informing school personnel		255.42	12,685.13	Director	64.63	1.50	96.95
							0.00
							0.00
							0.00
							0.00
							0.00
4 - Number of due process requests filed		0.00	0.00	n/a			
a - Number of written responses answers to 5 - 8		0.00	0.00	0			
5 - Filing Response		0.00	0.00	n/a			0.00
6 - Resolution Session		0.00	0.00	n/a			0.00
7 - Mediation		0.00	0.00	n/a			0.00
8 - Due Process Hearing		0.00	0.00	n/a			0.00
9 - Outside Assistance		0.00	0.00	n/a			0.00
TOTALS		466.75	24,531.13			1.50	96.95
Time to complete survey		#REF!	#REF!	Director	64.63	0.25	16.16
Check Totals		466.75	24,531.13				

District Level- Fresno County						
1 # of Behavioral Emergency Reports	DISTRICT LEVEL TOTALS		Tony Rodriguez	Coalinga-Huron		
	44		0			
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	30.58	1,509.92	n/a		0.00	0.00
b - 1 day notification of use of emergency intervention	14.50	747.10	n/a		0.00	0.00
c - Completing report	30.50	1,749.09	n/a		0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	n/a		0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	n/a		0.00	0.00
f - Reporting data for annual report to CDE	30.75	1,736.13	n/a		0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 18.50 38.25 Was: 19.75	1,022.78	n/a		0.00	0.00
3 - Informing school personnel	255.42	12,685.13	n/a			0.00
4 - Number of due process requests filed	0.00	0.00	n/a			0.00
a - Number of written responses answers to 5-8	0.00	0.00	0			0.00
5 - Filing Response	0.00	0.00	n/a			0.00
6 - Resolution Session	0.00	0.00	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	0.00	n/a			0.00
TOTALS	466.75	24,531.13			0.00	0.00
Time to complete survey	#REF!	#REF!	Director	62.42	1.00	62.42
Check Totals	466.75	24,531.13				

District Level- Fresno County							
1 # of Behavioral Emergency Reports	DISTRICT LEVEL TOTALS			W.R. Mannlein 0	Principal		
2 Activities	I get 43 # of Hours	Total Costs		Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	30.58	1,509.92		n/a		0.00	0.00
b - 1 day notification of use of emergency intervention	14.50	747.10		n/a		0.00	0.00
c - Completing report	30.50	1,749.09		n/a		0.00	0.00
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62		n/a		0.00	0.00
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36		n/a		0.00	0.00
f - Reporting data for annual report to CDE	30.75	1,736.13		n/a		0.00	0.00
g - Reviewing reports & forwarding to SELPA	Original # & Formula 18.50 38/25 Was 19.75	1,022.78		n/a		0.00	0.00
3 - Informing school personnel	255.42	12,685.13		n/a			0.00
4 - Number of due process requests filed	0.00	0.00		n/a			0.00
a - Number of written responses	0.00	0.00		0			0.00
5 - Filing Response	0.00	0.00		n/a			0.00
6 - Resolution Session	0.00	0.00		n/a			0.00
7 - Mediation	0.00	0.00		n/a			0.00
8 - Due Process Hearing	0.00	0.00		n/a			0.00
9 - Outside Assistance	0.00	0.00		n/a			0.00
TOTALS	466.75	24,531.13				0.00	0.00
Time to complete survey	#REF!	#REF!		Principal		0.08	0.00
Check Totals	466.75	24,531.13					

District Level- Fresno County						
DISTRICT LEVEL TOTALS			FCOE Spec ED			
1 # of Behavioral Emergency Reports	44		40	Several persons combined		
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	30.58	1,509.92	Teacher	61.40	9.50	583.30
			Paraeducator	28.71	9.00	258.39
			Psychologist	55.18	6.50	358.67
			Nurse	35.84	1.50	53.76
			Program Admin	62.99	3.00	188.97
b - 1 day notification of use of emergency intervention	14.50	747.10	Teacher	61.40	8.25	506.55
			Paraeducator	28.71	4.00	114.84
			Psychologist	55.18	2.00	110.36
c - Completing report	30.50	1,749.09	Teacher	61.40	9.50	583.30
			Paraeducator	28.71	0.00	0.00
			Psychologist	55.18	20.00	1,103.60
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,577.62	Teacher	61.40	8.25	506.55
			Program Admin	62.99	8.00	503.92
			Psychologist	55.18	10.00	551.80
e - Scheduling and holding IEP meetings for students with PBIP	60.00	3,503.36	Teacher	61.40	17.00	1,043.80
			Paraeducator	28.71	0.00	0.00
			Psychologist	55.18	28.00	1,545.04
			Nurse	35.84	1.00	35.84
			Program Admin	62.99	12.00	755.88
f - Reporting data for annual report to CDE	30.75	1,736.13	Teacher	61.40	3.25	199.55
			Program Admin	62.99	2.00	125.98
			Psychologist	55.18	25.00	1,379.50
g - Reviewing reports & forwarding to SELPA	18.50	1,022.78	Psychologist	55.18	18.00	993.24
	38.25	Not sure where this was 19.75				
3 - Informing school personnel	255.42	12,685.13	Teacher	61.40	10.75	660.05
			Program Admin	62.99	3.50	220.47
			Psychologist	55.18	5.50	303.49
						0.00
						0.00
						0.00
4 - Number of due process requests filed	0.00	0.00	n/a			
a - Number of written responses	0.00	0.00	0			
answers to 5-8						
5 - Filing Response	0.00	0.00	n/a			0.00
6 - Resolution Session	0.00	0.00	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	0.00	n/a			0.00
TOTALS	466.75	24,531.13			225.50	12,686.85
Time to complete survey	#REF!	#REF!	Psychologist	55.18	5.00	275.90
Check Totals	466.75	24,531.13				

BICM

BICM Level- FRESNO COUNTY	Brett Bollinger Position	Kerman Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	0	0.00	0
b - Information gathering & assessment	Psychologist	0	0.00	0
c - Writing FAA	Psychologist	0	0.00	0
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	0	0.00	0
b - Attending IEP meetings	Psychologist	0	0.00	0
c - Training/monitoring PBIP	Psychologist	0	0.00	0
d - Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e - Modifications in IEP meetings	Psychologist	0	0.00	0
f - Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP				
5a Parent notice	Psychologist	0	0.00	0
5b Information gathering	Psychologist	0	0.00	0
5c Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP				
a - Preparing draft for IEP	Psychologist	0	0.00	0
b - Attending IEP meetings	Psychologist	0	0.00	0
c - Training/monitoring PBIP	Psychologist	0	0.00	0
d - Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e - Modifications in IEP meetings	Psychologist	0	0.00	0
f - Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				0
9249.46				0
Total Hours				0
207.25				
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5094.44				0
Total Hours				
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/a			0
				0
Total Costs				0
491877.81				0
Total Hours				0
10669.00				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	0	0.00	0
b - One day notification	Psychologist	0	0.00	0
c - Completing report for file	Psychologist	0	0.00	0
d - IEP meetings for no PBIP	Psychologist	0	0.00	0
e - IEP meetings with PBIP	Psychologist	0	0.00	0
f - Reporting dat for annual CDE report	Psychologist	0	0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	21.09	0.25	5.2725
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Lupe Vaughn	Kings Canyon		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist	0	0.00	0
b	Information gathering & assessment	Psychologist	0	0.00	0
c	Writing FAA	Psychologist	0	0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
					0
	Total costs				0
	5094.44				0
	Total Hours				0
	108.00				
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	0	0.00	0
b	One day notification	Psychologist	0	0.00	0
c	Completing report for file	Psychologist	0	0.00	0
d	IEP meetings for no PBIP	Psychologist	0	0.00	0
e	IEP meetings with PBIP	Psychologist	0	0.00	0
f	Reporting dat for annual CDE report	Psychologist	0	0.00	0
	TOTALS			0.00	0.00
	Completing survey	Psychologist	70.95	0.08	5.676
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY	Sybil Kolbert Position	Orange Center		Total Costs
		Hourly Rate	# of Hours	
1a - Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	0	0.00	0
b - Information gathering & assessment	Psychologist	0	0.00	0
c - Writing FAA	Psychologist	0	0.00	0
4 - Initial PBIP				
a - Preparing draft for IEP	Psychologist	0	0.00	0
b - Attending IEP meetings	Psychologist	0	0.00	0
c - Training/monitoring PBIP	Psychologist	0	0.00	0
d - Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e - Modifications in IEP meetings	Psychologist	0	0.00	0
f - Modifications outside of IEP meetings	Psychologist	0	0.00	0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice	Psychologist	0	0.00	0
5b Information gathering	Psychologist	0	0.00	0
5c Writing FAA	Psychologist	0	0.00	0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP	Psychologist	0	0.00	0
b - Attending IEP meetings	Psychologist	0	0.00	0
c - Training/monitoring PBIP	Psychologist	0	0.00	0
d - Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e - Modifications in IEP meetings	Psychologist	0	0.00	0
f - Modifications outside of IEP meetings	Psychologist	0	0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				0
9249.46				0
Total Hours				0
207.25				
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5094.44				0
Total Hours				
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
491877.81				0
Total Hours				0
10669.00				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	0	0.00	0
b - One day notification	Psychologist	0	0.00	0
c - Completing report for file	Psychologist	0	0.00	0
d - IEP meetings for no PBIP	Psychologist	0	0.00	0
e - IEP meetings with PBIP	Psychologist	0	0.00	0
f - Reporting dat for annual CDE report	Psychologist	0	0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	52.13	0.08	4.1704
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Janelle Martin	Riverdale		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist	0	0.00	0
b	Information gathering & assessment	Psychologist	0	0.00	0
c	Writing FAA	Psychologist	0	0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist	0	0.00	0
5b	Information gathering	Psychologist	0	0.00	0
5c	Writing FAA	Psychologist	0	0.00	0
6	Review/revision of pre-existing PBIP				
a	Preparing draft for IEP	Psychologist	0	0.00	0
b	Attending IEP meetings	Psychologist	0	0.00	0
c	Training/monitoring PBIP	Psychologist	0	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	0	0.00	0
e	Modifications in IEP meetings	Psychologist	0	0.00	0
f	Modifications outside of IEP meetings	Psychologist	0	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
					0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	0	0.00	0
b	One day notification	Psychologist	0	0.00	0
c	Completing report for file	Psychologist	0	0.00	0
d	IEP meetings for no PBIP	Psychologist	0	0.00	0
e	IEP meetings with PBIP	Psychologist	0	0.00	0
f	Reporting dat for annual CDE report	Psychologist	0	0.00	0
	TOTALS			0.00	0.00
	Completing survey	Psychologist	46.93	0.05	2.4465
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY	David Figueroa	Sanger		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	2			
New	0			
Existing	2			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	72.11	0.50	36.055
b - Information gathering & assessment	Psychologist	72.11	6.00	432.66
c - Writing FAA	Psychologist	72.11	0.00	0
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	72.11	0.00	0
b - Attending IEP meetings	Psychologist	72.11	0.00	0
c - Training/monitoring PBIP	Psychologist	72.11	0.00	0
d - Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e - Modifications in IEP meetings	Psychologist	72.11	0.00	0
f - Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice	Psychologist	72.11	6.50	468.715
5b Information gathering	Psychologist	72.11	0.00	0
5c Writing FAA	Psychologist	72.11	0.00	0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP	Psychologist	72.11	0.00	0
b - Attending IEP meetings	Psychologist	72.11	0.00	0
c - Training/monitoring PBIP	Psychologist	72.11	0.00	0
d - Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e - Modifications in IEP meetings	Psychologist	72.11	0.00	0
f - Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	2			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				0
9249.46				0
Total Hours				0
207.25				
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5094.44				0
Total Hours				0
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
491877.81				0
Total Hours				0
10669.00				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	72.11	0.00	0
b - One day notification	Psychologist	72.11	0.00	0
c - Completing report for file	Psychologist	72.11	0.00	0
d - IEP meetings for no PBIP	Psychologist	72.11	0.00	0
e - IEP meetings with PBIP	Psychologist	72.11	0.00	0
f - Reporting dat for annual CDE report	Psychologist	72.11	0.00	0
TOTALS			13.00	937.43
Completing survey	Psychologist	72.11	0.00	0
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Amy Williams	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	1			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist	72.11	2.00	144.22
b	Information gathering & assessment	Psychologist	72.11	13.00	937.43
c	Writing FAA	Psychologist	72.11	5.00	360.55
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	72.11	1.00	72.11
b	Attending IEP meetings	Psychologist	72.11	4.00	288.44
c	Training/monitoring PBIP	Psychologist	72.11	3.00	216.33
d	Evaluating PBIP effectiveness	Psychologist	72.11	3.00	216.33
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	2.00	144.22
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist	72.11	0.00	0
5b	Information gathering	Psychologist	72.11	0.00	0
5c	Writing FAA	Psychologist	72.11	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist	72.11	0.00	0
b	Attending IEP meetings	Psychologist	72.11	0.00	0
c	Training/monitoring PBIP	Psychologist	72.11	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	1			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's	1 Nurse	29.09	2.00	58.18
	when discussed for the first time	2 Speech Therapist	68.71	3.00	206.13
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's	N/A			0
	when pre-existing				0
					0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's	Speech Therapist	68.71	15.00	1030.65
	by non-Bicm's				0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	72.11	0.00	0
b	One day notification	Psychologist	72.11	0.00	0
c	Completing report for file	Psychologist	72.11	0.00	0
d	IEP meetings for no PBIP	Psychologist	72.11	0.00	0
e	IEP meetings with PBIP	Psychologist	72.11	2.00	144.22
f	Reporting dat for annual CDE report	Psychologist	72.11	0.00	0
	TOTALS			55.00	3,818.81
	Completing survey	Psychologist	72.11	0.25	18.0275
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Lori Leray	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
a	Parent notice and consent	Teacher	63.69	1.00	63.69
b	Information gathering & assessment	Teacher	63.69	5.00	318.45
c	Writing FAA	Teacher	63.69	4.00	254.76
4	Initial PBIP				
a	Preparing draft for IEP	Teacher	63.69	2.00	127.38
b	Attending IEP meetings	Teacher	63.69	3.00	191.07
c	Training/monitoring PBIP	Teacher	63.69	1.00	63.69
d	Evaluating PBIP effectiveness	Teacher	63.69	10.00	636.9
e	Modifications in IEP meetings	Teacher	63.69	2.00	127.38
f	Modifications outside of IEP meetings	Teacher	63.69	2.00	127.38
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Teacher	63.69	0.00	0
5b	Information gathering	Teacher	63.69	0.00	0
5c	Writing FAA	Teacher	63.69	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Teacher	63.69	0.00	0
b	Attending IEP meetings	Teacher	63.69	0.00	0
c	Training/monitoring PBIP	Teacher	63.69	0.00	0
d	Evaluating PBIP effectiveness	Teacher	63.69	0.00	0
e	Modifications in IEP meetings	Teacher	63.69	0.00	0
f	Modifications outside of IEP meetings	Teacher	63.69	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP				0
	Students with 2 IEP's				0
	Students with 3 or more IEP's				1
8	PBIP issues in IEP by non-BICM's	2 Administrator	46.77	2.00	93.54
	when discussed for the first time	3 Psychologist	72.11	3.00	216.33
		3 Instructional Aide	30.43	3.00	91.29
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's	N/A			0
	when pre-existing				0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's	Psychologist	72.11	2.00	144.22
	by non-Bicm's	Instructional Aide	30.43	66.00	2008.38
		Vice Principal	46.77	2.00	93.54
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Teacher	63.69	0.00	0
b	One day notification	Teacher	63.69	0.00	0
c	Completing report for file	Teacher	63.69	0.00	0
d	IEP meetings for no PBIP	Teacher	63.69	0.00	0
e	IEP meetings with PBIP	Teacher	63.69	0.00	0
f	Reporting dat for annual CDE report	Teacher	63.69	0.00	0
	TOTALS			108.00	4,558.00
	Completing survey	Teacher	63.69	0.75	47.7675
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Anna Quintanilla	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New	1			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist	72.11	0.75	54.0825
b	Information gathering & assessment	Psychologist	72.11	35.00	2523.85
c	Writing FAA	Psychologist	72.11	4.50	324.495
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	72.11	4.50	324.495
b	Attending IEP meetings	Psychologist	72.11	9.00	648.99
c	Training/monitoring PBIP	Psychologist	72.11	10.00	721.1
d	Evaluating PBIP effectiveness	Psychologist	72.11	4.00	288.44
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist	72.11	0.00	0
5b	Information gathering	Psychologist	72.11	0.00	0
5c	Writing FAA	Psychologist	72.11	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist	72.11	0.00	0
b	Attending IEP meetings	Psychologist	72.11	0.00	0
c	Training/monitoring PBIP	Psychologist	72.11	0.00	0
d	Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0
f	Modifications outside of IEP meetings	Psychologist	72.11	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	1			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	Pupil Personnel Director	58.23	2.00	116.46
					0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
					0
	Total costs				0
	5094.44				0
	Total Hours				0
	108.00				
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	72.11	16.00	1153.76
b	One day notification	Psychologist	72.11	1.50	108.165
c	Completing report for file	Psychologist	72.11	1.00	72.11
d	IEP meetings for no PBIP	Psychologist	72.11	1.00	72.11
e	IEP meetings with PBIP	Psychologist	72.11	1.00	72.11
f	Reporting dat for annual CDE report	Psychologist	72.11	0.50	36.055
	TOTALS			90.75	6,516.22
	Completing survey	Psychologist	72.11	0.75	54.0825
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Kathleen Kuczler	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	1			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Teacher	63.69	0.50	31.845
b	Information gathering & assessment	Teacher	63.69	3.00	191.07
c	Writing FAA	Teacher	63.69	1.50	95.535
4	Initial PBIP				
a	Preparing draft for IEP	Teacher	63.69	1.00	63.69
b	Attending IEP meetings	Teacher	63.69	2.50	159.225
c	Training/monitoring PBIP	Teacher	63.69	1.00	63.69
d	Evaluating PBIP effectiveness	Teacher	63.69	2.00	127.38
e	Modifications in IEP meetings	Teacher	63.69	1.00	63.69
f	Modifications outside of IEP meetings	Teacher	63.69	1.00	63.69
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Teacher	63.69	0.00	0
5b	Information gathering	Teacher	63.69	0.00	0
5c	Writing FAA	Teacher	63.69	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Teacher	63.69	0.00	0
b	Attending IEP meetings	Teacher	63.69	0.00	0
c	Training/monitoring PBIP	Teacher	63.69	0.00	0
d	Evaluating PBIP effectiveness	Teacher	63.69	0.00	0
e	Modifications in IEP meetings	Teacher	63.69	0.00	0
f	Modifications outside of IEP meetings	Teacher	63.69	0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	1			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's	1 Counselor	28.34	1.00	28.34
	when discussed for the first time	2 Psychologist	72.11	1.00	72.11
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's	N/A			0
	when pre-existing				0
					0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's	Teacher	63.69	15.00	955.35
	by non-Bicm's				0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Teacher	63.69	0.00	0
b	One day notification	Teacher	63.69	0.00	0
c	Completing report for file	Teacher	63.69	0.00	0
d	IEP meetings for no PBIP	Teacher	63.69	0.00	0
e	IEP meetings with PBIP	Teacher	63.69	0.00	0
f	Reporting dat for annual CDE report	Teacher	63.69	0.00	0
	TOTALS			30.50	1,915.62
	Completing survey	Teacher	63.69	0.33	21.0177
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Julie Errotabers	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	6			
	New	4			
	Existing	2			
3	FAA Activities				
a	Parent notice and consent	Psychologist	72.11	3.00	216.33
b	Information gathering & assessment	Psychologist	72.11	20.00	1442.2
c	Writing FAA	Psychologist	72.11	10.00	721.1
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	72.11	6.00	432.66
b	Attending IEP meetings	Psychologist	72.11	5.00	360.55
c	Training/monitoring PBIP	Psychologist	72.11	12.00	865.32
d	Evaluating PBIP effectiveness	Psychologist	72.11	8.00	576.88
e	Modifications in IEP meetings	Psychologist	72.11	7.00	504.77
f	Modifications outside of IEP meetings	Psychologist	72.11	14.00	1009.54
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist	72.11	0.50	36.055
5b	Information gathering	Psychologist	72.11	4.00	288.44
5c	Writing FAA	Psychologist	72.11	3.00	216.33
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist	72.11	3.00	216.33
b	Attending IEP meetings	Psychologist	72.11	5.00	360.55
c	Training/monitoring PBIP	Psychologist	72.11	5.00	360.55
d	Evaluating PBIP effectiveness	Psychologist	72.11	3.00	216.33
e	Modifications in IEP meetings	Psychologist	72.11	6.00	432.66
f	Modifications outside of IEP meetings	Psychologist	72.11	10.00	721.1
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	6			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	4 Sp.Ed. Teacher	30.43	5.00	152.15
		4 Gen.Ed. Teacher	63.69	5.00	318.45
		4 Speech Therapist	68.71	5.00	343.55
		4 Admin (used Prin)	53.07	5.00	265.35
	Total Costs				0
	9249.46				
	Total Hours				0
	207.25				
		OK	Was 66.33		
9	PBIP issues in IEP by non-BICM's when pre-existing	6 Sp.Ed. Teacher	30.43	3.50	106.505
		6 Gen.Ed. Teacher	63.69	3.50	222.915
		6 Speech Therapist	68.71	3.50	240.485
		6 Admin (used Prin)	53.07	3.50	185.745
	Total costs				0
	5094.44				
	Total Hours				0
	108.00				
		OK	Was 66.33		
10	Implementation/monitoring of PBIP's by non-Bicm's	Sp.Ed. Teacher(4)	30.43	400.00	12172
		Gen.Ed. Teacher(5)	63.69	180.00	11464.2
		Speech Therapist(3)	68.71	90.00	6183.9
		Admin (used Prin)	53.07	5.00	265.35
	Total Costs				0
	491877.81				
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	72.11	6.00	432.66
b	One day notification	Psychologist	72.11	2.00	144.22
c	Completing report for file	Psychologist	72.11	2.00	144.22
d	IEP meetings for no PBIP	Psychologist	72.11	2.00	144.22
e	IEP meetings with PBIP	Psychologist	72.11	1.00	72.11
f	Reporting dat for annual CDE report	Psychologist	72.11	1.00	72.11
	TOTALS			847.50	41,907.84
	Completing survey	Psychologist	72.11	0.50	36.055
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Ada Wolff	Sanger			
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	2	Was 3			
	New	2				
	Existing	0	Was 1			
		OK				
3	FAA Activities					
a	Parent notice and consent	Psychologist	72.11	1.00	72.11	
b	Information gathering & assessment	Psychologist	72.11	10.00	721.1	
c	Writing FAA	Psychologist	72.11	2.00	144.22	
4	Initial PBIP					
a	Preparing draft for IEP	Psychologist	72.11	0.50	36.055	
b	Attending IEP meetings	Psychologist	72.11	3.00	216.33	
c	Training/monitoring PBIP	Psychologist	72.11	5.00	360.55	
d	Evaluating PBIP effectiveness	Psychologist	72.11	5.00	360.55	
e	Modifications in IEP meetings	Psychologist	72.11	1.00	72.11	
f	Modifications outside of IEP meetings	Psychologist	72.11	3.00	216.33	
5	FAA activities for pre-existing PBIP				0	
5a	Parent notice	Psychologist	72.11	0.00	0	
5b	Information gathering	Psychologist	72.11	0.00	0	
5c	Writing FAA	Psychologist	72.11	0.00	0	
6	Review/revision of pre-existing PBIP				0	
a	Preparing draft for IEP	Psychologist	72.11	0.00	0	
b	Attending IEP meetings	Psychologist	72.11	0.00	0	
c	Training/monitoring PBIP	Psychologist	72.11	0.00	0	
d	Evaluating PBIP effectiveness	Psychologist	72.11	0.00	0	
e	Modifications in IEP meetings	Psychologist	72.11	0.00	0	
f	Modifications outside of IEP meetings	Psychologist	72.11	0.00	0	
7	IEP's where PBIP was a component					
	Students with 1 IEP	1				
	Students with 2 IEP's	0				
	Students with 3 or more IEP's	1				
8	PBIP issues in IEP by non-BICM's	4	Principal	53.07	3.50	185.745
	when discussed for the first time	4	Teacher	63.69	3.00	191.07
	Total Costs				0	
	9249.46				0	
	Total Hours				0	
	207.25					
9	PBIP issues in IEP by non-BICM's	N/A			0	
	when pre-existing				0	
	Total costs				0	
	5094.44				0	
	Total Hours				0	
	108.00					
10	Implementation/monitoring of PBIP's	Teacher	63.69	20.00	1273.8	
	by non-Bicm's				0	
	Total Costs				0	
	491877.81				0	
	Total Hours				0	
	10669.00					
11	Emergency Behavior Interventions					
a	Performing interventions	Psychologist	72.11	0.00	0	
b	One day notification	Psychologist	72.11	0.00	0	
c	Completing report for file	Psychologist	72.11	0.00	0	
d	IEP meetings for no PBIP	Psychologist	72.11	0.00	0	
e	IEP meetings with PBIP	Psychologist	72.11	0.00	0	
f	Reporting dat for annual CDE report	Psychologist	72.11	0.00	0	
	TOTALS			57.00	3,849.97	
	Completing survey	Psychologist	72.11	1.00	72.11	
	Total Columns C & D (Check Totals)					

BICM Level- FRESNO COUNTY		Linda Booth	Sanger		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	6			
	New	4			
	Existing	2			
3	FAA Activities				
a	Parent notice and consent	Psychologist	72.11	0.00	0
b	Information gathering & assessment	Psychologist	72.11	0.00	0
c	Writing FAA	Psychologist	72.11	0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	72.11	4.00	288.44
b	Attending IEP meetings	Psychologist	72.11	4.00	288.44
c	Training/monitoring PBIP	Psychologist	72.11	2.00	144.22
d	Evaluating PBIP effectiveness	Psychologist	72.11	8.00	576.88
e	Modifications in IEP meetings	Psychologist	72.11	4.00	288.44
f	Modifications outside of IEP meetings	Psychologist	72.11	4.00	288.44
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist	72.11	0.00	0
5b	Information gathering	Psychologist	72.11	0.00	0
5c	Writing FAA	Psychologist	72.11	0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist	72.11	2.00	144.22
b	Attending IEP meetings	Psychologist	72.11	2.00	144.22
c	Training/monitoring PBIP	Psychologist	72.11	1.00	72.11
d	Evaluating PBIP effectiveness	Psychologist	72.11	4.00	288.44
e	Modifications in IEP meetings	Psychologist	72.11	2.00	144.22
f	Modifications outside of IEP meetings	Psychologist	72.11	2.00	144.22
7	IEP's where PBIP was a component				
	Students with 1 IEP	2			
	Students with 2 IEP's	4			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	7 Administrator (Prin)	53.07	7.00	371.49
		5 Specialist	47.37	5.00	236.85
		8 Case Manager	28	8.00	224
	Total Costs	2 Counselor	28.34	2.00	56.68
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's when pre-existing	5 Administrator (Prin)	53.07	5.00	265.35
		3 Specialist	47.37	3.00	142.11
		5 Case Manager	28	5.00	140
	Total costs	1 Counselor	28.34	1.00	28.34
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's by non-Bicm's	Administrator (Prin)	53.07	2.00	106.14
	Total Costs	Specialist	47.37	1.00	47.37
	491877.81	Case Manager	28	4.00	112
	Total Hours	Counselor	28.34	1.00	28.34
	10669.00				0
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	72.11	30.00	2163.3
b	One day notification	Psychologist	72.11	6.00	432.66
c	Completing report for file	Psychologist	72.11	0.00	0
d	IEP meetings for no PBIP	Psychologist	72.11	8.00	576.88
e	IEP meetings with PBIP	Psychologist	72.11	4.00	288.44
f	Reporting dat for annual CDE report	Psychologist	72.11	0.00	0
	TOTALS			131.00	8,032.24
	Completing survey	Psychologist	72.11	7.00	504.77
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY	Renee Frigon	American Union		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist		0.00	0
b - Information gathering & assessment	Psychologist		0.00	0
c - Writing FAA	Psychologist		0.00	0
4 - Initial PBIP				
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice	Psychologist		0.00	0
5b Information gathering	Psychologist		0.00	0
5c Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				0
9249.46				0
Total Hours				0
207.25				
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5094.44				0
Total Hours				0
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
491877.81				0
Total Hours				0
19669.00				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	52.93	0.08	4.2344
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Kim Herron	Selma		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	1			
	New	1			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	25.99	1.50	38.985
b	Attending IEP meetings	Psychologist	25.99	5.00	129.95
c	Training/monitoring PBIP	Psychologist	25.99	16.00	415.84
d	Evaluating PBIP effectiveness	Psychologist	25.99	15.00	389.85
e	Modifications in IEP meetings	Psychologist	25.99	2.00	51.98
f	Modifications outside of IEP meetings	Psychologist	25.99	0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	1			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's	1 Psychologist	25.99	1.00	25.99
	when discussed for the first time	1 Resource Specialist	43.35	1.00	43.35
		1 Psychologist	25.99	1.00	25.99
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's	N/A			0
	when pre-existing				0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's	Psychologist	25.99	7.00	181.93
	by non-Bicm's	Resource Specialist	43.35	7.00	303.45
		Principal	69.61	7.00	487.27
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist		0.00	0
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			63.50	2,094.59
	Completing survey	Psychologist	25.99	0.50	12.995
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Debbi Norman	Selma		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
					0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist		0.00	0
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			0.00	0.00
	Completing survey	Psychologist	25.99	0.08	2.0792
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Theron Bell	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP				
	Students with 2 IEP's				
	Students with 3 or more IEP's				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
					0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist		0.00	0
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			0.00	0.00
	Completing survey	Psychologist	55.18	0.33	18.2094
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Karla Spain	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
					0
	Total costs				0
	5094.44				0
	Total Hours				
	108.00				
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist		0.00	0
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			0.00	0.00
	Completing survey	Psychologist	55.18	0.08	4.4144
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Terri Barber	West Fresno		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				0
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
	Total costs				.0
	5094.44				0
	Total Hours				0
	108.00				0
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				0
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist	55.18	0.25	13.795
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			0.25	13.80
	Completing survey	Psychologist	55.18	0.25	13.795
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY	Trude Thom	West Fresno		
	Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP				
New				
Existing				
	OK	No file on this individual		
		There is a file but blank except in PBIP seems to be erased		
3 - FAA Activities				
a - Parent notice and consent	Psychologist		0.00	0
b - Information gathering & assessment	Psychologist		0.00	0
c - Writing FAA	Psychologist		0.00	0
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP				
5a Parent notice	Psychologist		0.00	0
5b Information gathering	Psychologist		0.00	0
5c Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP				
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				9249.46
Total Hours				207.25
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				5094.44
Total Hours				108.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				491877.81
Total Hours				10669.00
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist		55.18	0.00
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY	Jeanella Pankratz	Central Union		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist		0.00	0
b - Information gathering & assessment	Psychologist		0.00	0
c - Writing FAA	Psychologist		0.00	0
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice	Psychologist		0.00	0
5b Information gathering	Psychologist		0.00	0
5c Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				0
9249.46				0
Total Hours				0
207.25				
9- PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5094.44				0
Total Hours				0
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
491877.81				0
Total Hours				0
10669.00				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	.0
TOTALS			0.00	0.00
Completing survey	Psychologist	55.18	0.08	4.4144
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Victoria Statts	Central Union		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP				
	Students with 2 IEP's				
	Students with 3 or more IEP's				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				0
9	PBIP issues in IEP by non-BICM's when pre-existing	RSP Teacher	28.71	0.50	14.355
		Psychologist	55.18	0.50	27.59
					0
	Total costs				0
	5094.44				0
	Total Hours				0
	108.00				0
10	Implementation/monitoring of PBIP's by non-Bicm's	Para	28.71	3.00	86.13
		Psychologist	55.18	3.00	165.54
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				0
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist		0.00	0
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			7.00	293.62
	Completing survey	Psychologist	55.18	0.08	4.4144
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Shari Mceylea Position	FCOE Spec Ed		
			Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	8			
	New	5			
	Existing	3			
3	FAA Activities				
a	Parent notice and consent	N/A		0.00	0
b	Information gathering & assessment	Psychologist	55.18	42.00	2317.56
c	Writing FAA	Psychologist	55.18	18.50	1020.83
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist	55.18	115.00	6345.7
b	Attending IEP meetings	Psychologist	55.18	17.50	965.65
c	Training/monitoring PBIP	Psychologist	55.18	21.00	1158.78
d	Evaluating PBIP effectiveness	Psychologist	55.18	15.00	827.7
e	Modifications in IEP meetings	Psychologist	55.18	8.00	441.44
f	Modifications outside of IEP meetings	Psychologist	55.18	17.00	938.06
5	FAA activities for pre-existing PBIP				
5a	Parent notice	N/A		0.00	0
5b	Information gathering	Psychologist	55.18	27.00	1489.86
5c	Writing FAA	Psychologist	55.18	23.00	1269.14
6	Review/revision of pre-existing PBIP				
a	Preparing draft for IEP	Psychologist	55.18	38.00	2096.84
b	Attending IEP meetings	Psychologist	55.18	21.00	1158.78
c	Training/monitoring PBIP	Psychologist	55.18	14.00	772.52
d	Evaluating PBIP effectiveness	Psychologist	55.18	14.00	772.52
e	Modifications in IEP meetings	Psychologist	55.18	4.00	220.72
f	Modifications outside of IEP meetings	Psychologist	55.18	8.00	441.44
7	IEP's where PBIP was a component			Was 14	
	Students with 1 IEP	5		OK	
	Students with 2 IEP's	3			
	Students with 3 or more IEP's	0		OK	
8	PBIP issues in IEP by non-BICM's			Was 80	
	when discussed for the first time	4 FCOE Nurse	35.84	6.50	232.96
		6 FCOE Program Manager	41.61	11.00	457.71
		6 FCOE SDC Teacher	33.52	11.00	368.72
	Total Costs	4 FCOE OT	60	8.00	480
	9249.46	3 Selma Dist Rep	40	6.50	260
	Total Hours	4 FCOE Spch	40.97	8.00	327.76
	207.25	4 Counselor	28	8.00	224
		2 EPU Advocate #1	11	5.00	55
		2 EPU Parent Rep	11	5.00	55
		1 ACES Interventionist	Private Agency	3.00	
		1 EOC DSS Rep	24.7	2.50	61.75
		1 EPU Advocate #2	11	2.00	22
		2 SELMA Spech	39.38	5.00	196.9
		1 Hd Start Teacher	15.05	2.50	37.625
		1 KCUSD Principal	51	2.00	102
		1 KCUSD Gen.Ed. Teacher	26.99	2.00	53.98
9	PBIP issues in IEP by non-BICM's				
	when pre-existing	3 FCOE Hm Instructor	33.52	4.50	150.84
		5 FCOE Nurse	35.84	7.50	268.8
		5 FCOE SDC Teacher	33.52	7.50	251.4
	Total costs	6 FCOE Program Mgr	41.61	9.00	374.49
	5094.44	3 FCOE Speech	40.97	4.50	184.365
	Total Hours	1 CSUF Student Obsvs	Unpaid	1.50	
	108.00	2 FCOE OT	60	3.00	180
		1 Sanger Program Mgr	41.61	1.50	62.415
		2 CURC Counselor	28	3.00	84
		1 FCOE APE	41.45	1.00	41.45
10	Implementation/monitoring of PBIP's				
	by non-Bicm's	CURC Counselor	28	4.00	112
		FCOE Speech	40.97	14.00	573.58
	Total Costs	FCOE OT	60	44.00	2640
	491877.81				
	Total Hours				
	10669.00				
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist	55.18	4.00	220.72
b	One day notification	N/A		0.00	0
c	Completing report for file	Psychologist	55.18	3.00	165.54
d	IEP meetings for no PBIP	Psychologist	55.18	1.00	55.18
e	IEP meetings with PBIP	Psychologist	55.18	1.00	55.18
f	Reporting dat for annual CDE report	Psychologist	55.18	1.00	55.18
	TOTALS			606.00	30,648.09
	Completing survey	Psychologist	55.18	7.00	386.26
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Marilyn Wilson	Clay		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP				
	New				
	Existing				
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP			0	
	Students with 2 IEP's			0	
	Students with 3 or more IEP's			0	
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
	Total Costs				0
	9249.46				0
	Total Hours				0
	207.25				0
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
	Total costs				0
	5094.44				0
	Total Hours				0
	108.00				0
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				0
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist		0.00	0
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			0.00	0.00
	Completing survey	Psychologist	55.18	0.08	4.4144
	Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY	Maria Puopolo Position	Kings Canyon Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist		0.00	0
b - Information gathering & assessment	Psychologist		0.00	0
c - Writing FAA	Psychologist		0.00	0
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice	Psychologist		0.00	0
5b Information gathering	Psychologist		0.00	0
5c Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				0
9249.46				0
Total Hours				0
207.25				
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5094.44				0
Total Hours				0
108.00				
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
491877.81				0
Total Hours				0
10669.00				
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS			0.00	0.00
Completing survey	Psychologist	55.18	0.17	9.3806
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY	Jessica Djarbrayan	Central unified		
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist		0.00	0
b - Information gathering & assessment	Psychologist		0.00	0
c - Writing FAA	Psychologist		0.00	0
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
5 - FAA activities for pre-existing PBIP				
5a Parent notice	Psychologist		0.00	0
5b Information gathering	Psychologist		0.00	0
5c Writing FAA	Psychologist		0.00	0
6 - Review/revision of pre-existing PBIP				
a - Preparing draft for IEP	Psychologist		0.00	0
b - Attending IEP meetings	Psychologist		0.00	0
c - Training/monitoring PBIP	Psychologist		0.00	0
d - Evaluating PBIP effectiveness	Psychologist		0.00	0
e - Modifications in IEP meetings	Psychologist		0.00	0
f - Modifications outside of IEP meetings	Psychologist		0.00	0
7 - IEP's where PBIP was a component				
Students with 1 IEP	0			
Students with 2 IEP's	0			
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
				0
				0
Total Costs				
9249.46				
Total Hours				0
207.25				0
9 - PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
				0
				0
Total costs				0
5094.44				0
Total Hours				0
108.00				0
10 - Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
				0
Total Costs				0
491877.81				0
Total Hours				0
10669.00				0
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist		0.00	0
b - One day notification	Psychologist		0.00	0
c - Completing report for file	Psychologist		0.00	0
d - IEP meetings for no PBIP	Psychologist		0.00	0
e - IEP meetings with PBIP	Psychologist		0.00	0
f - Reporting dat for annual CDE report	Psychologist		0.00	0
TOTALS		0.00	0.00	0.00
Completing survey	Psychologist	51.94	0.08	4.1552
Total Columns C & D (Check Totals)				

BICM Level- FRESNO COUNTY		Christine Borges	Central unified		
		Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	0			
	New	0			
	Existing	0			
3	FAA Activities				
a	Parent notice and consent	Psychologist		0.00	0
b	Information gathering & assessment	Psychologist		0.00	0
c	Writing FAA	Psychologist		0.00	0
4	Initial PBIP				
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
5	FAA activities for pre-existing PBIP				0
5a	Parent notice	Psychologist		0.00	0
5b	Information gathering	Psychologist		0.00	0
5c	Writing FAA	Psychologist		0.00	0
6	Review/revision of pre-existing PBIP				0
a	Preparing draft for IEP	Psychologist		0.00	0
b	Attending IEP meetings	Psychologist		0.00	0
c	Training/monitoring PBIP	Psychologist		0.00	0
d	Evaluating PBIP effectiveness	Psychologist		0.00	0
e	Modifications in IEP meetings	Psychologist		0.00	0
f	Modifications outside of IEP meetings	Psychologist		0.00	0
7	IEP's where PBIP was a component				
	Students with 1 IEP	0			
	Students with 2 IEP's	0			
	Students with 3 or more IEP's	0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	N/A			0
					0
					0
	Total Costs				
	9249.46				
	Total Hours				0
	207.25				0
					0
9	PBIP issues in IEP by non-BICM's when pre-existing	N/A			0
					0
					0
	Total costs				0
	5094.44				0
	Total Hours				0
	108.00				0
					0
10	Implementation/monitoring of PBIP's by non-Bicm's	N/A			0
					0
	Total Costs				0
	491877.81				0
	Total Hours				0
	10669.00				0
11	Emergency Behavior Interventions				
a	Performing interventions	Psychologist		0.00	0
b	One day notification	Psychologist		0.00	0
c	Completing report for file	Psychologist		0.00	0
d	IEP meetings for no PBIP	Psychologist		0.00	0
e	IEP meetings with PBIP	Psychologist		0.00	0
f	Reporting dat for annual CDE report	Psychologist		0.00	0
	TOTALS			0.00	0.00
	Completing survey	Psychologist	51.94	0.25	12.985
	Total Columns C & D (Check Totals)				

Fresno Unified

SELPA

SELPA Level	FRESNO UNIFIED		71,980 ADA			
Number of BICM's in SELPA	53					
Number of BICM surveys returned	1	22 BICMs did not complete PBIP or FAA during 2006-07				
Number of LEA's in SELPA	1					
Number of LEA surveys returned	n/a					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes
Local Plan						
* 7 - Procedures development	SELPA Director	70.23	2.00		140.46	
* 8 - Governing Board approval	SELPA Director	70.23	100.00		7,023.00	
** 9 - Review/update of procedures	n/a					
	Update every 2 years					
**10 - Governing Board approval	Not Yet Done					
Training						
* 11 - Design training for initial BICM certification	School Psychologist	65.05	35.00		2,276.75	
**12 - Update of training for initial BICM certification	n/a					
**13 - Lead training for initial BICM certification	School Psychologist	65.05	16.00	1,040.80		
**14 - Lead training update for certified BICM's	n/a					
* 15 - Design training for PBIP implementers						
**16 - Update training for PBIP implementers						
**17 - Lead training for PBIP implementers						
*18 - Design training on Emergency Behavioral Interventions	2 Psychologists	65.05	30.00		1,951.50	
**19 - Update trainin on Emergency Behavioral Interventions	Psychologists	65.05	224.00	14,571.20		
**20 - Lead training on Emergency Behavioral Interventions	CPI Team PSY	65.05	16.00	1,040.80		
21 - Other costs of BICM certification training						
22 - Number of participants in BICM training by position/hours	No Training in 2006/07					
23 - Number of participants in PBIP training by position/hours	No Training in 2006/07					
24 - Number of participants in Emergency Beh Interv training by position/hours	Psychologists Spec Ed Teachers	65.05 49.32	720.00 720.00	46,836.00 35,510.40		
25 - Other training costs					0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Director	70.23	4.00	280.92		
27 - Due process hearings	n/a					
Sub Total				280.92		
SELPA LEVEL TOTAL			1,867.00	99,561.04	11,391.71	
Time to complete survey	Lead Psychologist	67.40	10.00	674.00		
NOTES:						
one asterisk indicates a one time cost						
two asterisks indicates annual or more frequent costs						

District

District Level		Fresno Unified		
1 # of Behavioral Emergency Reports	88			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Spec Ed Teachers	49.32	66.00	3,255.12
	Psychologist	65.05	66.00	4,293.30
b - 1 day notification of use of emergency intervention	Spec Ed Teachers	49.32	14.50	715.14
	Psychologist	65.05	14.50	943.23
c - Completing report	Spec Ed Teachers	49.32	132.00	6,510.24
	Psychologist	65.05	132.00	8,586.60
d - Scheduling and holding IEP meetings for students without PBIP	School Psychologist	65.05	33.00	2,146.65
e - Scheduling and holding IEP meetings for students with PBIP	n/a			0.00
f - Reporting data for annual report to CDE	Office Manager	28.57	10.00	285.70
g - Reviewing reports & forwarding to SELPA	Psychologist	65.05	44.00	2,862.20
3 - Informing school personnel	12 Psychologists	65.05	36.00	2,341.80
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			548.00	31,939.98
Time to complete survey	Lead School Psycholog	67.40	3.00	202.20

BICM

BICM Level		Fresno Unified				
		Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	1	Raul Teseda			
	New	0				
	Existing	1				
2	PBIP's with AB 3632 services	0				
3	FAA Activities					
	a - Parent notice and consent				0	
	b - Information gathering & assessment				0	
	c - Writing FAA				0	
4	Initial PBIP					
	a - Preparing draft for IEP				0	
	b - Attending IEP meetings				0	
	c - Training/monitoring PBIP				0	
	d - Evaluating PBIP effectiveness				0	
	e - Modifications in IEP meetings				0	
	f - Modifications outside of IEP meetings				0	
5	FAA activities for pre-existing PBIP				0	
5a	Parent notice				0	
5b	Information gathering				0	
5c	Writing FAA				0	
6	Review/revision of pre-existing PBIP				0	
	a - Preparing draft for IEP	Psychologist	65.05	0.00	0	
	b - Attending IEP meetings	Psychologist	65.05	8.00	520.4	
	c - Training/monitoring PBIP	Psychologist	65.05	2.00	130.1	
	d - Evaluating PBIP effectiveness	Psychologist	65.05	3.00	195.15	
	e - Modifications in IEP meetings	Psychologist	65.05	2.00	130.1	
	f - Modifications outside of IEP meetings	Psychologist	65.05	2.00	130.1	
7	IEP's where PBIP was a component					
	Students with 1 IEP	0				
	Students with 2 IEP's	0				
	Students with 3 or more IEP's	1				
8	PBIP issues in IEP by non-BICM's when discussed for the first time				0	
9	PBIP issues in IEP by non-BICM's when pre-existing	3	Spec Ed Teacher	58.05	6.00	348.3
		3	Reg Ed Teacher	62.28	6.00	373.68
		3	Site Admin	64.75	6.00	388.5
		2	RIS	63.24	4.00	252.96
10	Implementation/monitoring of PBIP's by non-Bicm's					
			Spec Ed Teacher	49.32	42.50	2096.1
			Instr Assistant	12.61	42.50	535.925
			Spec Ed Teacher	49.32	42.50	2096.1
			Instr Assistant	12.61	42.50	535.925
11	Emergency Behavior Interventions					
	a - Performing interventions		Psychologist	65.05	2.00	130.1
	b - One day notification		Psychologist	65.05	0.50	32.525
	c - Completing report for file		Psychologist	65.05	0.50	32.525
	d - IEP meetings for no PBIP		Psychologist	65.05	3.00	195.15
	e - IEP meetings with PBIP		Psychologist		0.00	0
	f - Reporting data for annual CDE report		Psychologist		0.00	0
BICM LEVEL TOTALS					215.00	8,123.64
Completing survey			Psychologist	65.05	3.00	195.15

Glenn

SELPA

SELPA Level		Glenn County					
Number of BICM's in SELPA		8					
Number of BICM surveys returned		4	Others did not have 06-07 activity				
Number of LEA's in SELPA		10					
Number of LEA surveys returned		2	These are the only 2 districts that provide Special Ed				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:	
Local Plan							
* 7 - Procedures development	SELPA Dir	35.26	12		423.12		
	Prog Spec	60.12	12		721.44		
* 8 - Governing Board approval	n/a					0.00	
Training							
* 11 - Design training for initial BICM certification	SELPA Dir	35.26	6		211.56		
	Behavior Sp	48.80	6		292.80		
** 12 - Update of training for initial BICM certification	Coordinator	64.87	16	1,037.92			As needed
	Psychologist	52.46	16	839.36			
	Program Sp	60.12	16	961.92			
** 13 - Lead training for initial BICM certification	N/A						N/A
** 14 - Lead training update for certified BICM's	N/A						N/A
* 15 - Design training for PBIP implementers	Program Sp	60.12	20		1,202.40		
** 16 - Update training for PBIP implementers	Program Sp	60.12	10	601.20			Annually
** 17 - Lead training for PBIP implementers	CPI Trainer	60.31	10	603.10			Annually
* 18 - Design training on Emergency Behavioral Interventions	MAB	no cost	18				
	CPI Trainers	60.31	21		1,266.51		
** 19 - Update trainin on Emergency Behavioral Interventions	CPI Trainers	60.31	6	361.86			twice a year
** 20 - Lead training on Emergency Behavioral Interventions	CPI Trainers	60.31	18	1,085.58			Annually
21 - Other costs of BICM certification training	N/A						
22 - Number of participants in BICM training by position/hours	N/A						
23 - Number of participants in PBIP training by position/hours							
GCOE and WUSD	Teachers (20)	56.00	120	6,720.00			
	Aides (5)	13.22	30	396.60			
24 - Number of participants in Emergency Beh Interv training by position/hours							
GCOE and WUSD	Teachers (20)	56.00	120	6,720.00			
	Aides (5)	13.22	30	396.60			
25 - Other training costs							
Staff Activities							
26 - Data collection from BER's for annual report to CDE	SELPA Dir	35.26	2	70.52			
	Adm Asst.	33.78	2	67.56			
27 - Due process hearings	N/A						
SELPA LEVEL TOTALS			491.00	19,862.22	4,117.83		
Time to complete survey	SELPA Dir	35.26	30	1,057.80			
NOTES:							
one asterick indicates one time cost							
two astericks indicates annual or more frequent costs							

District

District Level	Glenn County SELPA			
1 - # of Reports	0			
		All Districts		
2 Activities	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	Teacher	49.70	2	99.40
b - 1 day notification of use of emergency	Teacher	49.70	0.5	24.85
intervention	Principal		0.5	No information was included for this persons salary and benefits
c - Completing report	Program Spec	60.12	0.5	30.06
d - Scheduling and holding IEP meetings for students without PBIP	N/A			
e - Scheduling and holding IEP meetings for studetns with PBIP	Teacher	49.70	6	298.20
	Psychologist	52.46	6	314.76
	Program Spec	60.12	6	360.72
f - Reporting data for annual report to CDE	Admin Asst	33.78	0.5	16.89
g - Reviewing reports & forwarding to SELPA	Dir Student Svs	35.26	0.5	17.63
	Admin Asst	33.78	0.5	16.89
3 - Informing school personnel	CPI Trainers		21	3,800.00
4 - Number of due process requests filed	n/a			
a - Number of written reponses	0			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTICT LEVEL TOTALS			44	4,979.40
Time to complete survey	Coordinator	64.87	2	129.74

BICM

BICM Level - Glenn	BICM Summary	
1a Number of Students with PBIP		
New	1	
Existing		
3 - FAA Activities		
a - Parent notice and consent	1.50	78.69
b - Information gathering & assessment	12.50	655.75
c - Writing FAA	10.00	524.60
4- Initial PBIP		
a - Preparing draft for IEP	3.00	157.38
b - Attending IEP meetings	2.50	131.15
c - Training/monitoring PBIP	1.00	52.46
d - Evaluating PBIP effectiveness	1.00	52.46
e - Modifications in IEP meetings	2.00	104.92
f - Modifications outside of IEP meetings	1.00	52.46
5 - FAA activities for pre-existing PBIP		
6 - Review/revision of pre-existing PBIP		
7 - IEP's where PBIP was a component		
Students with 1 IEP		
Students with 2 IEP's	1	
Students with 3 or more IEP's		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	10.00	448.78
9 - PBIP issues in IEP by non-BICM's when pre-existing		
10 - Implementation/monitoring of PBIP's by non-Bicm's	2.50	47.28
Emergency Behavior Interventions		
a - Performing interventions		
b - One day notification		
c - Completing report for file	1.00	52.46
d - IEP meetings for no PBIP	1.50	78.69
e - IEP meetings with PBIP		
f - Reporting dat for annual CDE report	0.50	26.23
BICM LEVEL TOTALS	50.00	2,463.31
Completing survey	1.50	78.69

BICM Level - Glenn		8 Districts			
	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	0				
New					
Existing					
3 - FAA Activities	N/A				
a - Parent notice and consent					
b - Information gathering & assessment					
c - Writing FAA					
4- Initial PBIP	N/A				
a - Preparing draft for IEP					
b - Attending IEP meetings					
c - Training/monitoring PBIP					
d - Evaluating PBIP effectiveness					
e - Modifications in IEP meetings					
f - Modifications outside of IEP meetings					
5 - FAA activities for pre-existing PBIP	n/a				0
6 - Review/revision of pre-existing PBIP	n/a				0
7 - IEP's where PBIP was a component	n/a				
Students with 1 IEP					
Students with 2 IEP's					
Students with 3 or more IEP's					
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	n/a				
9 - PBIP issues in IEP by non-BICM's when pre-existing	n/a				0 0
10 - Implementation/monitoring of PBIP's by non-Bicm's	n/a				
Emergency Behavior Interventions	n/a				
a - Performing interventions					
b - One day notification					
c - Completing report for file					
d - IEP meetings for no PBIP					0
e - IEP meetings with PBIP					0
f - Reporting dat for annual CDE report					0
BICM LEVEL TOTALS					0.00 0
Completing survey	Psychologist	52.46	0.16	8.3936	

BICM Level - Glenn		Orland Unified			
		Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0				
New					
Existing					
3 - FAA Activities					
a - Parent notice and consent		Psychologist	52.46	1.00	52.46
b - Information gathering & assessment		Psychologist	52.46	2.00	104.92
c - Writing FAA		Psychologist	52.46	3.00	157.38
4- Initial PBIP					
a - Preparing draft for IEP	n/a				
b - Attending IEP meetings	n/a				
c - Training/monitoring PBIP	n/a				
d - Evaluating PBIP effectiveness	n/a				
e - Modifications in IEP meetings	n/a				
f - Modifications outside of IEP meetings	n/a				
5 - FAA activities for pre-existing PBIP	n/a				
6 - Review/revision of pre-existing PBIP	n/a				
7 - IEP's where PBIP was a component	n/a				
Students with 1 IEP					
Students with 2 IEP's	0				
Students with 3 or more IEP's					
8 - PBIP issues in IEP by non-BICM's	n/a				
when discussed for the first time	n/a				
	n/a				
	n/a				
	n/a				
9 - PBIP issues in IEP by non-BICM's	n/a				
when pre-existing					
10 - Implementation/monitoring of PBIP's	n/a				
by non-Bicm's					
Emergency Behavior Interventions					
a - Performing interventions	n/a				
b - One day notification	n/a				
c - Completing report for file	n/a				
d - IEP meetings for no PBIP	n/a				
e - IEP meetings with PBIP	n/a				
f - Reporting dat for annual CDE report	n/a				
BICM LEVEL TOTALS				6.00	314.76
Completing survey		Psychologist	52.46	1.00	52.46

BICM Level - Glenn		Capay & Lake Elementary Schools		
		Position	Hourly Rate	# of Hours Total Costs
1a	Number of Students with PBIP			
	New	1		
	Existing			
3	FAA Activities			
a	Parent notice and consent	Psychologist	52.46	0.50 26.23
b	Information gathering & assessment	Psychologist	52.46	10.50 550.83
c	Writing FAA	Psychologist	52.46	7.00 367.22
4	Initial PBIP			
a	Preparing draft for IEP	Psychologist	52.46	3.00 157.38
b	Attending IEP meetings	Psychologist	52.46	2.50 131.15
c	Training/monitoring PBIP	Psychologist	52.46	1.00 52.46
d	Evaluating PBIP effectiveness	Psychologist	52.46	1.00 52.46
e	Modifications in IEP meetings	Psychologist	52.46	2.00 104.92
f	Modifications outside of IEP meetings	Psychologist	52.46	1.00 52.46
5	FAA activities for pre-existing PBIP	n/a		
6	Review/revision of pre-existing PBIP	n/a		
7	IEP's where PBIP was a component	n/a		
	Students with 1 IEP			
	Students with 2 IEP's	1		
	Students with 3 or more IEP's			
8	PBIP issues in IEP by non-BICM's	1 Principal	0.00	2.00 0.00
	when discussed for the first time	1 SDC teacher	49.70	2.00 99.40
		1 Program Spec	60.12	2.00 120.24
		1 Teacher	49.70	2.00 99.40
		1 Sp Ed Coordinator	64.87	2.00 129.74
9	PBIP issues in IEP by non-BICM's	n/a		
	when pre-existing	n/a		
10	Implementation/monitoring of PBIP's	Instructional Aide	18.91	2.50 47.28
	by non-Bicm's			
	Emergency Behavior Interventions			
a	Performing interventions	n/a		
b	One day notification	n/a		
c	Completing report for file	Psychologist	52.46	1.00 52.46
d	IEP meetings for no PBIP	Psychologist	52.46	1.50 78.69
e	IEP meetings with PBIP	n/a		
f	Reporting dat for annual CDE report	Psychologist	52.46	0.50 26.23
BICM LEVEL TOTALS				44.00 2,148.55
	Completing survey	Psychologist	52.46	0.50 26.23

Inyo

SELPA

SELPA Level	Inyo County					
Number of BICM's in SELPA	4					
Number of BICM surveys returned	4					
Number of LEA's in SELPA	7					
Number of LEA surveys returned	7					
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						Hourly rate changed = (95000 salary + 11000 benefits) / 215 days / 8 hours per day. Consistent with letter from Cover letter from SELPA.
* 7 - Procedures development	Administrator	61.63	1.00		61.63	DOF hourly rate did not include statutory benefits which makes the rate higher sb 78.04 for BICM
* 8 - Governing Board approval	Board	0	1.00		0.00	
Training						
* 11 - Design training for initial BICM certification	BICM	78.04	5.00		390.20	
** 12 - Update of training for initial BICM certification	BICM	78.04	5.00	390.20		No answer
** 13 - Lead training for initial BICM certification	BICM	78.04	5.00	390.20		No answer
** 14 - Lead training update for certified BICM's	BICM	78.04	5.00	390.20		No answer
* 15 - Design training for PBIP implementers	SELPA Dir Psychologist	68.67 61.63	7.00 7.00		480.69 431.41	
** 16 - Update training for PBIP implementers	SELPA Dir Psychologist	68.67 61.63	6.00 12.00	412.02 739.56		No answer
** 17 - Lead training for PBIP implementers	N/A					N/A
* 18 - Design training on Emergency Behavioral Interventions	Psychologsit	61.63	1.00		61.63	
** 19 - Update trainin on Emergency Behavioral Interventions	N/A					N/A
** 20 - Lead training on Emergency Behavioral Interventions	N/A					N/A
21 - Other costs of BICM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A					
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	N/A					
25 - Other training costs	N/A					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	N/A					
27 - Due process hearings	N/A					
SELPA LEVEL TOTALS			55.00	2,322.18	1,425.56	
Time to complete survey	SELPA Dir	68.67	1.00	68.67		
NOTES:						
one asterick indicates one-time cost						
two astericks indicates annual or more frequent costs						

BICM

BICM Level - Inyo		# of Hours	Total Costs
1a	Number of Students with PBIP	0	
	New		
	Existing		
3	FAA Activities		
a	Parent notice and consent		
b	Information gathering & assessment		
c	Writing FAA		
4	Initial PBIP		
a	Preparing draft for IEP		
b	Attending IEP meetings		
c	Training/monitoring PBIP	8.00	624.32
d	Evaluating PBIP effectiveness		
e	Modifications in IEP meetings		
f	Modifications outside of IEP meetings		
5	FAA activities for pre-existing PBIP		
6	Review/revision of pre-existing PBIP	8.00	624.32
7	IEP's where PBIP was a component		
	Students with 1 IEP		
	Students with 2 IEP's		
	Students with 3 or more IEP's		
8	PBIP issues in IEP by non-BICM's when discussed for the first time		
9	PBIP issues in IEP by non-BICM's when pre-existing		
10	Implementation/monitoring of PBIP's by non-Bicm's		
	Emergency Behavior Interventions		
a	Performing interventions		
b	One day notification		
c	Completing report for file		
d	IEP meetings for no PBIP		
e	IEP meetings with PBIP		
f	Reporting dat for annual CDE report		
BICM LEVEL TOTALS		16.00	1,248.64
Completing survey		0.66	51.51

BICM Level - Inyo		Bishop Joint Union High SD						
		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	0						
	New							
	Existing							
3	FAA Activities			n/a				
	a - Parent notice and consent							
	b - Information gathering & assessment							
	c - Writing FAA							
4	Initial PBIP							
	a - Preparing draft for IEP			n/a				
	b - Attending IEP meetings			n/a				
	c - Training/monitoring PBIP	8.00	624.32	Psychologist	78.04	8.00	624.32	
	d - Evaluating PBIP effectiveness			n/a				
	e - Modifications in IEP meetings			n/a				
	f - Modifications outside of IEP meetings			n/a				
5	FAA activities for pre-existing PBIP			n/a				
6	Review/revision of pre-existing PBIP	8.00	624.32	Psychologist	78.04	8.00	624.32	
7	IEP's where PBIP was a component							
	Students with 1 IEP			1				
	Students with 2 IEP's							
	Students with 3 or more IEP's							
8	PBIP issues in IEP by non-BICM's when discussed for the first time			n/a				
				n/a				
				n/a				
				n/a				
				n/a				
9	PBIP issues in IEP by non-BICM's when pre-existing			n/a				
10	Implementation/monitoring of PBIP's by non-Bicm's			n/a	0	0		
	Emergency Behavior Interventions							
	a - Performing interventions			n/a				
	b - One day notification			n/a				
	c - Completing report for file			n/a				
	d - IEP meetings for no PBIP			n/a				
	e - IEP meetings with PBIP			n/a				
	f - Reporting dat for annual CDE report			n/a				
BICM LEVEL TOTALS		16.00	1,248.64			16.00	1,248.64	
	Completing survey	0.66	51.51	Psychologist	78.04	0.50	39.02	

BICM Level - Inyo				Round Valley, Owens, Lone Pine, Big Pine, Death V.			
		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0						
New							
Existing							
3 - FAA Activities				n/a			
a - Parent notice and consent							
b - Information gathering & assessment							
c - Writing FAA							
4- Initial PBIP				n/a			
a - Preparing draft for IEP							
b - Attending IEP meetings							
c - Training/monitoring PBIP		8.00	624.32				
d - Evaluating PBIP effectiveness							
e - Modifications in IEP meetings							
f - Modifications outside of IEP meetings							
5 - FAA activities for pre-existing PBIP				n/a			0
6 - Review/revision of pre-existing PBIP		8.00	624.32	n/a			0
7 - IEP's where PBIP was a component				n/a			
Students with 1 IEP							
Students with 2 IEP's							
Students with 3 or more IEP's							
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing				n/a			0
10 - Implementation/monitoring of PBIP's by non-Bicm's				n/a			0
Emergency Behavior Interventions				n/a			
a - Performing interventions							
b - One day notification							
c - Completing report for file							
d - IEP meetings for no PBIP							0
e - IEP meetings with PBIP							0
f - Reporting dat for annual CDE report							0
BICM LEVEL TOTALS		16.00	1,248.64			0.00	0.00
Completing survey		0.66	51.51	Psychologist	78.04	0.16	12.49

BICM Level - Inyo		Bishop Union Elementary						
		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	0				0		
	New							
	Existing							
3	FAA Activities			n/a				
	a - Parent notice and consent							
	b - Information gathering & assessment							
	c - Writing FAA							
4	Initial PBIP							
	a - Preparing draft for IEP			n/a				
	b - Attending IEP meetings			n/a				
	c - Training/monitoring PBIP	8.00	624.32	n/a				
	d - Evaluating PBIP effectiveness			n/a				
	e - Modifications in IEP meetings			n/a				
	f - Modifications outside of IEP meetings			n/a				
5	FAA activities for pre-existing PBIP			n/a				
6	Review/revision of pre-existing PBIP	8.00	624.32	n/a				
7	IEP's where PBIP was a component							
	Students with 1 IEP							
	Students with 2 IEP's							
	Students with 3 or more IEP's							
8	PBIP issues in IEP by non-BICM's			n/a				
	when discussed for the first time			n/a				
				n/a				
				n/a				
				n/a				
9	PBIP issues in IEP by non-BICM's			n/a				
	when pre-existing							
10	Implementation/monitoring of PBIP's			n/a				
	by non-Bicm's				0			
					0			
	Emergency Behavior Interventions							
	a - Performing interventions			n/a				
	b - One day notification			n/a				
	c - Completing report for file			n/a				
	d - IEP meetings for no PBIP			n/a				
	e - IEP meetings with PBIP			n/a				
	f - Reporting dat for annual CDE report			n/a				
BICM LEVEL TOTALS		16.00	1,248.64					
	Completing survey	0.66	51.51					

Lodi

SELPA

SELPA Level Lodi UNIFIED 30,714 ADA

Number of BICM's in SELPA	27
Number of BICM surveys returned	3
Number of LEA's in SELPA	6
Number of LEA surveys returned	0 1 district provides BICM to other districts

NOTE: I have updated all the Hourly Rates on the District BICM and SELPA based on the table below

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	83.19	2.00		166.38	
* 8 - Governing Board approval	SELPA Director	83.19	2.00		166.38	
	Supt	122.02	0.50		61.01	
	Secretary	28.32	0.50		14.16	
	Board members (7)		0.50		0.00	
Training						
* 11 - Design training for initial BICM certification	Behavior Intervention Psychologist	45.01	16.00		720.16	
		55.71	16.00		891.36	
** 12 - Update of training for initial BICM certification	n/a			0.00		No answer
** 13 - Lead training for initial BICM certification				125.00		Contractor
** 14 - Lead training update for certified BICM's	n/a					
* 15 - Design training for PBIP implementers	Program Specialists	56.10	2.00		112.20	
** 16 - Update training for PBIP implementers	Teachers	54.56	10.00	545.60		Annually and ongoing throughout the year.
** 17 - Lead training for PBIP implementers	Behavior Specialist	56.10	10.00	561.00		Annually and ongoing throughout the year
*18 - Design training on Emergency Behavioral Interventions	Behavior Specialist	45.01	20.00		900.20	
	Program Specialist	56.10	20.00		1,122.00	
	Psychologist	55.71	20.00		1,114.20	
** 19 - Update training on Emergency	Clerical Time		0.00	0.00		No answer
	Resource Specialist		0.00	0.00		
	Psychologist		0.00	0.00		
	Admin		0.00	0.00		
	Counselors		0.00	0.00		
	Nurses		0.00	0.00		
	Program specialists		0.00	0.00		
	Speech Therapist		0.00	0.00		
	Community Liaison		0.00	0.00		
	Custodial		0.00	0.00		
	Paraeducators		0.00	0.00		
	Campus security		0.00	0.00		
	Clerk		0.00	0.00		

NOTE: Costs are based on May 13 e-mail from Catherine LUSD

Same as #20, fundamentally this would be double counting. After review it looks that way. I may need to double check with Lodi

SELPA Level	LODI UNIFIED	30,714 ADA			06-07 Costs	One-Time Cost	Notes:
Question	Position	Hourly Rate	# of Hours				
Behavioral Interventions							
** 20 - Lead training on Emergency Behavioral Interventions	Vice Principal	67.06	60.00		4,023.60		Annually # 20 Answers From Attachment 1 A comprehensive list Costs on Attach 1 do not include benefits
	Administrator	76.43	76.00		5,808.68		
	Counselor	58.79	60.00		3,527.40		
	Nurse	59.21	20.00		1,184.20		
	Psychologist	55.71	92.00		5,125.32		
	Program specialist	56.10	4.00		224.40		
	Speech Therapist	59.00	56.00		3,304.00		
	Teacher	54.56	270.00		14,731.20		
	Community Liaison	24.60	4.00		98.40		
	Head Custodian	24.60	18.00		442.80		
	Paraeducator	22.79	484.00		11,030.36		
	Clerk	25.84	4.00		103.36		
	Secretary	28.32	15.00		424.80		
	Campus Security	24.60	20.00		492.00		
21 - Other costs of BICM certification training	Behavior Specialist				0.00	165.00	
22 - Number of participants in BICM training by position/hours							
23 - Number of participants in PBIP training by position/hours	New Spec Ed Tchr Psychologist	54.56 55.71	2.50 2.50		136.40 139.28		
24 - Number of participants in Emergency Beh Interv training by position/hours	n/a ?						
25 - Other training costs	n/a					0.00	
Staff Activities							
26 - Data collection from BER's for annual report to CDE	Administrator Clerical	76.43 25.84	1.00 1.00		76.43 25.84		
27 - Due process hearings	NONE						
SELPA LEVEL TOTALS			1,309.50		52,130.07	5,433.05	

Time to complete survey | Admin Dir of Student Services | 83.19 | 45.00 | 3,743.55

NOTES:
 one asterisk indicates a one time cost
 two asterisks indicates annual or more frequent costs

NOTE: A May 19 & 22 email from Lodi confirm that the hourly rates on the attachment #1 do not include benefits and thus need to be adjusted.

These Include Benefits

Behavior Intervention	45.01					
Psychologist	55.71					
SELPA Director	83.19					
Supt	122.02					Estimated Hourly

Calc to include benefits	Salary Driven	H & W	Days	Hours	Estimated Hourly	Salary w/Benefits
Vice Principal	55.20	7.21	4.65	197	8	67.06
Administrator	63.95	8.36	4.12	222	8	76.43
Counselor	47.10	6.16	5.54	189	7	58.79
Nurse	47.62	6.22	5.38	195	7	59.21
Program specialist	44.87	5.86	5.36	195	7	56.10
Speech Therapist	47.10	6.16	5.75	182	7	59.00
Teacher	48.17	5.64	5.75	182	7	54.56
Community Liaison	17.00	4.08	3.52	260	8	24.60
Head Custodian	17.00	4.08	3.52	260	8	24.60
Clerk	18.00	4.32	3.52	260	8	25.84
Secretary	20.00	4.80	3.52	260	8	28.32
Campus Security	17.00	4.08	3.52	260	8	24.60
Paraeducators	15.54	3.73	3.52	260	8	22.79

Paraeducators \$7520 / 484 Hrs = \$15.54 per hr
 Assume Classified positions are 12 month thus 260 work days

Cert Salary driven benefits	0.13	Per their Salary Calc
Classified Salary Driven	0.24	Added 6.25% for FICA + + Diff of 8.25% STRS and 13.02% for PERS (4.77%)
H & W	7,323.00	Avg of 2 positions on their Calc sheet
Certificated Position Days from Lodi Website		

District

District Level		Lodi Unified		
1 # of Behavioral Emergency Reports	Was Blank			
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions				0.00
b - 1 day notification of use of emergency intervention				0.00
c - Completing report				0.00
d - Scheduling and holding IEP meetings for students without PBIP				0.00
e - Scheduling and holding IEP meetings for students with PBIP				0.00
f - Reporting data for annual report to CDE	Secretary	28.32	6.00	169.92
g - Reviewing reports & forwarding to SELPA	Coordinator	67.44	6.00	404.64
	Psychologist	55.71	4.00	222.84
	Program Specialist	56.10	4.00	224.40
3 - Informing school personnel				
				0.00
4 - Number of due process requests filed				
a - Number of written responses	n/a			
answers to 5 -8	0			
5 - Filing Response				
	n/a			0.00
6 - Resolution Session				
	n/a			0.00
7 - Mediation				
	n/a			0.00
8 - Due Process Hearing				
	n/a			0.00
9 - Outside Assistance				
	n/a			0.00
DISTRICT LEVEL TOTALS			20.00	1,021.80
Time to complete survey	Behavior Specialist	56.10	2.00	112.20

BICM

BICM Level - LODI SELPA	SUMMARY	
1a - Number of Students with PBIP	14	
New	8	
Existing	6	
2 PBIP's with AB 3632 services	4	
3 - FAA Activities		
a - Parent notice and consent	0.00	0.00
b - Information gathering & assessment	35.00	1682.35
c - Writing FAA	10.00	482.20
4 - Initial PBIP		
a - Preparing draft for IEP	29.00	1422.99
b - Attending IEP meetings	23.00	1142.23
c - Training/monitoring PBIP	24.00	1165.84
d - Evaluating PBIP effectiveness	11.00	527.21
e - Modifications in IEP meetings	9.50	465.05
f - Modifications outside of IEP meetings	11.00	527.21
5 - FAA activities for pre-existing PBIP		
a - Parent notice	0.00	0.00
b - Information gathering	14.00	737.14
c - Writing FAA	5.00	257.15
6 - Review/revision of pre-existing PBIP		
a - Preparing draft for IEP	7.00	368.57
b - Attending IEP meetings	5.00	257.15
c - Training/monitoring PBIP	10.00	471.50
d - Evaluating PBIP effectiveness	5.00	235.75
e - Modifications in IEP meetings	13.50	623.69
f - Modifications outside of IEP meetings	7.00	325.77
7 - IEP's where PBIP was a component		
Students with 1 IEP	5	
Students with 2 IEP's	3	
Students with 3 or more IEP's	5	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	44.00	2672.29
9 - PBIP issues in IEP by non-BICM's when pre-existing	22.00	1132.64
10 - Implementation/monitoring of PBIP's by non-Bicm's	7195.00	207322.17
11 - Emergency Behavior Interventions		
a - Performing interventions	14.00	747.84
b - One day notification	0.00	0.00
c - Completing report for file	3.00	167.13
d - IEP meetings for no PBIP	3.00	167.13
e - IEP meetings with PBIP	3.00	167.13
f - Reporting dat for annual CDE report	0.00	0.00
BICM LEVEL TOTALS	7,503.00	223,068.12
Completing survey	1.17	65.18
Check Totals	7503.00	223068.12

BICM Level - LODI SELPA	SUMMARY		Megan Lodi, New Hope, Oak View			
			Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP	14		7			
New	8		4			
Existing	6		3			
2 PBIP's with AB 3632 services	4		1			
3 - FAA Activities						
a - Parent notice and consent	0.00	0.00	Behavior Specialist	45.01	0.00	0.00
b - Information gathering & assessment	35.00	1682.35	Behavior Specialist	45.01	25.00	1,125.25
c - Writing FAA	10.00	482.20	Behavior Specialist	45.01	7.00	315.07
4 - Initial PBIP						
a - Preparing draft for IEP	29.00	1422.99	Behavior Specialist	45.01	18.00	810.18
b - Attending IEP meetings	23.00	1142.23	Behavior Specialist	45.01	13.00	585.13
c - Training/monitoring PBIP	24.00	1165.84	Behavior Specialist	45.01	16.00	720.16
d - Evaluating PBIP effectiveness	11.00	527.21	Behavior Specialist	45.01	8.00	360.08
e - Modifications in IEP meetings	9.50	465.05	Behavior Specialist	45.01	6.00	270.06
f - Modifications outside of IEP meetings	11.00	527.21	Behavior Specialist	45.01	8.00	360.08
5 - FAA activities for pre-existing PBIP						
a - Parent notice	0.00	0.00	Behavior Specialist	45.01	0.00	0.00
b - Information gathering	14.00	737.14	Behavior Specialist	45.01	4.00	180.04
c - Writing FAA	5.00	257.15	Behavior Specialist	45.01	2.00	90.02
6 - Review/revision of pre-existing PBIP						
a - Preparing draft for IEP	7.00	368.57	Behavior Specialist	45.01	2.00	90.02
b - Attending IEP meetings	5.00	257.15	Behavior Specialist	45.01	2.00	90.02
c - Training/monitoring PBIP	10.00	471.50	Behavior Specialist	45.01	8.00	360.08
d - Evaluating PBIP effectiveness	5.00	235.75	Behavior Specialist	45.01	4.00	180.04
e - Modifications in IEP meetings	13.50	623.69	Behavior Specialist	45.01	12.00	540.12
f - Modifications outside of IEP meetings	7.00	325.77	Behavior Specialist	45.01	6.00	270.06
7 - IEP's where PBIP was a component						
Students with 1 IEP	5		4			
Students with 2 IEP's	3		2			
Students with 3 or more IEP's	5		1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	44.00	2672.29	4 Spec ed teacher	54.56	6.00	327.36
			2 Counselor	58.79	2.00	117.58
			4 Gen Ed Teacher	54.56	6.00	327.36
			4 Psych	55.71	6.00	334.26
			4 Admin	76.43	6.00	458.58
			2 Speech therapist	59.00	2.00	118.00
			4 Program specialist	56.10	6.00	336.60
9 - PBIP issues in IEP by non-BICM's when pre-existing	22.00	1132.64	7 Spec ed teacher	54.56	3.50	190.96
			2 Counselor	58.79	1.50	88.19
			7 Aide	15.46	3.50	54.11
			7 Gen Ed Teacher	54.56	3.50	190.96
			7 Psych	55.71	3.50	194.99
			1 Admin	76.43	1.00	76.43
			7 Speech therapist	59.00	3.50	206.50
10 - Implementation/monitoring of PBIP's by non-Bicm's	7195.00	207322.17				
			Spec Ed teacher	54.56	1,536.00	83,804.16
			Counselor	58.79	60.00	3,527.40
			Aide	15.46	4,548.00	70,312.08
			Gen Ed Teacher	54.56	606.00	33,063.36
			Psych	55.71	40.00	2,228.40
			Admin	76.43	45.00	3,439.35
			Speech Therapist	59.00	0.00	0.00
			Program Specialist	56.10	30.00	1,683.00
			Campus Supervisor	24.60	303.00	7,453.80
			Vice Prin	67.06	27.00	1,810.62
11 - Emergency Behavior Interventions						
a - Performing interventions	14.00	747.84	Behavior Specialist	45.01	3.00	135.03
b - One day notification	0.00	0.00				0.00
c - Completing report for file	3.00	167.13				0.00
d - IEP meetings for no PBIP	3.00	167.13				0.00
e - IEP meetings with PBIP	3.00	167.13				0.00
f - Reporting dat for annual CDE report	0.00	0.00				0.00
BICM LEVEL TOTALS	7,503.00	223,068.12			7,393.00	216,825.48
Completing survey	1.17	65.18	Behavior Specialist	45.01	0.00	0.00
Check Totals	7503.00	223068.12				

Marin

SELPA

SELPA Level	MARIN COUNTY		27,879			
Number of BICM's in SELPA		24				
Number of BICM surveys returned		24				
Number of LEA's in SELPA		20				
Number of LEA surveys returned		19				
Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	SELPA Director	82.60	4.00		330.40	Taken from the Salary Schedule and Adjusted for Benefits of \$13,000
						Note changed Hourly Rate back to 82.60 from your 74.67
* 8 - Governing Board approval	SELPA Director	82.60	2.00		165.20	
	Clerical	28.65	2.00		57.30	
Training						
* 11 - Design training for initial BICM certification	Program Manager	64.95	6.00		389.70	
** 12 - Update of training for initial BICM certification	Program Manager	64.95	6.00	389.70		Annually
** 13 - Lead training for initial BICM certification	Program Manager	64.95	16.00	1,039.20		Annually
** 14 - Lead training update for certified BICM's	n/a					N/A
* 15 - Design training for PBIP implementers	n/a				0.00	
** 16 - Update training for PBIP implementers	n/a			0.00		N/A
** 17 - Lead training for PBIP implementers	n/a					N/A
*18 - Design training on Emergency Behavioral Interventions	Program Manager	64.95	5.00		324.75	
** 19 - Update trainin on Emergency Behavioral Interventions	Program Manager	64.95	5.00	324.75		Annually
** 20 - Lead training on Emergency Behavioral Interventions	SELPA Director	82.60	1.00	82.60		Annually
	Program Manager	64.95	1.00	64.95		
21 - Other costs of BICM certification training						
22 - Number of participants in BICM training by position/hours	3 NPS Staff		24.00	0.00		
	19 Teacher	54.14	304.00	16,458.56		
	5 Psychologist	66.91	80.00	5,352.80		
23 - Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in Emergency Beh Interv training by position/hours	12 NPS Admin		72.00	0.00		
	6 NPS Teacher		36.00	0.00		
25 - Other training costs					0.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Director	82.60	2.00	165.20		
	Clerical	28.65	2.00	57.30		
27 - Due process hearings	n/a					
Sub Total					222.50	
TOTAL			568.00	24,157.56	1,267.35	
Time to complete survey	SELPA Director	82.60	34.00	2,808.40		
NOTES:						
one asterisk indicates a one time cost						
two astericks indicates annual or more frequent costs						

District

District Level

MARIN COUNTY

BER surveys with no reportable activity

Complete
 Survey

	Mill Valley			
	0			
	Position	Hourly Rate	# of Hours	Total Costs
1 # of Behavioral Emergency Reports				
2 Activities				
a - performing emergency interventions	Instruct Asst	29.55	0.17	4.93
b - 1 day notification of use of emergency intervention	Principal	82.14	1.00	82.14
c - Completing report	Resource Specialist	81.43	1.00	81.43
d - Scheduling and holding IEP meetings for students without PBIP	Resource Specialist	81.43	3.00	244.29
	Principal	82.14	3.00	246.42
	Gen Ed Teacher	76.93	3.00	230.79
	Psychologist	67.44	3.00	202.32
e - Scheduling and holding IEP meetings for students with PBIP				0.00
f - Reporting data for annual report to CDE	Resource Specialist	81.43	0.50	40.72
g - Reviewing reports & forwarding to SELPA	Asst Supt	88.83	0.50	44.42
3 - Informing school personnel				0.00
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
TOTALS			15.17	1,177.45

Bolinas-Stinson	Belinda Hays for Mechelle C	0.17
Kentfield	Belinda Hays for Andee A	0.17
Laguna	Belinda Hays for Karen S	0.17
Lagunitas	Belinda Hays for Yvette C	0.17
Larkspur	Belinda Hays for Maureen R	0.17
Lincoln	Belinda Hays for Karen S	0.17
Marin COE	Karen Steele,	
Nicasio	Dir Student Services	3
Novato Unified	Belinda Hays for Karen S	0.17
Reed	Belinda Hays for Amy B	0.17
Ross	Belinda Hays for Andee A	0.17
Ross	Belinda Hays for Diana A	0.17
San Rafael City	Dennis R	0.17
Sausalito	Belinda Hays for Susan P	0.17
Shoreline	G Klor	0.17
Tamalpais Union High	Stephen R	0.17
Union	Belinda Hays for Karen M	0.17
	Belinda Hays for Karen S	0.17
Dixie	Gene Rich	1
Qusetion about #9 Coordinator???		

Time to complete survey Asst Supt 88.83 1 88.83

BICM

BICM Level	Total	BICM Summary Total # of Hours	Total Costs
1a - Number of Students with PBIP	2		
New	1		
Existing	1		
2 PBIP's with AB 3632 services	0		
3 - FAA Activities			
a - Parent notice and consent			
b - Information gathering & assessment		10.00	669.10
c - Writing FAA		16.00	1,070.56
4- Initial PBIP			
a - Preparing draft for IEP		6.00	401.46
b - Attending IEP meetings		2.00	133.82
c - Training/monitoring PBIP		1.00	66.91
d - Evaluating PBIP effectiveness		0.00	0.00
e - Modifications in IEP meetings		0.00	0.00
f - Modifications outside of IEP meetings		0.00	0.00
5 - FAA activities for pre-existing PBIP			
5a Parent notice			
5b Information gathering			
5c Writing FAA			
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP			0.00
b - Attending IEP meetings		2.00	139.00
c - Training/monitoring PBIP		2.00	139.00
d - Evaluating PBIP effectiveness		2.00	139.00
e - Modifications in IEP meetings			0.00
f - Modifications outside of IEP meetings			0.00
7 - IEP's where PBIP was a component			
Students with 1 IEP	2		
Students with 2 IEP's	0		
Students with 3 or more IEP's	0		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time			
9 - PBIP issues in IEP by non-BICM's when pre-existing			
10 - Implementation/monitoring of PBIP's by non-Bicm's		1,237.00	40,641.30
11 - Emergency Behavior Interventions			
a - Performing interventions			
b - One day notification			
c - Completing report for file			
d - IEP meetings for no PBIP		2.00	139.00
e - IEP meetings with PBIP		0.00	0.00
f - Reporting data for annual CDE report			
TOTALS		1,280.00	43,539.15
Completing survey		5.23	283.03
BICMs/Districts with no activity			Time to Complete survey
Shoreline, Rurals, Marin COE	Belinda for Betty F		0.17
Marin COE	Belinda for Therese M		0.17
Marin COE	Belinda for Christina F		0.17
Marin COE	Belinda for Tim B		0.17
Lagunitas; Marin COE	Belinda for Mitch B		0.17
Ross	Belinda for Anna M		0.17
Sausalito, Tamalpais, Bolinas	Belinda for Karen K		0.17
Tamalpais Union HS	Belinda for Amira M		0.17
Tamalpais Union HS	Belinda for Amy L		0.17
San Rafael City	Belinda for Michael B		0.17
San Rafael City	Belinda for Carrie B		0.17
Novato Unified	Belinda for Tom A		0.17
Novato Unified	Belinda for Doug B		0.17
Novato Unified	Belinda for Sandy B		0.17
Novato Unified	Belinda for Patti R		0.17
Ross Valley	Erin J		0.17
District ???	Tina P		0.17
Dixie	Camt K		0.17
Dixie	James S		0.50
Bolinas-Stinson	Belinda for Mechelle C		0.17
			3.73

BICM Level	Total	BICM Summary Total # of Hours	Total Costs	Position	MARIN COUNTY		
					Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	2			1			
New	1			1			
Existing	1			0			
2 PBIP's with AB 3632 services	0			0			
3 - FAA Activities							
a - Parent notice and consent							
b - Information gathering & assessment		10.00	669.10	Psychologist	66.91	10.00	669.10
c - Writing FAA		16.00	1,070.56	Psychologist	66.91	16.00	1,070.56
4- Initial PBIP							
a - Preparing draft for IEP		6.00	401.46	Psychologist	66.91	6.00	401.46
b - Attending IEP meetings		2.00	133.82	Psychologist	66.91	2.00	133.82
c - Training/monitoring PBIP		1.00	66.91	Psychologist	66.91	1.00	66.91
d - Evaluating PBIP effectiveness		0.00	0.00				
e - Modifications in IEP meetings		0.00	0.00				
f - Modifications outside of IEP meetings		0.00	0.00				
5 - FAA activities for pre-existing PBIP							
5a Parent notice							
5b Information gathering							
5c Writing FAA							
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP			0.00				
b - Attending IEP meetings		2.00	139.00				
c - Training/monitoring PBIP		2.00	139.00				
d - Evaluating PBIP effectiveness		2.00	139.00				
e - Modifications in IEP meetings			0.00				
f - Modifications outside of IEP meetings			0.00				
7 - IEP's where PBIP was a component							
Students with 1 IEP	2			1			
Students with 2 IEP's	0			0			
Students with 3 or more IEP's	0			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing				n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's		1,237.00	40,641.30	n/a			
11 - Emergency Behavior Interventions				n/a			
a - Performing interventions							
b - One day notification							
c - Completing report for file							
d - IEP meetings for no PBIP		2.00	139.00				
e - IEP meetings with PBIP		0.00	0.00	Psychologist	65.74	0.00	
f - Reporting data for annual CDE report					No hours listed	OK	
TOTALS		1,280.00	43,539.15			35.00	2,341.85
Completing survey		5.23	283.03	Psychologist	66.91	0.50	33.46
				Belinda?	66.91	3.73	249.57
BICMs/Districts with no activity			Time to Complete survey				
Shoreline, Rurals, Marin COE	Belinda for Betty F		0.17				
Marin COE	Belinda for Therese M		0.17				
Marin COE	Belinda for Christina F		0.17				
Marin COE	Belinda for Tim B		0.17				
Lagunitas; Marin COE	Belinda for Mitch B		0.17				
Ross	Belinda for Anna M		0.17				
Sausalito, Tamalpais, Bolinas	Belinda for Karen K		0.17				
Tamalpais Union HS	Belinda for Amira M		0.17				
Tamalpais Union HS	Belinda for Amy L		0.17				
San Rafael City	Belinda for Michael B		0.17				
San Rafael City	Belinda for Carne B		0.17				
Novato Unified	Belinda for Tom A		0.17				
Novato Unified	Belinda for Doug B		0.17				
Novato Unified	Belinda for Sandy B		0.17				
Novato Unified	Belinda for Patti R		0.17				
Ross Valley	Erin J		0.17				
District ???	Tina P		0.17				
Dixie	Cami K		0.17				
Dixie	James S		0.50				
Bolinas-Stinson	Belinda for Mechelle C		0.17				
			3.73				

BICM Level	Total	BICM Summary Total # of Hours	Total Costs	Position	MARIN COUNTY Hourly Rate # of Hours	Total Costs		
1a Number of Students with PBIP	2			1 Larkspur				
New	1			0 Christine S				
Existing	1			1 Psychologist				
2 PBIP's with AB 3632 services	0			0				
3 - FAA Activities								
a - Parent notice and consent				N/A		0.00		
b - Information gathering & assessment		10.00	669.10	N/A				
c - Writing #AA		16.00	1,070.56	N/A				
4- Initial PBIP								
a - Preparing draft for IEP		6.00	401.46	N/A				
b - Attending IEP meetings		2.00	133.82	N/A				
c - Training/monitoring PBIP		1.00	66.91	N/A				
d - Evaluating PBIP effectiveness		0.00	0.00	N/A				
e - Modifications in IEP meetings		0.00	0.00	N/A				
f - Modifications outside of IEP meetings		0.00	0.00	N/A				
5 - FAA activities for pre-existing PBIP				N/A				
5a Parent notice								
5b Information gathering								
5c Writing FAA								
6 - Review/revision of pre-existing PBIP								
a - Preparing draft for IEP			0.00			0.00		
b - Attending IEP meetings		2.00	139.00	Psychologist	69.5	2	139.00	
c - Training/monitoring PBIP		2.00	139.00	Psychologist	69.5	2	139.00	
d - Evaluating PBIP effectiveness		2.00	139.00	Psychologist	69.5	2	139.00	
e - Modifications in IEP meetings			0.00				0.00	
f - Modifications outside of IEP meetings			0.00				0.00	
7 - IEP's where PBIP was a component								
Students with 1 IEP	2		1					
Students with 2 IEP's	0		0					
Students with 3 or more IEP's	0		0					
8 - PBIP issues in IEP by non-BICM's when discussed for the first time								
9 - PBIP issues in IEP by non-BICM's when pre-existing								
10 - Implementation/monitoring of PBIP's by non-Bicm's		1,237.00	40,641.30	LARKSPUR				
				Paraprofessional	29.56	1080	31,914.00	36 wks in school yr x 30 hrs per wk
				SDC Teacher	58.73	72	4,228.56	36 wks in school yr x 2 hrs per wk
				Private Consultant		12	0.00	
				Gen Ed Teacher	64.26	1	64.26	
				OT	67.47	36	2,428.92	36 wks in school yr x 1 hr per wk
				S/L	55.71	36	2,005.56	36 wks in school yr x 1 hr per wk
11 - Emergency Behavior Interventions								
a - Performing interventions				N/A				
b - One day notification				N/A				
c - Completing report for file				N/A				
d - IEP meetings for no PBIP		2.00	139.00	Psychologist	69.5	2	139.00	
e - IEP meetings with PBIP		0.00	0.00					Not Marin COE Mill Valley/Kate F
f - Reporting data for annual CDE report								
TOTALS		1,280.00	43,539.15			1,245.00	41,197.30	
Completing survey		5.23	283.03	Psychologist		1		
BICM's/Districts with no activity			Time to Complete survey					
Shoretine, Rurals, Marin COE	Belinda for Betty F		0.17					
Marin COE	Belinda for Therese M		0.17					
Marin COE	Belinda for Christina F		0.17					
Marin COE	Belinda for Tim B		0.17					
Lagunitas, Marin COE	Belinda for Mitch B		0.17					
Ross	Belinda for Anna M		0.17					
Sausalito, Tamalpais, Bolinas	Belinda for Karen K		0.17					
Tamalpais Union HS	Belinda for Amira M		0.17					
Tamalpais Union HS	Belinda for Amy L		0.17					
San Rafael City	Belinda for Michael B		0.17					
San Rafael City	Belinda for Carrie B		0.17					
Novato Unified	Belinda for Tom A		0.17					
Novato Unified	Belinda for Doug B		0.17					
Novato Unified	Belinda for Sandy B		0.17					
Novato Unified	Belinda for Patti R		0.17					
Ross Valley	Erin J		0.17					
District ???	Tina P		0.17					
Dixie	Cami K		0.17					
Dixie	James S		0.50					
Bolinas-Stinson	Belinda for Mechelle C		0.17					
			3.73					

Modoc

SELPA

SELPA Level
 Number of BICM's in SELPA
 Number of BICM surveys returned
 Number of LEA's in SELPA
 Number of LEA surveys returned

Modoc County
 1
 1
 4
 4

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes:
Local Plan						
* 7 - Procedures development	Psychologist	49.66	16		794.56	
* 8 - Governing Board approval	Psychologist	49.66	1		49.66	
	Asst. Supt	64.43	1		64.43	
Training						
N/A	N/A					
* 11 - Design training for initial BICM certification	N/A					
** 12 - Update of training for initial BICM certification	N/A					N/A
** 13 - Lead training for initial BICM certification	N/A					N/A
** 14 - Lead training update for certified BICM's	N/A					N/A
* 15 - Design training for PBIP implementers	N/A					
** 16 - Update training for PBIP implementers	N/A					N/A
** 17 - Lead training for PBIP implementers	N/A					N/A
* 18 - Design training on Emergency Behavioral Interventions	Psychologist	49.66	3		148.98	
** 19 - Update trainin on Emergency Behavioral Interventions	Psychologist	49.66	1	49.66		Annually
** 20 - Lead training on Emergency Behavioral Interventions	Psychologist	49.66	36	1,787.76		Annually
21 - Other costs of BICM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A					
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	Psychologist	49.66	12	595.92		
	Teacher	53.77	24	1,290.48		leveraged all teachers to come up with \$53.77 per hour
	Instruct Asst	16.97	12	203.64		
	RST	49.66	12	595.92		
25 - Other training costs					1,892.00	Not sure why this is highlighted. The cost is on the survey does DOF think it is an annual cost?
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Asst. Supt.	64.43	2.5	161.08		See e-mail dated 5/5/08 from Peter Currier
27 - Due process hearings						N/A
SELPA LEVEL TOTAL			120.50	4,684.46	2,949.63	
Time to complete survey	Psychologist	49.66	3	148.98		

NOTES:
 one asterisk indicates a one time cost
 two asterisks indicates a annual or more frequent costs

District

District Level

Modoc County SELPA

1 - # of Reports		30		
Modoc JUSD, Tulelake, Surprise Valley and COE				
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Psychologist	49.66	10	496.60
	SDC/RST	47.77	25	1,194.25
b - 1 day notification of use of emergency intervention	Psychologist	49.66	3	148.98
	SDC/RST	53.77	15	806.55
Averaged all teachers for an average hourly rate of \$53.77				
c - Completing report	Psychologist	49.66	2.5	124.15
	SDC/RST	47.77	18	859.86
d - Scheduling and holding IEP meetings for students without PBIP	Psychologist	49.66	3	148.98
	SDC/RST	47.77	4	191.08
e - Scheduling and holding IEP meetings for students with PBIP	SDC/RST	47.77	9	429.93
f - Reporting data for annual report to CDE	Psychologist	49.66	0.5	24.83
	SDC/RST	47.77	7	334.39
g - Reviewing reports & forwarding to SELPA	Psychologist	49.66	0.5	24.83
	SDC/RST	47.77	7	334.39
3 - Informing school personnel				
	Psychologist	49.66	10	496.60
	Asst. Supt.	0.00	5	0.00
4 - Number of due process requests filed				
a - Number of written responses		0		
For each response in 4a, there must be answers to 5 - 8				
5 - Filing Response	n/a			
6 - Resolution Session	n/a			
7 - Mediation	n/a			
8 - Due Process Hearing	n/a			
9 - Outside Assistance	n/a			
DISTRICT LEVEL TOTALS			119.5	5,615.42
Time to complete survey	Psychologist	49.66	3	148.98

BICM

BICM Level - Modoc

Modoc JUSD, Tulelake, Surprise Valley and COE				
Position	Hourly Rate	# of Hours	Total Costs	
1				
2				
3 - FAA Activities				
a - Parent notice and consent	Prg Sp/Psych	49.66	0.50	24.83
b - Information gathering & assessment	Prg Sp/Psych	49.66	24.00	1,191.84
c - Writing FAA	Prg Sp/Psych	49.66	8.00	397.28
4- Initial PBIP				
a - Preparing draft for IEP	Prg Sp/Psych	49.66	4.00	198.64
b - Attending IEP meetings	Prg Sp/Psych	49.66	8.00	397.28
c - Training/monitoring PBIP	Prg Sp/Psych	49.66	13.00	645.58
d - Evaluating PBIP effectiveness	Prg Sp/Psych	49.66	4.00	198.64
e - Modifications in IEP meetings	Prg Sp/Psych	49.66	2.00	99.32
f - Modifications outside of IEP meetings	Prg Sp/Psych	49.66	1.00	49.66
5 - FAA activities for pre-existing PBIP	Prg Sp/Psych	49.66	32.50	1,613.95
6 - Review/revision of pre-existing PBIP	Prg Sp/Psych	49.66	31.50	1,564.29
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's				
when discussed for the first time				
3 Teacher	53.77	3.50	188.20	
3 Asst.Supt.	64.43	3.50	225.51	
3 Instruct Asst.	16.97	3.50	59.40	
1 School Nurse	59.66	1.00	59.66	
3 SDC Teacher	53.77	3.50	188.20	
3 Psychologist	41.76	3.50	146.16	
3 Principal	53.68	3.40	182.51	
9 - PBIP issues in IEP by non-BICM's				
when pre-existing				
3 Teacher	53.77	4.00	215.08	
1 Asst. Supt.	64.43	2.00	128.86	
1 Oc. Therap.	49.66	0.50	24.83	
1 Instruct Asst	16.97	0.50	8.49	
3 Principal	53.68	3.00	161.04	
2 Asst Principal	48.62	2.00	97.24	
3 RST	53.77	4.00	215.08	
2 Counselor	45.27	3.00	135.81	
3 RST/SDC	53.77	2.00	107.54	
3 Asst. Supt	64.43	2.00	128.86	
3 Instruct Asst	16.97	2.00	33.94	
3 Princpal	53.68	2.00	107.36	
3 Teacher	53.77	2.00	107.54	
10 - Implementation/monitoring of PBIP's				
by non-Bicm's				
RST/SDC	53.77	2,699.00	145,125.23	
Instruct Asst	16.97	32.00	543.04	
Emergency Behavior Interventions				
a - Performing interventions	Prg Sp/Psych	49.66	3.00	148.98
b - One day notification	Prg Sp/Psych	49.66	0.50	24.83
c - Completing report for file	Prg Sp/Psych	49.66	1.00	49.66
d - IEP meetings for no PBIP	Prg Sp/Psych	49.66	1.00	49.66
e - IEP meetings with PBIP	Prg Sp/Psych	49.66	11.00	546.26
f - Reporting dat for annual CDE report	Prg Sp/Psych	49.66	0.50	24.83
BICM LEVEL TOTALS			2,927.40	155,415.09
Completing survey	Prg Sp/Psych	49.66	16.00	794.56

Taken from hourly calculation worksheet

Average of all teachers for an hourly rate of 53.77

41.24

42.68

53.98

52.77

60.30

52.68

51.58

52.80

65.89

483.92

divided by 9

53.77

Assumed Psychologist pay: Agreed

Mono

Please See Inyo Reconciled Spreadsheets*

*As Mono and Inyo share the same SELPA Director, Mono's data is combined with Inyo's data in Inyo's reconciled spreadsheets. (See pages 2237 – 2244.) Mono reported zero costs.

00334.00100/376562.1

Poway

SELPA

SELPA Level
Number of BICM's in SELPA 24
Number of BICM surveys returned 23 1 BICM and student moved
Number of LEA's in SELPA 1
Number of LEA surveys returned 1

POWAY UNIFIED

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	SELPA Dir	70.33	10.00		703.30	
	Sp Ed Dir	64.94	15.00		974.10	
	Psychologist	64.69	10.00		646.90	
	Program Sp	64.69	5.00		323.45	
	Admin Asst	17.80	20.00		356.00	
* 8 - Governing Board approval	SELPA Dir	70.33	4.00		281.32	
	Admin Asst	17.80	2.00		35.60	
Training						
* 11 - Design training for initial BICM certification	Psychologist	64.69	30.00		1,940.70	
** 12 - Update of training for initial BICM certification	Psychologist	64.69	16.00	1,035.04		Annually
** 13 - Lead training for initial BICM certification	Psychologist	64.69	4.00	258.76		Annually
** 14 - Lead training update for certified BICM's	Psychologist	64.69	2.00	129.38		Annually
* 15 - Design training for PBIP implementers	Psychologist	64.69	4.00		258.76	
** 16 - Update training for PBIP implementers	Psychologist	64.69	2.00	129.38		Annually
** 17 - Lead training for PBIP implementers	Psychologist	64.69	2.00	129.38		Annually
* 18 - Design training on Emergency Behavioral Interventions	Prog Spec	64.69	16.00		1,035.04	
** 19 - Update training on Emergency Behavioral Interventions	Prog Spec	64.69	16.00	1,035.04		Annually
** 20 - Lead training on Emergency Behavioral Interventions	n/a					Annually
21 - Other costs of BICM certification training	substitutes				3,000.00	
22 - Number of participants in BICM training by position/hours	Psychologist	64.69	92.00	5,951.48		
23 - Number of participants in PBIP training by position/hours	Sp Ed Tchr	57.39	50.00	2,869.50		
24 - Number of participants in Emergency Beh Interv training by position/hours	Psychologist	64.69	92.00	5,951.48		
	Sp Ed Tchr	57.39	100.00	5,739.00		
25 - Other training costs					1,500.00	
Staff Activities						
26 - Data collection from BER's for annual report to CDE	SELPA Dir	70.33	2.00	140.66		
	Admin Asst.	17.80	2.00			
27 - Due process hearings	n/a					
TOTAL			496.00	23,369.10	11,055.17	
Time to complete survey	Consultant	62.00	3.00	186.00		

Survey had 2 days same as in #19

NOTES:
one asterick indicates one-time cost
two astericks indicates annual or more frequent costs

District

District Level

Poway Unified SELPA

1 - # of Reports

157

		Poway Unified		
	Position	Hourly Rate	# of Hours	Total Costs
2 Activities				
a - performing emergency interventions	Psychologist	64.69	5	323.45
b - 1 day notification of use of emergency intervention	Psychologist	64.69	36	2,328.84
c - Completing report	Psychologist	64.69	48	3,105.12
d - Scheduling and holding IEP meetings for students without PBIP	Psychologist	64.69	14	905.66
e - Scheduling and holding IEP meetings for studetns with PBIP	Psychologist	64.69	15	970.35
f - Reporting data for annual report to CDE	Psychologist	64.69	12	776.28
g - Reviewing reports & forwarding to SELPA	Admin Asst.	17.80	3	53.40
3 - Informing school personnel	Exec. Director	70.33	2	140.66
	Director	64.94	2	129.88
	Psychologist	64.69	1	64.69
	Program Spec	64.69	4	258.76
4 - Number of due process requests filed	n/a			
a - Number of written reponses	0			
For each response in 4a, there must be answers to 5 -8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS			142	9,057.09
Time to complete survey	Consultant	62.00	1	62.00

BICM

BICM Level	Poway Unified				Poway - Revised 6/15				Difference	
	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	Libby/Scholenberg BICM from 2007-08 not included in FFF calculations	between DOF and FFF
1a Number of Students with PBIP										
New	27	Count is 22								
Existing	60	Count is 58								
3 - FAA Activities										
a - Parent notice and consent	Psychologist	64.69	27.50	1,778.98	Psychologist	64.69	23.5	1520.215		0.00
b - Information gathering & assessment	Psychologist	64.69	381.00	24,648.89	Psychologist	64.69	281	18177.89	199	0.00
c - Writing FAA	Psychologist	64.69	114.00	7,374.66	Psychologist	64.69	87	5628.03	25	-2.00
4 - Initial PBIP										
a - Preparing draft for IEP	Psychologist	64.69	145.00	9,380.05	Psychologist	64.69	130	8409.7	15	0.00
b - Attending IEP meetings	Psychologist	64.69	86.00	5,563.34	Psychologist	64.69	86	5563.34	15	15.00
c - Training/monitoring PBIP	Psychologist	64.69	77.00	4,981.13	Psychologist	64.69	62	4010.78	15	0.00
d - Evaluating PBIP effectiveness	Psychologist	64.69	61.00	3,946.09	Psychologist	64.69	51	3299.19	10	0.00
e - Modifications in IEP meetings	Psychologist	64.69	29.50	1,908.36						
f - Modifications outside of IEP meetings	Psychologist	64.69	33.00	2,134.77	Psychologist	64.69	29	1876.01	3	-1.00
5 - FAA activities for pre-existing PBIP										
5a Parent notice	Psychologist	64.69	53.00	3,428.57						
5b Information gathering	Psychologist	64.69	115.00	7,439.35						
5c Writing FAA	Psychologist	64.69	178.00	11,514.82						
6 - Review/revision of pre-existing PBIP										
a - Preparing draft for IEP	Psychologist	64.69	59.00	3,816.71						
b - Attending IEP meetings	Psychologist	64.69	102.00	6,598.38						
c - Training/monitoring PBIP	Psychologist	64.69	80.00	5,175.20						
d - Evaluating PBIP effectiveness	Psychologist	64.69	82.00	5,304.58						
e - Modifications in IEP meetings	Psychologist	64.69	48.00	3,105.12						
f - Modifications outside of IEP meetings	Psychologist	64.69	49.00	3,169.81						
7 - IEP's where PBIP was a component										
Students with 1 IEP	60									
Students with 2 IEP's	18									
Students with 3 or more IEP's	11									
8 - PBIP issues in IEP by non-BICM's when discussed for the first time										
3 Psychologist	64.69	12.00	776.28		5	0				-7.00
25 Teacher	57.39	94.50	5,423.36		99.5	0				5.00
12 Program Spec	64.69	32.50	2,102.43		23.5	0				-9.00
9 SLP	57.39	17.00	975.63							
8 OT	40.83	15.00	612.45		16					1.00
3 Autism Spec	69.09	9.00	621.81							
3 Aide	28.06	24.00	673.44		23	0				-1.00
3 Principal	64.94	8.00	519.52							
7 Non-Dues		10.00			10	0				0.00
1 AEC		4.00								0.00
1 Asst. Principal	60.35	3.00	181.05							
3 Case Manager	63.54	4.00	254.16		6					2.00
9 - PBIP issues in IEP by non-BICM's when pre-existing										
20 Psychologist	64.69	21.00	1,358.49							
11 Teacher	57.39	12.00	688.68							
15 Program Spec	64.69	20.00	1,293.80							
Aide	28.06	1.00	28.06							
2 Case Manager	63.54	4.00	254.16							
2 Admin Rep	60.35	2.00	120.70							
4 Principal	64.94	4.00	259.76							
4 SLP	57.39	4.00	229.56							
4 OT	40.83	4.00	163.32							
10 - Implementation/monitoring of PBIP's by non-Bicm's										
Teacher	57.39	201.00	11,535.39							
Program Spec	64.69	8.00	517.52							
Admin Rep	60.35	15.00	905.25							
Case Manager	63.54	89.00	5,655.06							
Aide	28.06	217.00	6,089.02							
Autism Spec	69.09	20.00	1,381.80							
Psychologist	64.69	55.00	3,557.95							
Principal	64.94	12.00	779.28							
SLP	57.39	2.00	114.78							
OT	40.83	2.00	81.66							
11 - Emergency Behavior Interventions										
a - Performing interventions	Psychologist	64.69	62.00	4,010.78						
b - One day notification	Psychologist	64.69	54.50	3,525.61						
c - Completing report for file	Psychologist	64.69	67.00	4,334.23						
d - IEP meetings for no PBIP	Psychologist	64.69	15.00	970.35						
e - IEP meetings with PBIP	Psychologist	64.69	20.00	1,293.80						
f - Reporting dat for annual COE report	Psychologist	64.69	17.00	1,098.73						
BICM LEVEL TOTALS			2,881.50	173,655.66						
Completing survey	Psychologist	64.69	24.45	1,581.67						
16 completed BICM's										
10 BICM's with no information										
1 BICM for wrong year										
									Total difference of the highlighted hours	-3.00

San Joaquin

SELPA

SELPA SAN JOAQUIN COUNTY 62,035 ADA
 Number of BICM's in SELPA 22
 Number of BICM surveys returned 13 Some BICMs left their districts
 Number of LEA's in SELPA 11
 Number of LEA surveys returned 11

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7 - Procedures development	Administrator	67.68	90.00		6,091.20	
	Program Specialist	68.16	65.00		4,430.40	
	School Psych	59.62	12.00		715.44	
	Teacher	88.59	26.00		2,303.34	
* 8 - Governing Board approval	SELPA Director	89.06	3.00		267.18	
	Executive Asst	33.13	29.00		960.77	
Training						
*11 - Design training for initial BICM certification	Program Specialist	68.16	50.00		3,408.00	
**12 - Update of training for initial BICM certification	Program Specialist	68.16	12.00	817.92		
	Admin Asst	26.76	16.00	428.16		
**13 - Lead training for initial BICM certification	Program Specialist	68.16	36.00	2,453.76		
**14 - Lead training update for certified BICM's	Same as #13					
*15 - Design training for PBIP implementers	Program Specialist	68.16	24.00		1,635.84	
**16 - Update training for PBIP implementers	Psychologist	59.62	84.00	5,008.08		
	Program Specialist	68.16	120.00	8,179.20		
**17 - Lead training for PBIP implementers	n/a					
*18 - Design training on Emergency Behavioral Interventions	Program Specialist	68.16	70.00		4,771.20	
					0.00	
					0.00	
**19 - Update trainin on Emergency Behavioral Interventions	Program Specialist	68.16	32.00	2,181.12		
	Psychologist	59.62	32.00	1,907.84		
**20 - Lead training on Emergency Behavioral Interventions	Program Specialist	68.16	16.00	1,090.56		
21 - Other costs of BICM certification training	Registration			150.00		
22 - Number of participants in BICM training by position/hours	Program Specialist	68.16	26.00	1,772.16		
	22 Psychologists	59.62	572.00	34,102.64		26 Hrs Each
23 - Number of participants in PBIP training by position/hours	n/a					
24 - Number of participants in	1 Banta	50	16.00	800.00		
Emergency Beh Interv training by position/hours	47 SJCCE Spec Ed	50	752.00	37,600.00		
	Escalon SD	50	144.00	7,200.00		
	3 Genesis Beh Ctr	50	48.00	2,400.00		
	4 Head Start	50	64.00	3,200.00		
	6 Jefferson	50	96.00	4,800.00		
	17 Lincoln	50	272.00	13,600.00		
	1 Linden	50	16.00	800.00		
	22 Manteca USD	50	352.00	17,600.00		
	26 Ripon USD	50	416.00	20,800.00		
	5 SJCCE- SELPA	50	80.00	4,000.00		
	1 Tracy USD	50	16.00	800.00		
	44 Stockton USD	50	704.00	35,200.00		
25 - Other training costs						Training at SELPA
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Executive Asst	33.13	12.00	397.56		
27 - Due process hearings	n/a					
SELPA LEVEL TOTALS			4,303.00	207,289.00	24,583.37	
Time to complete survey	Program Administrator	67.68	40.00		2,707.20	

NOTES:
 one asterisk indicates a one time cost
 two asterisks indicates annual or more frequent costs

District

DISTRICT Level - San Joaquin
 Behavioral Emergency Reports
 1 - # of Reports

SUMMARY

175

	Hourly Rate	# of Hours
2 Activities		
a - performing emergency interventions	638.50	35,890.12
b - 1 day notification of use of emergency intervention	84.00	6,993.21
c - Completing report	113.75	7,172.93
d - Scheduling and holding IEP meetings for students without PBIP	206.50	15,394.53
e - Scheduling and holding IEP meetings for students with PBIP	117.00	8,766.85
f - Reporting data for annual report to CDE	37.50	2,871.00
g - Reviewing reports & forwarding to SELPA	42.50	2,785.36
3 - Informing school personnel	363.00	6,630.76
4 - Number of due process requests filed		
a - Number of written responses For each response in 4a, there must be answers to 5-8	0.00	0.00
5 - Filing Response	4.00	880.00
6 - Resolution Session	2.00	165.12
7 - Mediation	0.00	0.00
8 - Due Process Hearing	0.00	0.00
9 - Outside Assistance	0.00	42,572.22
		I am not sure where you got this number from. I only see 14,910 from Tracy Unified.
DISTRICT LEVEL TOTALS	1,608.75	102,459.87
Time to complete survey	46.25	3,263.58
Check Totals	1,608.75	130,122.09

DISTRICT Level - San Joaquin
 Behavioral Emergency Reports
 1 - # of Reports

SUMMARY

Districts with
 0 in BER

	175		1			
			Jefferson			
	Hourly Rate	# of Hours	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	638.50	35,890.12	Teacher	43.25	1.50	64.875 New Jerusalem Escalon
b - 1 day notification of use of emergency intervention	84.00	6,993.21	Teacher	43.25	0.25	10.8125 Lammersville Lincoln Unified Linden Unified
c - Completing report	113.75	7,172.93	Teacher	43.25	0.25	10.8125
d - Scheduling and holding IEP meetings for students without PBIP	206.50	15,394.53			0.00	0
e - Scheduling and holding IEP meetings for students with PBIP	117.00	8,766.85				
f - Reporting data for annual report to CDE	37.50	2,871.00	Teacher	43.25	0.25	10.8125
g - Reviewing reports & forwarding to SELPA	42.50	2,785.36	Spec Ed Director	56.00	0.25	14
			Spec Ed Secretary	18.72	0.25	4.68
3 - Informing school personnel	363.00	6,630.76			0	0.00
4 - Number of due process requests filed						
a - Number of written responses	0.00	0.00		0		
For each response in 4a, there must be answers to 5-8						
5 - Filing Response	4.00	880.00	n/a			0.00
6 - Resolution Session	2.00	165.12	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	42,572.22	n/a			0.00
		I am not sure where you got this number from. I only see 13,910 from Tracy Unified.				
DISTRICT LEVEL TOTALS	1,608.75	102,459.87			2.75	115.9925
Time to complete survey	46.25	3,263.58	Director of Sped Ed	56.00	0.25	14.00
Check Totals	1,608.75	130,122.09				

DISTRICT Level - San Joaquin
 Behavioral Emergency Reports
 1 - # of Reports

SUMMARY

	175	# of Hours	Position	10		Total Costs
				Ripon Unified Hourly Rate	# of Hours	
2 Activities						
a - performing emergency interventions	638.50	35,890.12	Autism Specialist	70.00	1.00	70.00
			Aide	12.00	2.00	24.00
			Teacher	61.04	2.00	122.08
b - 1 day notification of use of emergency intervention	84.00	6,993.21	Principal	78.62	2.00	157.24
c - Completing report	113.75	7,172.93	Principal	78.62	6.00	471.72
			Teacher	61.04	1.00	61.04
d - Scheduling and holding IEP meetings for students without PBIP	206.50	15,394.53	Teacher	61.04	3.00	183.12
			Psychologist	56.05	6.00	336.30
e - Scheduling and holding IEP meetings for students with PBIP	117.00	8,766.85	Dir Sped Ed	82.56	6.00	495.36
			Principal	78.62	6.00	471.72
			Case Manager	55.00	6.00	330.00
			Psychologist	56.05	6.00	336.30
f - Reporting data for annual report to CDE	37.50	2,871.00	Director Spec Ed	82.56	1.00	82.56
g - Reviewing reports & forwarding to SELPA	42.50	2,785.36	Director Spec Ed	82.56	3.00	247.68
3 - Informing school personnel	363.00	6,630.76	Director Spec Ed	82.56	3.00	247.68
			Principal	78.62	1.00	78.62
4 - Number of due process requests filed					1	
a - Number of written responses	0.00	0.00			1	
For each response in 4a, there must be answers to 5-8						
5 - Filing Response	4.00	880.00	Attorney	220.00	4.00	880.00
6 - Resolution Session	2.00	165.12	Director of Sped Ed	82.56	2.00	165.12
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	47,572.22	n/a			0.00
		I am not sure where you got this number from. I only see 14,910 from Tracy Unified.				
DISTRICT LEVEL TOTALS	1,608.75	102,459.87			61	4760.54
Time to complete survey	46.25	3,263.58	Director of Sped Ed	82.56	1.00	82.56
Check Totals	1,608.75	130,122.09				

DISTRICT Level - San Joaquin
 Behavioral Emergency Reports
 1 - # of Reports

SUMMARY

175

162

	Hourly Rate	# of Hours	Position	San Joaquin COE		Total Costs
				Hourly Rate	# of Hours	
2 Activities						
a - performing emergency interventions	638.50	35,890.12	BCM	92.35	4	369.40
			Teacher	88.59	297	26,311.23
			Instructional Asst	26.55	327	8,681.85
b - 1 day notification of use of emergency intervention	84.00	6,993.21	BCM	92.35	2.75	253.96
			Teacher	88.59	59	5,226.81
			Program Admin	67.68	19	1,285.92
c - Completing report	113.75	7,172.93	BCM	92.35	5.5	507.93
			Teacher	88.59	54	4,783.86
			Instructional Asst	26.55	39	1,035.45
			Secretary	27.72	2	55.44
d - Scheduling and holding IEP meetings for students without PBIP	206.50	15,394.53	BCM	92.35	40	3,694.00
			Teacher	88.59	71	6,289.89
			Administrator	67.68	59	3,993.12
			Secretary	27.72	23.5	651.42
e - Scheduling and holding IEP meetings for students with PBIP	117.00	8,766.85	BCM	92.35	20	1,847.00
			Director	79.60	3	238.80
			Teacher	88.59	37	3,277.83
			Admin	67.68	18	1,218.24
			Secretary	27.72	11	304.92
f - Reporting data for annual report to CDE	37.50	2,871.00	BCM	92.35	3	277.05
			Teacher	88.59	12	1,063.08
			Admin	67.68	21	1,421.28
g - Reviewing reports & forwarding to SELPA	42.50	2,785.36	Director	79.60	27	2,149.20
			Secretary	27.72	11	304.92
3 - Informing school personnel	363.00	6,630.76	Program Admin	67.68	9	609.12
			BCM	92.35	42	3,878.70
4 - Number of due process requests filed						
a - Number of written responses	0.00	0.00			0	
For each response in 4a, there must be answers to 5-8						
5 - Filing Response	4.00	880.00	n/a			0.00
6 - Resolution Session	2.00	165.12	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	42,572.22	n/a			0.00
		I am not sure where you got this number from. I only see 14,910 from Tracy Unified.				
DISTRICT LEVEL TOTALS	1,608.75	102,459.87		1216.75	79730.4175	
Time to complete survey	46.25	3,263.58	Director of Sped Ed	79.60	20.5	1,631.80
			Program Admin	67.68	21.5	1,455.12
Check Totals	1,608.75	130,122.09				

DISTRICT Level - San Joaquin
 Behavioral Emergency Reports
 1 - # of Reports

SUMMARY

	175		2		Tracy Unified	
	Hourly Rate	# of Hours	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	638.50	35,890.12	BICM SDC Teacher	64.88 58.46	2 2	129.76 116.92
b - 1 day notification of use of emergency intervention	84.00	6,993.21	SDC Teacher	58.46	1	58.46
c - Completing report	113.75	7,172.93	BICM SDC Teacher Para-educator	64.88 58.46	2 2 2	129.76 116.92 0.00
d - Scheduling and holding IEP meetings for students without PBIP	206.50	15,394.53	BICM SDC Teacher	64.88 58.46	2 2	129.76 116.92
e - Scheduling and holding IEP meetings for students with PBIP	117.00	8,766.85	BICM SDC Teacher	64.88 58.46	2 2	129.76 116.92
f - Reporting data for annual report to CDE	37.50	2,871.00	BICM	64.88	0.25	16.22
g - Reviewing reports & forwarding to SELPA	42.50	2,785.36	BICM	64.88	1	64.88
3 - Informing school personnel	363.00	6,630.76	BICM (4 Days- assume 7hr days)	64.88	28	1,816.64
4 - Number of due process requests filed						
a - Number of written responses For each response in 4a, there must be answers to 5-8	0.00	0.00			0	
5 - Filing Response	4.00	880.00	n/a			0.00
6 - Resolution Session	2.00	165.12	n/a			0.00
7 - Mediation	0.00	0.00	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	42,572.22	Cheryl Markowitz			14,910.00
		i am not sure where you got this number from. I only see 14,910 from Tracy Unified				
DISTRICT LEVEL TOTALS	1,608.75	102,459.87			48.25	17852.92
Time to complete survey	46.25	3,263.58	Director of Sped Ed	80.10	1	80.10
Check Totals	1,608.75	130,122.09				

BICM

BICM - San Joaquin		SUMMARY	
1a	Number of Students with PBIP	33.00	
	New	22.00	
	Existing	11.00	
2	# of students also received AB3632	7.00	
3	FAA Activities		
a	Parent notice and consent	30.75	1,968.44
b	Information gathering & assessment	503.75	34,809.88
c	Writing FAA	257.00	22,067.58
4	Initial PBIP		
a	Preparing draft for IEP	94.50	7,286.67
b	Attending IEP meetings	94.50	7,337.14
c	Training/monitoring PBIP	154.00	10,269.23
d	Evaluating PBIP effectiveness	161.00	11,500.62
e	Modifications in IEP meetings	88.00	6,312.38
f	Modifications outside of IEP meetings	57.50	4,024.70
5	FAA activities for pre-existing PBIP		
5a	Parent notice	10.00	572.06
5b	Information gathering	71.00	3,975.42
5c	Writing FAA	29.00	1,707.25
6	Review/revision of pre-existing PBIP		
a	Preparing draft for IEP	30.50	1,738.97
b	Attending IEP meetings	53.00	3,096.69
c	Training/monitoring PBIP	154.00	8,592.26
d	Evaluating PBIP effectiveness	80.00	4,439.50
e	Modifications in IEP meetings	23.00	1,266.23
f	Modifications outside of IEP meetings	16.00	854.83
7	IEP's where PBIP was a component		
	Students with 1 IEP	9.00	
	Students with 2 IEP's	5.00	
	Students with 3 or more IEP's	17.00	
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,366.12
11	Emergency Behavior Interventions		
a	Performing interventions	8.75	759.24
b	One day notification	9.75	743.61
c	Completing report for file	19.50	1,487.22
d	IEP meetings for no PBIP	40.00	4,620.09
e	IEP meetings with PBIP	26.00	2,614.30
f	Reporting dat for annual CDE report	7.00	392.35
BICM LEVEL TOTALS		28,704.50	1,238,763.84
Completing survey		57.92	4,128.42
Check Totals		28,704.50	1,238,763.84

BICM - San Joaquin		SUMMARY		Position	Manteca Unified		BICMs with zeros
					Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	33.00		9			
	New	22.00		7			
	Existing	11.00		2			
2	# of students also received AB3632	7.00		4			
3	FAA Activities						
a	Parent notice and consent	30.75	1,968.44	Psychologist	47.79	7.00	334.53
b	Information gathering & assessment	503.75	34,809.88	Psychologist	47.79	280.00	13381.2
c	Writing FAA	257.00	22,067.58	Psychologist	47.79	70.00	3345.3
4	Initial PBIP						
a	Preparing draft for IEP	94.50	7,286.67	Psychologist	47.79	10.50	501.795
b	Attending IEP meetings	94.50	7,337.14	Psychologist	47.79	28.00	1338.12
c	Training/monitoring PBIP	154.00	10,289.23	Psychologist	47.79	28.00	1338.12
d	Evaluating PBIP effectiveness	161.00	11,500.62	Psychologist	47.79	28.00	1338.12
e	Modifications in IEP meetings	88.00	6,312.38	Psychologist	47.79	21.00	1003.59
f	Modifications outside of IEP meetings	57.50	4,024.70	Psychologist	47.79	21.00	1003.59
5	FAA activities for pre-existing PBIP						
5a	Parent notice	10.00	572.06	Psychologist	47.79	1.00	47.79
5b	Information gathering	71.00	3,975.42	Psychologist	47.79	20.00	955.8
5c	Writing FAA	29.00	1,707.25	Psychologist	47.79	0.00	0
6	Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	30.50	1,738.97	Psychologist	47.79	2.00	95.58
b	Attending IEP meetings	53.00	3,096.69	Psychologist	47.79	12.00	573.48
c	Training/monitoring PBIP	154.00	8,592.26	Psychologist	47.79	6.00	286.74
d	Evaluating PBIP effectiveness	80.00	4,439.50	Psychologist	47.79	6.00	286.74
e	Modifications in IEP meetings	23.00	1,266.23	Psychologist	47.79	4.00	191.16
f	Modifications outside of IEP meetings	16.00	854.83	Psychologist	47.79	6.00	286.74
7	IEP's where PBIP was a component						
	Students with 1 IEP	9.00		3			
	Students with 2 IEP's	5.00		1			
	Students with 3 or more IEP's	17.00		3			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	7 Psychologist	47.79	7.00	334.53
				7 Program Specialist	45.95	7.00	321.65
				7 SLP	47.11	7.00	329.77
				7 Site Admin	68.26	7.00	477.82
				7 OT	45.24	7.00	316.68
				7 APE	46.29	7.00	324.03
				7 Gen Ed Teacher	45.24	7.00	316.68
				7 Sped Ed Teacher	45.24	7.00	316.68
9	PBIP issues in IEP by non-BICM's when pre-existing	668.50	56,185.67	2 Psychologist	47.79	2.00	95.58
				2 Program Specialist	45.95	2.00	91.9
				2 SLP	47.11	2.00	94.22
				2 Site Admin	68.26	2.00	136.52
				2 OT	45.24	2.00	90.48
				2 APE	46.29	2.00	92.58
				2 Gen Ed Teacher	45.24	2.00	90.48
				2 Sped Ed Teacher	45.24	2.00	90.48
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12	7 Psychologist	47.79	7.00	334.53
				7 Program Specialist	45.95	7.00	321.65
				7 SLP	47.11	7.00	329.77
				7 Site Admin	68.26	7.00	477.82
				7 OT	45.24	7.00	316.68
				7 APE	46.29	7.00	324.03
				7 Gen Ed Teacher	45.24	7.00	316.68
				7 Sped Ed Teacher	45.24	7.00	316.68
11	Emergency Behavior Interventions						
a	Performing interventions	8.75	759.24	I agree w/hour charges above			0
b	One day notification	9.75	743.61				0
c	Completing report for file	19.50	1,487.22				0
d	IEP meetings for no PBIP	40.00	4,620.09				0
e	IEP meetings with PBIP	26.00	2,614.30				0
f	Reporting dat for annual CDE report	7.00	392.35				0
BICM LEVEL TOTALS		28,704.50	1,238,763.84			678.50	32566.32
Completing survey		57.92	4,128.42	Psychologist	47.79	20.00	955.8
Check Totals		28,704.50	1,238,763.84				
				Assumptions			
				OT & Spec ED Teacher paid same as Reg Teacher			

BICM - San Joaquin		SUMMARY			Ripon Unified		
				Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	33.00		6			
	New	22.00		2			
	Existing	11.00		4			
2	# of students also received AB3632	7.00		0			
3	FAA Activities						
a	Parent notice and consent	30.75	1,958.44	Psychologist	56.05	12.00	672.6
b	Information gathering & assessment	503.75	34,809.88	Psychologist	56.05	27.00	1513.35
c	Writing FAA	257.00	22,067.58	Psychologist	56.05	16.00	896.8
4	Initial PBIP						
a	Preparing draft for IEP	94.50	7,286.67	Psychologist	56.05	16.00	896.8
b	Attending IEP meetings	94.50	7,337.14	Psychologist	56.05	9.00	504.45
c	Training/monitoring PBIP	154.00	10,269.23	Psychologist	56.05	72.00	4035.6
d	Evaluating PBIP effectiveness	161.00	11,500.62	Psychologist	56.05	36.00	2017.8
e	Modifications in IEP meetings	88.00	6,312.38	Psychologist	56.05	7.00	392.35
f	Modifications outside of IEP meetings	57.50	4,024.70	Psychologist	56.05	4.00	224.2
5	FAA activities for pre-existing PBIP						
5a	Parent notice	10.00	572.06	Psychologist	56.05	8.00	448.4
5b	Information gathering	71.00	3,975.42	Psychologist	56.05	42.00	2354.1
5c	Writing FAA	29.00	1,707.25	Psychologist	56.05	24.00	1345.2
6	Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	30.50	1,738.97	Psychologist	56.05	24.00	1345.2
b	Attending IEP meetings	53.00	3,096.69	Psychologist	56.05	34.00	1905.7
c	Training/monitoring PBIP	154.00	8,592.26	Psychologist	56.05	144.00	8071.2
d	Evaluating PBIP effectiveness	80.00	4,439.50	Psychologist	56.05	72.00	4035.6
e	Modifications in IEP meetings	23.00	1,266.23	Psychologist	56.05	15.00	840.75
f	Modifications outside of IEP meetings	16.00	854.83	Psychologist	56.05	7.00	392.35
7	IEP's where PBIP was a component						
	Students with 1 IEP	9.00		0			
	Students with 2 IEP's	5.00		0			
	Students with 3 or more IEP's	17.00		6			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	16 RUSD Teachers	61.04	7.00	427.28
				16 RUSD SLPs	77.71	7.00	543.97
				0 RUSD OTs	90	0.00	0
				16 RUSD RSPs	54.95	7.00	384.65
							0
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67	18 RUSD Teachers	61.04	270.00	16480.8
				18 RUSD SLPs	77.71	270.00	20981.7
				18 RUSD OTs	90	12.00	1080
				18 RUSD RSPs	54.95	270.00	14836.5
							0
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12	RUSD 1:1 Aides	12	6480.00	77760
				RUSD Teachers	61.04	2160.00	131846.4
				RUSD SLPs	77.71	108.00	8392.68
				RUSD OTs	90	90.00	8100
				RUSD RSPs	54.95	216.00	11869.2
11	Emergency Behavior Interventions						
a	Performing interventions	8.75	759.24	Psychologist	56.05	5.00	280.25
b	One day notification	9.75	743.61	Psychologist	56.05	7.00	392.35
c	Completing report for file	19.50	1,487.22	Psychologist	56.05	14.00	784.7
d	IEP meetings for no PBIP	40.00	4,620.09	Psychologist	56.05	2.00	112.1
e	IEP meetings with PBIP	26.00	2,614.30	Psychologist	56.05	6.00	336.3
f	Reporting data for annual CDE report	7.00	392.35	Psychologist	56.05	7.00	392.35
BICM LEVEL TOTALS		28,704.50	1,238,763.84			10507.00	326893.68
	Completing survey	57.92	4,128.42	Psychologist	56.05	2.00	112.1
	Check Totals	28,704.50	1,238,763.84				

BICM - San Joaquin		SUMMARY		San Joaquin County		Total Costs	
				Position	Hourly Rate	# of Hours	
1a	Number of Students with PBIP	33.00		8	Clint & Christine BICMs		
	New	22.00		7			
	Existing	11.00		1			
2	# of students also received AB3632	7.00		1			
3	FAA Activities						
a	Parent notice and consent	30.75	1,968.44		Behavior Intervention Specialist	127.73 0.50 63.865	
					Behavior Intervention Specialist	127.73 3.00 383.19	
b	Information gathering & assessment	503.75	34,809.88		Behavior Intervention Specialist	127.73 10.00 1277.3	
					Behavior Intervention Specialist	127.73 107.25 13699.0425	
c	Writing FAA	257.00	22,067.58		Behavior Intervention Specialist	127.73 18.00 2299.14	
					Behavior Intervention Specialist	127.73 90.50 11559.565	
4	Initial PBIP						
a	Preparing draft for IEP	94.50	7,286.67		Behavior Intervention Specialist	127.73 3.00 383.19	
					Behavior Intervention Specialist	127.73 18.00 2299.14	
b	Attending IEP meetings	94.50	7,337.14		Behavior Intervention Specialist	127.73 3.00 383.19	
					Behavior Intervention Specialist	127.73 23.00 2937.79	
c	Training/monitoring PBIP	154.00	10,269.23		Behavior Intervention Specialist	127.73 2.00 255.46	
					Behavior Intervention Specialist	127.73 13.00 1660.48	
d	Evaluating PBIP effectiveness	161.00	11,500.62		Behavior Intervention Specialist	127.73 1.00 127.73	
					Behavior Intervention Specialist	127.73 9.00 1149.57	
e	Modifications in IEP meetings	88.00	6,312.38		Behavior Intervention Specialist	127.73 18.00 2299.14	
f	Modifications outside of IEP meetings	57.50	4,024.70		Behavior Intervention Specialist	127.73 8.00 1021.84	
5	FAA activities for pre-existing PBIP				n/a for Clint	0	
5a	Parent notice	10.00	572.06		Behavior Intervention Specialist	127.73 0.25 31.9325	
5b	Information gathering	71.00	3,975.42		Behavior Intervention Specialist	127.73 2.00 255.46	
5c	Writing FAA	29.00	1,707.25		Behavior Intervention Specialist	127.73 1.00 127.73	
6	Review/revision of pre-existing PBIP				n/a for Clint	0	
a	Preparing draft for IEP	30.50	1,738.97		Behavior Intervention Specialist	127.73 0.50 63.865	
b	Attending IEP meetings	53.00	3,096.69		Behavior Intervention Specialist	127.73 3.00 383.19	
c	Training/monitoring PBIP	154.00	8,592.26		Behavior Intervention Specialist	0.00 0.00 0	
d	Evaluating PBIP effectiveness	80.00	4,439.50		Behavior Intervention Specialist	0.00 0.00 0	
e	Modifications in IEP meetings	23.00	1,266.23		Behavior Intervention Specialist	0.00 0.00 0	
f	Modifications outside of IEP meetings	16.00	854.83		Behavior Intervention Specialist	0.00 0.00 0	
7	IEP's where PBIP was a component						
	Students with 1 IEP	9.00		3			
	Students with 2 IEP's	5.00		1			
	Students with 3 or more IEP's	17.00		4			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	21	SJCOE Teacher	88.59 29 2569.11	
				21	SJCOE Admin	67.68 29 1962.72	
				3	Lincoln Director	3 0	
				4	SJCOE Psych	59.62 4 238.48	
				7	SJCOE LSH	80.7 10 807	
				5	SJCOE OT	67.6 4 270.4	
				3	MUSD PS	45.95 4.50 206.775	
				3	SJCOE Nurse	66.68 4.50 300.06	
				1	SJCOE APE	65.42 1.00 65.42	
				3	SUSD PS	3.50 0	
				4	Rison Director	82.56 8.00 660.48	
				2	TUSD PS	73.35 1.00 73.35	
				4	Escalon Director	65.36 3.00 196.08	
				7	Escalon PS	81.28 4.00 325.12	
				2	Escalon Principal	55.95 1.00 55.95	
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67		n/a for Clint	0	
				1	SJCOE Teacher	88.59 2.00 177.18	
				1	SJCOE Admin	67.68 2.00 135.36	
				1	Lincoln Director	2.00 0	
				1	SJCOE Speech	80.7 2.00 161.4	
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12		SJCOE Teacher	88.59 1080.00 95677.2	
					SJCOE Admin	67.68 40.00 2707.2	
					SJCOE IA	26.55 1080.00 28674	
					SJCOE IA	26.55 1080.00 28674	
					SJCOE Teacher	88.59 1080.00 95677.2	
					SJCOE Admin	67.68 40.00 2707.2	
					SJCOE IA	26.55 1080.00 28674	
					SJCOE IA	26.55 1080.00 28674	
11	Emergency Behavior Interventions						
a	Performing interventions	8.75	759.24		Behavior Intervention Specialist	127.73 1.25 159.6625	
					Behavior Intervention Specialist	127.73 2.50 319.325	
b	One day notification	9.75	743.61		Behavior Intervention Specialist	127.73 0.75 95.7975	
					Behavior Intervention Specialist	127.73 2.00 255.46	
c	Completing report for file	19.50	1,487.22		Behavior Intervention Specialist	127.73 1.50 191.595	
					Behavior Intervention Specialist	127.73 4.00 510.92	
d	IEP meetings for no PBIP	40.00	4,620.09		Behavior Intervention Specialist	127.73 2.00 255.46	
					Behavior Intervention Specialist	127.73 31.00 3959.63	
e	IEP meetings with PBIP	26.00	2,614.30		Behavior Intervention Specialist	127.73 2.00 255.46	
					Behavior Intervention Specialist	127.73 14.00 1788.22	
f	Reporting dat for annual CDE report	7.00	392.35				
BICM LEVEL TOTALS		28,704.50	1,238,763.84			7072.50	370123.04
Completing survey		57.92	4,128.42		Behavior Intervention Specialist	127.73 4.00 510.92	
					Behavior Intervention Specialist	127.73 8 1021.84	
Check Totals		28,704.50	1,238,763.84				
					irregular hourly rate		

BICM - San Joaquin		SUMMARY		San Joaquin County				
				Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	33.00		2	Melissa			
	New	22.00		1				
	Existing	11.00		1				
2	# of students also received AB3632	7.00		0				
3	FAA Activities							
a	Parent notice and consent	30.75	1,968.44	Autism Specialist	58.58	0.25	14.645	
b	Information gathering & assessment	503.75	34,809.88	Autism Specialist	58.58	15.00	878.7	
c	Writing FAA	257.00	22,067.58	Autism Specialist	58.58	5.00	292.9	
						0.00		
4	Initial PBIP							
a	Preparing draft for IEP	94.50	7,286.67	Autism Specialist	58.58	4.00	234.32	
b	Attending IEP meetings	94.50	7,337.14	Autism Specialist	58.58	2.00	117.16	
c	Training/monitoring PBIP	154.00	10,269.23	Autism Specialist	58.58	2.00	117.16	
d	Evaluating PBIP effectiveness	161.00	11,500.62	Autism Specialist	58.58	1.00	58.58	
e	Modifications in IEP meetings	88.00	6,312.38			0.00	0	
f	Modifications outside of IEP meetings	57.50	4,024.70	Autism Specialist	58.58	1.00	58.58	
5	FAA activities for pre-existing PBIP						0	
5a	Parent notice	10.00	572.06	Autism Specialist	58.58	0.25	14.645	
5b	Information gathering	71.00	3,975.42	Autism Specialist	58.58	4.00	234.32	
5c	Writing FAA	29.00	1,707.25	Autism Specialist	58.58	2.00	117.16	
6	Review/revision of pre-existing PBIP						0	
a	Preparing draft for IEP	30.50	1,738.97	Autism Specialist	58.58	2.00	117.16	
b	Attending IEP meetings	53.00	3,096.69	Autism Specialist	58.58	1.50	87.87	
c	Training/monitoring PBIP	154.00	8,592.26	Autism Specialist	58.58	2.00	117.16	
d	Evaluating PBIP effectiveness	80.00	4,439.50	Autism Specialist	58.58	1.00	58.58	
e	Modifications in IEP meetings	23.00	1,266.23	Autism Specialist	58.58	0.00	0	
f	Modifications outside of IEP meetings	16.00	854.83	Autism Specialist	58.58	1.00	58.58	
7	IEP's where PBIP was a component							
	Students with 1 IEP	9.00		1				
	Students with 2 IEP's	5.00		1				
	Students with 3 or more IEP's	17.00		0				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	1	SJCOE Teacher	88.59	2.00	177.18
				1	SJCOE Admin	67.68	2.00	135.36
				1	MUSD PS	45.95	2.00	91.9
				1	SJCOE LSH	80.7	2.00	161.4
				1	SJCOE OT	67.6	2.00	135.2
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67	2	SJCOE Teacher	88.59	3.00	265.77
				2	SJCOE Admin	67.68	3.00	203.04
				2	MUSD PS	45.95	3.00	137.85
				1	SJCOE Psych	59.62	1.50	89.43
				1	SJCOE Nurse	66.68	1.50	100.02
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12					
					SJCOE Teacher	88.59	1080.00	95677.2
					SJCOE Admin	67.68	40.00	2707.2
					SJCOE IA	26.55	1080.00	28674
					SJCOE IA	26.55	1080.00	28674
11	Emergency Behavior Interventions							
a	Performing interventions	8.75	759.24				0	
b	One day notification	9.75	743.61				0	
c	Completing report for file	19.50	1,487.22				0	
d	IEP meetings for no PBIP	40.00	4,620.09				0	
e	IEP meetings with PBIP	26.00	2,614.30				0	
f	Reporting data for annual CDE report	7.00	392.35				0	
BICM LEVEL TOTALS		28,704.50	1,238,763.84			3346.00	159807.07	
Completing survey		57.92	4,128.42	Autism Specialist	58.58	4.00	234.32	
Check Totals		28,704.50	1,238,763.84					

BICM - San Joaquin		SUMMARY		San Joaquin County				
				Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	33.00		1				
	New	22.00		1				
	Existing	11.00		0				
2	# of students also received AB3632	7.00		0				
3	FAA Activities							
a	Parent notice and consent	30.75	1,968.44	Autism Specialist	58.58	5.00	292.9	
b	Information gathering & assessment	503.75	34,809.88	Autism Specialist	58.58	11.50	673.67	
c	Writing FAA	257.00	22,067.58	Autism Specialist	58.58	3.50	205.03	
4	Initial PBIP							
a	Preparing draft for IEP	94.50	7,286.67	Autism Specialist	58.58	2.00	117.16	
b	Attending IEP meetings	94.50	7,337.14	Autism Specialist	58.58	6.00	351.48	
c	Training/monitoring PBIP	154.00	10,269.23	Autism Specialist	58.58	2.00	117.16	
d	Evaluating PBIP effectiveness	161.00	11,500.62	Autism Specialist	58.58	1.00	58.58	
e	Modifications in IEP meetings	88.00	6,312.38	Autism Specialist	58.58	4.00	234.32	
f	Modifications outside of IEP meetings	57.50	4,024.70	Autism Specialist	58.58	2.00	117.16	
5	FAA activities for pre-existing PBIP							
5a	Parent notice	10.00	572.06	n/a			0	
5b	Information gathering	71.00	3,975.42				0	
5c	Writing FAA	29.00	1,707.25				0	
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	30.50	1,738.97	n/a			0	
b	Attending IEP meetings	53.00	3,096.69				0	
c	Training/monitoring PBIP	154.00	8,592.26				0	
d	Evaluating PBIP effectiveness	80.00	4,439.50				0	
e	Modifications in IEP meetings	23.00	1,266.23				0	
f	Modifications outside of IEP meetings	16.00	854.83				0	
7	IEP's where PBIP was a component							
	Students with 1 IEP	9.00		0				
	Students with 2 IEP's	5.00		0				
	Students with 3 or more IEP's	17.00		1				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	3	SJCOE Teacher	88.59	4.00	354.36
				3	SJCOE Admin	67.68	4.00	270.72
				1	TUSD Psych	64.88	1.00	64.88
				1	TUSD Director	80.1	1.00	80.1
				2	SJCOE OT	67.6	2.00	135.2
				2	SJCOE Speech	80.7	3.00	242.1
				1	SJCOE Nurse	66.68	1.00	66.68
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67	n/a				
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12					
					SJCOE Teacher	88.59	1080.00	95677.2
					SJCOE Admin	67.68	40.00	2707.2
					SJCOE IA	26.55	1080.00	28674
					SJCOE IA	26.55	1080.00	28674
11	Emergency Behavior Interventions							
a	Performing interventions	8.75	759.24				0	
b	One day notification	9.75	743.61				0	
c	Completing report for file	19.50	1,487.22				0	
d	IEP meetings for no PBIP	40.00	4,620.09	Autism Specialist	58.58	2.00	117.16	
e	IEP meetings with PBIP	26.00	2,614.30				0	
f	Reporting dat for annual CDE report	7.00	392.35				0	
BICM LEVEL TOTALS		28,704.50	1,238,763.84			3335.00	159231.06	
Completing survey		57.92	4,128.42	Autism Specialist	58.58	4.00	234.32	
Check Totals		28,704.50	1,238,763.84					

BICM - San Joaquin		SUMMARY		San Joaquin County				
				Position	Hourly Rate	# of Hours	Total Costs	
1a	Number of Students with PBIP	33.00		2	Laurie			
	New	22.00		1				
	Existing	11.00		1				
2.	# of students also received AB3632	7.00		0				
3	FAA Activities							
a	Parent notice and consent	30.75	1,968.44	Autism Specialist	58.58	0.50	29.29	
b	Information gathering & assessment	503.75	34,809.88	Autism Specialist	58.58	30.00	1757.4	
c	Writing FAA	257.00	22,067.58	Autism Specialist	58.58	20.00	1171.6	
4	Initial PBIP							
a	Preparing draft for IEP	94.50	7,286.67	Autism Specialist	58.58	3.00	175.74	
b	Attending IEP meetings	94.50	7,337.14	Autism Specialist	58.58	4.00	234.32	
c	Training/monitoring PBIP	154.00	10,269.23	Autism Specialist	58.58	2.00	117.16	
d	Evaluating PBIP effectiveness	161.00	11,500.62	Autism Specialist	58.58	2.00	117.16	
e	Modifications in IEP meetings	88.00	6,312.38	Autism Specialist	58.58	30.00	1757.4	
f	Modifications outside of IEP meetings	57.50	4,024.70	Autism Specialist	58.58	5.00	292.9	
5	FAA activities for pre-existing PBIP						0	
5a	Parent notice	10.00	572.06	Autism Specialist	58.58	0.50	29.29	
5b	Information gathering	71.00	3,975.42	Autism Specialist	58.58	3.00	175.74	
5c	Writing FAA	29.00	1,707.25	Autism Specialist	58.58	2.00	117.16	
6	Review/revision of pre-existing PBIP						0	
a	Preparing draft for IEP	30.50	1,738.97	Autism Specialist	58.58	2.00	117.16	
b	Attending IEP meetings	53.00	3,096.69	Autism Specialist	58.58	2.50	146.45	
c	Training/monitoring PBIP	154.00	8,592.26	Autism Specialist	58.58	2.00	117.16	
d	Evaluating PBIP effectiveness	80.00	4,439.50	Autism Specialist	58.58	1.00	58.58	
e	Modifications in IEP meetings	23.00	1,266.23	Autism Specialist	58.58	4.00	234.32	
f	Modifications outside of IEP meetings	16.00	854.83	Autism Specialist	58.58	2.00	117.16	
7	IEP's where PBIP was a component							
	Students with 1 IEP	9.00		1				
	Students with 2 IEP's	5.00		0				
	Students with 3 or more IEP's	17.00		1				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	11	SJCOE Teacher	88.59	22.00	1948.98
				11	SJCOE Admin	67.68	22.00	1488.96
				2	TUSD Teacher	58.46	4.00	233.84
				11	TUSD PS	73.31	22.00	1612.82
				1	TUSD LSH	67.6	2.00	135.2
				1	SJCOE LSH	80.7	2.00	161.4
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67	1	SJCOE Teacher	88.59	1.50	132.885
				1	SJCOE Admin	67.68	1.50	101.52
				1	TUSD PS	73.31	1.50	109.965
				1	SJCOE Psych	59.62	1.50	89.43
				1	SJCOE APE	65.42	1.50	98.13
				1	SJCOE LSH	80.7	1.50	121.05
				1	SJCOE OT	67.6	1.50	101.4
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12		SJCOE Teacher	88.59	1080.00	95677.2
					SJCOE Admin	67.68	40.00	2707.2
					SJCOE IA	26.55	1080.00	28674
					SJCOE IA	26.55	1080.00	28674
11	Emergency Behavior Interventions							
a	Performing interventions	8.75	759.24				0	
b	One day notification	9.75	743.61				0	
c	Completing report for file	19.50	1,487.22				0	
d	IEP meetings for no PBIP	40.00	4,620.09	Autism Specialist	58.58	3.00	175.74	
e	IEP meetings with PBIP	26.00	2,614.30	Autism Specialist	58.58	4.00	234.32	
f	Reporting dat for annual CDE report	7.00	392.35				0	
BICM LEVEL TOTALS		28,704.50	1,238,763.84			3487.00	169244.03	
Completing survey		57.92	4,128.42	Autism Specialist	58.58	5.50	322.19	
Check Totals		28,704.50	1,238,763.84					

BICM - San Joaquin		SUMMARY		Position	Tracy Unified Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	33.00		1			
	New	22.00		1			
	Existing	11.00		0			
2	# of students also received AB3632	7.00		1			
3	FAA Activities						
a	Parent notice and consent	30.75	1,968.44	Psychologist	64.88	0.5	32.44
b	Information gathering & assessment	503.75	34,809.88	Psychologist	64.88	6	389.28
c	Writing FAA	257.00	22,067.58	Psychologist	64.88	4	259.52
4	Initial PBIP						
a	Preparing draft for IEP	94.50	7,286.67	Psychologist	64.88	2	129.76
b	Attending IEP meetings	94.50	7,337.14	Psychologist	64.88	3	194.64
c	Training/monitoring PBIP	154.00	10,269.23	Psychologist	64.88	1	64.88
d	Evaluating PBIP effectiveness	161.00	11,500.62	Psychologist	64.88	1	64.88
e	Modifications in IEP meetings	88.00	6,312.38	Psychologist	64.88	1	64.88
f	Modifications outside of IEP meetings	57.50	4,024.70	Psychologist	64.88	1	64.88
5	FAA activities for pre-existing PBIP			N/A			
5a	Parent notice	10.00	572.06				
5b	Information gathering	71.00	3,975.42				
5c	Writing FAA	29.00	1,707.25				
6	Review/revision of pre-existing PBIP			N/A			
a	Preparing draft for IEP	30.50	1,738.97				
b	Attending IEP meetings	53.00	3,096.69				
c	Training/monitoring PBIP	154.00	8,592.26				
d	Evaluating PBIP effectiveness	80.00	4,439.50				
e	Modifications in IEP meetings	23.00	1,266.23				
f	Modifications outside of IEP meetings	16.00	854.83				
7	IEP's where PBIP was a component						
	Students with 1 IEP	9.00		0			
	Students with 2 IEP's	5.00		1			
	Students with 3 or more IEP's	17.00		0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	Teacher SDC	58.46	3	175.38
				Principal	76.34	3	229.02
				SLP	68.92	3	206.76
				APE Specialist	67.97	3	203.91
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67				0
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12				0
11	Emergency Behavior Interventions						
a	Performing interventions	8.75	759.24				0
b	One day notification	9.75	743.61				0
c	Completing report for file	19.50	1,487.22				0
d	IEP meetings for no PBIP	40.00	4,620.09				0
e	IEP meetings with PBIP	26.00	2,614.30				0
f	Reporting dat for annual CDE report	7.00	392.35				0
BICM LEVEL TOTALS		28,704.50	1,238,763.84			31.50	2080.23
	Completing survey	57.92	4,128.42	Psychologist	64.88	0.42	27.2496
Check Totals		28,704.50	1,238,763.84				

BICM - San Joaquin		SUMMARY		Position	Tracy Unified		
1a	Number of Students with PBIP			Cheryl	Hourly Rate	# of Hours	Total Costs
	New	33.00		3			
	Existing	22.00		1			
2	# of students also received AB3632	11.00		2			
		7.00		0			
3	FAA Activities						
a	Parent notice and consent	30.75	1,968.44	Executive Director	80.1	1	80.1
b	Information gathering & assessment	503.75	34,809.88	Executive Director	80.1	9	720.9
c	Writing FAA	257.00	22,067.58	Executive Director	80.1	6	480.6
4	Initial PBIP						
a	Preparing draft for IEP	94.50	7,286.67	Executive Director	80.1	14	1121.4
b	Attending IEP meetings	94.50	7,337.14	Executive Director	80.1	13.5	1081.35
c	Training/monitoring PBIP	154.00	10,269.23	Executive Director	80.1	32	2563.2
d	Evaluating PBIP effectiveness	161.00	11,500.62	Executive Director	80.1	82	6568.2
e	Modifications in IEP meetings	88.00	6,312.38	Executive Director	80.1	7	560.7
f	Modifications outside of IEP meetings	57.50	4,024.70	Executive Director	80.1	15.5	1241.55
5	FAA activities for pre-existing PBIP						
5a	Parent notice	10.00	572.06				
5b	Information gathering	71.00	3,975.42				
5c	Writing FAA	29.00	1,707.25				
6	Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	30.50	1,738.97				
b	Attending IEP meetings	53.00	3,096.69				
c	Training/monitoring PBIP	154.00	8,592.26				
d	Evaluating PBIP effectiveness	80.00	4,439.50				
e	Modifications in IEP meetings	23.00	1,266.23				
f	Modifications outside of IEP meetings	16.00	854.83				
7	IEP's where PBIP was a component						
	Students with 1 IEP	9.00		1			
	Students with 2 IEP's	5.00		2			
	Students with 3 or more IEP's	17.00					
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42				
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67				
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12				
11	Emergency Behavior Interventions						
a	Performing interventions	8.75	759.24				
b	One day notification	9.75	743.61				
c	Completing report for file	19.50	1,487.22				
d	IEP meetings for no PBIP	40.00	4,620.09				
e	IEP meetings with PBIP	26.00	2,614.30				
f	Reporting dat for annual CDE report	7.00	392.35				
BICM LEVEL TOTALS		28,704.50	1,238,763.84			180.00	14418.00
	Completing survey	57.92	4,128.42	Executive Director	80.1	4	320.4
Check Totals		28,704.50	1,238,763.84				

BICM - San Joaquin		SUMMARY		Position	Tracy Unified	# of Hours	Total Costs
				Marilyn	Hourly Rate		
1a	Number of Students with PBIP	33.00		1			
	New	22.00		1			
	Existing	11.00		0			
2	# of students also received AB3632	7.00		1			
3	FAA Activities						
a	Parent notice and consent	30.75	1,968.44	Psychologist	64.88	1	64.88
b	Information gathering & assessment	503.75	34,809.88	Psychologist	64.88	8	519.04
c	Writing FAA	257.00	22,067.56	Psychologist	64.88	24	1557.12
4	Initial PBIP						
a	Preparing draft for IEP	94.50	7,286.67	Psychologist	64.88	22	1427.36
b	Attending IEP meetings	94.50	7,337.14	Psychologist	64.88	3	194.64
c	Training/monitoring PBIP	154.00	10,269.23	Psychologist	64.88	0	
d	Evaluating PBIP effectiveness	161.00	11,500.62	Psychologist	64.88	0	
e	Modifications in IEP meetings	88.00	6,312.38	Psychologist	64.88	0	
f	Modifications outside of IEP meetings	57.50	4,024.70	Psychologist	64.88	0	
5	FAA activities for pre-existing PBIP						
5a	Parent notice	10.00	572.06			0	
5b	Information gathering	71.00	3,975.42				
5c	Writing FAA	29.00	1,707.25				
6	Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	30.50	1,738.97			0	
b	Attending IEP meetings	53.00	3,096.69				
c	Training/monitoring PBIP	154.00	8,592.26				
d	Evaluating PBIP effectiveness	80.00	4,439.50				
e	Modifications in IEP meetings	23.00	1,266.23				
f	Modifications outside of IEP meetings	16.00	854.83				
7	IEP's where PBIP was a component						
	Students with 1 IEP	9.00		1			
	Students with 2 IEP's	5.00		0			
	Students with 3 or more IEP's	17.00		0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	307.50	20,773.42	1 TUSD RSP	63.41	3	190.23
				1 SELPA HOH	75.74	3	227.22
				1 TUSD Prog Spec	73.31	3	219.93
9	PBIP issues in IEP by non-BICM's when pre-existing	868.50	56,185.67				0
10	Implementation/monitoring of PBIP's by non-Bicm's	25,510.00	1,019,368.12				0
11	Emergency Behavior Interventions						
a	Performing interventions	8.75	759.24				0
b	One day notification	9.75	743.61				
c	Completing report for file	19.50	1,487.22				
d	IEP meetings for no PBIP	40.00	4,620.09				
e	IEP meetings with PBIP	26.00	2,614.30				
f	Reporting dat for annual CDE report	7.00	392.35				
BICM LEVEL TOTALS		28,704.50	1,238,763.84			67.00	4400.42
Completing survey		57.92	4,128.42	Psychologist	64.88	6	389.28
Check Totals		28,704.50	1,238,763.84				

Solano

SELPA

SELPA Level SOLANO COUNTY 48,462 P2 ADA

Number of BICM's in SELPA	9
Number of BICM surveys returned	9
Number of LEA's in SELPA	6
Number of LEA surveys returned	6

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes
Local Plan						
* 7- Procedures development	Prog Spec	65.11	14.00		911.54	
	Prog Spec	65.11	14.00		911.54	
* 8- Governing Board approval	Supt - Vacaville	117.97	1.50		176.96	
	Supt - Dixon	93.45	1.50		140.18	
	Supt - Fairfield	146.96	1.50		220.44	
	Supt - SCOE	120.14	1.50		180.21	
	Supt - Travis	99.83	1.50		149.75	
	Supt - Benicia	99.04	1.50		148.56	
	Director - Dixon	93.14	6.00		558.84	
	Director - Vacaville	72.02	6.00		432.12	
	Director - Fairfield	82.66	6.00		495.96	
	Director - Benicia	81.77	6.00		490.62	
	Director - Travis	76.26	6.00		457.56	
	Director - SCOE	82.02	6.00		492.12	
	Asst Supt	100.78	1.00		100.78	
	6 LEA Boards		18.00		0.00	
Training						
*11- Design training for initial BICM certification	Coordinator	71.89	40.00		2,875.60	
**12- Update of training for initial BICM certification	No Update					
**13- Lead training for initial BICM certification	Coordinator	71.89	12.00	862.68		
**14- Lead training update for certified BICM's	Coordinator	71.89	4.00	287.56		Changed Hours Called Mark Lieb, Interim Spec Ed Director at Solano COE. Mark just retired as Assoc. Supt. At Solano and is filling in. He confirmed that the training, etc. was also done in 06/07. We also talked about tchr work yr of 183 days and tchr work day at 6 hrs.
*15- Design training for PBIP implementers	Coordinator	71.89	4.00		287.56	
**16- Update training for PBIP implementers	Coordinator	71.89	4.00	287.56		
**17- Lead training for PBIP implementers	Coordinator	71.89	1.50	107.84		
*18- Design training on Emergency Behavioral Interventions	Program Specialist	65.11	10.00		651.10	Changed Hours
**19- Update trainin on Emergency Behavioral Interventions	Program Specialist	65.11	2.00	130.22		Changed Hours
**20- Lead training on Emergency Behavioral Interventions	Program Specialist	65.11	2.00	130.22		Changed Hours
21- Other costs of BICM certification training	Behavior Intervention Psychologists			7,100.00 11,960.00		
22 - Number of participants in BICM training by position/hours	10 Behavior Specialists	60.72	120.00	7,286.40		12 Hrs Each
	16 Psychologists	51.9	192.00	9,964.80		12 Hrs Each
23 - Number of participants in PBIP training by position/hours	80 SCOE Teachers	45.22	320.00	14,470.40		4 Hrs Each
	4 SCOE Principals	73.63	16.00	1,178.08		4 Hrs Each
24 - Number of participants in Emergency Beh Interv training by position/hours	2 Teachers	45.22	24.00	1,085.28		12 Hrs Each
	1 Psychologist	51.9	12.00	622.80		
25 - Other training costs				0.00	0.00	N/A
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Coordinator	71.89	1.60	115.02		
27 - Due process hearings	Program Specialist	65.11	3.00	195.33		
	Asst Supt	100.78	2.00	201.56		
SELPA LEVEL TOTAL			862.10	55,985.75	9,681.43	

Time to complete survey | Coordinator | 71.89 | 5.00 | 359.45

NOTES:
one asterisk indicates a one time
two asterisks indicates annual or more frequent costs

Somehow the hourly rate got dropped

District

SOLANO COUNTY SELPA DISTRICT LEVEL SUMMARY TOTALS		
District Level	# of Hours	Total Costs
1 # of Behavioral Emergency Reports		
2 Activities		
a - performing emergency interventions	14.00	678.16
b - 1 day notification of use of emergency intervention	2.75	165.83
c - Completing report	3.50	209.68
d - Scheduling and holding IEP meetings for students without PBIP	42.50	2,350.78
e - Scheduling and holding IEP meetings for students with PBIP	121.50	7,186.03
f - Reporting data for annual report to CDE	1.75	107.41
g - Reviewing reports & forwarding to SELPA	106.25	6,744.11
3 - Informing school personnel	54.00	4,758.74
4 - Number of due process requests filed	0.00	0.00
a - Number of written reponses For each response in 4a, there must be answers to 5 -8	0.00	0.00
5 - Filing Response	3.00	177.02
6 - Resolution Session	6.00	354.04
7 - Mediation	1.50	88.51
8 - Due Process Hearing	0.00	0.00
9 - Outside Assistance	0.00	4,668.14
DISTRICT LEVEL TOTALS	356.75	27,488.45
Time to complete survey	29.25	2,231.64

District Level

SOLANO COUNTY SELPA
DISTRICT LEVEL SUMMARY TOTALS

SOLANO COUNTY SELPA

1 # of Behavioral Emergency Reports

2 Activities

a - performing emergency interventions

b - 1 day notification of use of emergency intervention

c - Completing report

d - Scheduling and holding IEP meetings for students without PBIP

e - Scheduling and holding IEP meetings for students with PBIP

f - Reporting data for annual report to CDE

g - Reviewing reports & forwarding to SELPA

3 - Informing school personnel

4 - Number of due process requests filed

a - Number of written reponses
For each response in 4a, there must be answers to 5 -8

5 - Filing Response

6 - Resolution Session

7 - Mediation

8 - Due Process Hearing

9 - Outside Assistance

DISTRICT LEVEL TOTALS

Time to complete survey

7			3			
	# of Hours	Total Costs	Position	Travis Unified		Total Costs
				Hourly Rate	# of Hours	
	14.00	678.16	Teacher	44.46	3.00	133.38
			Behavior Specialist	51.97	2.00	103.94
			OT	52.16	1.00	
	2.75	165.83	Teacher	44.46	0.75	33.35
	3.50	209.68	Teacher	44.46	1.00	44.46
	42.50	2,350.78	Teacher	44.46	9.00	400.14
			Behavior Specialist	51.97	8.00	415.76
			Administrator	65.40	8.00	523.20
			Program Specialist	51.97	2.00	
	121.50	7,186.03	Teacher	44.46	6.00	266.76
			Psychologist	63.88	6.00	383.28
			Adminstrator	65.40	4.00	
	1.75	107.41	Teacher	44.46	1.00	44.46
	106.25	6,744.11	Administrator	65.40	2.50	163.50
	54.00	4,758.74				
			Behavior Specialist	51.97	3.00	0.00
	0.00	0.00	n/a			0.00
	0.00	0.00		0		
	3.00	177.02	n/a			0.00
	6.00	354.04	n/a			0.00
	1.50	88.51	n/a			0.00
	0.00	0.00	n/a			0.00
	0.00	4,668.14	n/a			0.00
DISTRICT LEVEL TOTALS	356.75	27,488.45			57.25	2,668.14
Time to complete survey	29.25	2,231.64	Director	76.26	8.50	648.21

District Level	SOLANO COUNTY SELPA DISTRICT LEVEL SUMMARY TOTALS		SOLANO COUNTY SELPA			
	# of Hours	Total Costs	Position	Benicia Unified Hourly Rate	# of Hours	Total Costs
1 # of Behavioral Emergency Reports					0	
2 Activities						
a - performing emergency interventions	14.00	678.16	n/a			
b - 1 day notification of use of emergency intervention	2.75	165.83	n/a			
c - Completing report	3.50	209.68	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	42.50	2,350.78	n/a			
e - Scheduling and holding IEP meetings for students with PBIP	121.50	7,186.03	Director	81.77	1.00	81.77
f - Reporting data for annual report to CDE	1.75	107.41				
g - Reviewing reports & forwarding to SELPA	106.25	6,744.11	Director	81.77	16.00	1,308.32
3 - Informing school personnel	54.00	4,758.74	Director Behavior Specialist	81.77 67.36	1.00 12.00	81.77 808.32
4 - Number of due process requests filed	0.00	0.00	n/a			0.00
a - Number of written reponses For each response in 4a, there must be answers to 5-8	0.00	0.00		0		
5 - Filing Response	3.00	177.02	n/a			0.00
6 - Resolution Session	6.00	354.04	n/a			0.00
7 - Mediation	1.50	88.51	n/a			0.00
8 - Due Process Hearing	0.00	0.00	n/a			0.00
9 - Outside Assistance	0.00	4,668.14	n/a			0.00
DISTRICT LEVEL TOTALS	356.75	27,488.45			30.00	2,280.18
Time to complete survey	29.25	2,231.64	Director	81.77	5.00	408.85

District Level	SOLANO COUNTY SELPA DISTRICT LEVEL SUMMARY TOTALS		SOLANO COUNTY SELPA			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1 # of Behavioral Emergency Reports					0	
2 Activities					Fairfield-Suisun Unified	
a - performing emergency interventions	14.00	678.16	n/a			
b - 1 day notification of use of emergency intervention	2.75	165.83	n/a			
c - Completing report	3.50	209.68	n/a			
d - Scheduling and holding IEP meetings for students without PBIP	42.50	2,350.78	Clerical Coordinator	24.60 76.21	3.00 9.00	73.80 685.89
e - Scheduling and holding IEP meetings for students with PBIP	121.50	7,186.03	Clerical Coordinator	24.60 76.21	18.00 54.00	442.80 4,115.34
f - Reporting data for annual report to CDE	1.75	107.41				
g - Reviewing reports & forwarding to SELPA	106.25	6,744.11	Clerical Coordinator	24.60 76.21	27.00 54.00	664.20 4,115.34
3 - Informing school personnel	54.00	4,758.74				0.00
4 - Number of due process requests filed	0.00	0.00	1			0.00
a - Number of written responses For each response in 4a, there must be answers to 5 - 8	0.00	0.00	0			
5 - Filing Response	3.00	177.02	Clerical Coordinator	24.60 76.21	1.00 2.00	24.60 152.42
6 - Resolution Session	6.00	354.04	Clerical Coordinator	24.60 76.21	2.00 4.00	49.20 304.84
7 - Mediation	1.50	88.51	Clerical Coordinator	24.60 76.21	0.50 1.00	12.30 76.21
8 - Due Process Hearing	0.00	0.00	0			0.00
9 - Outside Assistance	0.00	4,668.14				4,668.14
DISTRICT LEVEL TOTALS	356.75	27,488.45			175.50	15,385.08
Time to complete survey	29.25	2,231.64	Director	82.66	6.00	495.96

District Level

SOLANO COUNTY SELPA
 DISTRICT LEVEL SUMMARY TOTALS

SOLANO COUNTY SELPA

	DISTRICT LEVEL SUMMARY TOTALS		1			
	# of Hours	Total Costs	Position	Dixon Unified Hourly Rate	# of Hours	Total Costs
1 # of Behavioral Emergency Reports						
2 Activities						
a - performing emergency interventions	14.00	678.16	Principal	60.82	2.00	121.64
b - 1 day notification of use of emergency intervention	2.75	165.83	Principal	60.82	1.00	60.82
c - Completing report	3.50	209.68	Principal	60.82	1.50	91.23
d - Scheduling and holding IEP meetings for students without PBIP	42.50	2,350.78				0.00 0.00
e - Scheduling and holding IEP meetings for students with PBIP	121.50	7,186.03				0.00 0.00
f - Reporting data for annual report to CDE	1.75	107.41	BICM	103.83	0.25	25.96
g - Reviewing reports & forwarding to SELPA	106.25	6,744.11	BICM	103.83	0.25	25.96 0.00
3 - Informing school personnel	54.00	4,758.74	BICM	103.83	32.00	3,322.56
4 - Number of due process requests filed	0.00	0.00	0			0.00
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0.00	0.00	0			0.00
5 - Filing Response	3.00	177.02				0.00 0.00
6 - Resolution Session	6.00	354.04				0.00 0.00
7 - Mediation	1.50	88.51				0.00 0.00
8 - Due Process Hearing	0.00	0.00	0			0.00
9 - Outside Assistance	0.00	4,668.14				
DISTRICT LEVEL TOTALS	356.75	27,488.45			37.00	3,648.17
Time to complete survey	29.25	2,231.64	Director, Sp Ed	63.14	1.75	110.50

Irregular Hourly Rate

District Level

SOLANO COUNTY SELPA
 DISTRICT LEVEL SUMMARY TOTALS

SOLANO COUNTY SELPA

1 # of Behavioral Emergency Reports	7		1			
	# of Hours	Total Costs	Position	Vacaville Unified Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	14.00	678.16				
b - 1 day notification of use of emergency intervention	2.75	165.83				
c - Completing report	3.50	209.68				
d - Scheduling and holding IEP meetings for students without PBIP	42.50	2,350.78				0.00 0.00
e - Scheduling and holding IEP meetings for students with PBIP	121.50	7,186.03	Program Specialist	57.07	29.00	1,655.03 0.00
f - Reporting data for annual report to CDE	1.75	107.41				
g - Reviewing reports & forwarding to SELPA	106.25	6,744.11	Director	72.02	6.00	432.12
3 - Informing school personnel	54.00	4,758.74				
4 - Number of due process requests filed	0.00	0.00			0	0.00
a - Number of written reponses For each response in 4a, there must be answers to 5-8	0.00	0.00			0	
5 - Filing Response	3.00	177.02				0.00 0.00
6 - Resolution Session	6.00	354.04				0.00 0.00
7 - Mediation	1.50	88.51				0.00 0.00
8 - Due Process Hearing	0.00	0.00			0	0.00
9 - Outside Assistance	0.00	4,668.14				
DISTRICT LEVEL TOTALS	356.75	27,488.45			35.00	2,087.15
Time to complete survey	29.25	2,231.64	Director, Sp Ed	72.02	5.00	360.10

District Level

SOLANO COUNTY SELPA
 DISTRICT LEVEL SUMMARY TOTALS

SOLANO COUNTY SELPA

District Level	SOLANO COUNTY SELPA		SOLANO COUNTY SELPA			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1 # of Behavioral Emergency Reports					3	
2 Activities						
a - performing emergency interventions	14.00	678.16	Teacher Paraeducator	73.99 32.41	3.00 3.00	221.97 97.23
b - 1 day notification of use of emergency intervention	2.75	165.83	Principal Teacher	69.34 73.99	0.50 0.50	34.67 37.00
c - Completing report	3.50	209.68	Teacher	73.99	1.00	73.99
d - Scheduling and holding IEP meetings for students without PBIP	42.50	2,350.78	Principal Teacher	69.34 73.99	1.50 2.00	104.01 147.98
e - Scheduling and holding IEP meetings for students with PBIP	121.50	7,186.03	Principal Teacher Behavior Assistant	69.34 73.99 60.72	1.00 1.50 1.00	69.34 110.99 60.72
f - Reporting data for annual report to CDE	1.75	107.41	Teacher	73.99	0.50	37.00
g - Reviewing reports & forwarding to SELPA	106.25	6,744.11	Principal	69.34	0.50	34.67 0.00
3 - Informing school personnel	54.00	4,758.74	Behaviorist Principal	60.72 69.34	3.00 3.00	182.16 208.02 0.00
4 - Number of due process requests filed	0.00	0.00	0			
a - Number of written responses For each response in 4a, there must be answers to 5 - 8	0.00	0.00	0			
5 - Filing Response	3.00	177.02				0.00 0.00
6 - Resolution Session	6.00	354.04				0.00 0.00
7 - Mediation	1.50	88.51				0.00 0.00
8 - Due Process Hearing	0.00	0.00	0			0.00
9 - Outside Assistance	0.00	4,668.14				
DISTRICT LEVEL TOTALS	356.75	27,488.45			22.00	1,419.74
Time to complete survey	29.25	2,231.64	Principal	69.34	3.00	208.02

BICM

BICM Level - Solano County

	BICM Summary			Travis Unified			
	Total	Total # of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a - Number of Students with PBIP		Added Bernicia to formulas					
New	9			3			
Existing	21			4			
2 - PBIP's with AB 3632 services	6			1			
3 - FAA Activities							
a - Parent notice and consent	6.75	6.75	438.52	Psych	63.88	0.25	15.97
b - Information gathering & assessment	91.50	91.75	5628.04	Behavior Sp	51.97	1.00	51.97
c - Writing FAA	80.75	73.00	4398.63	Psych	63.88	20.00	1,277.60
The formula for 3a,b,c is correct				Behavior Sp	51.97	33.00	1,715.01
				Psych	63.88	10.00	638.80
				Behavior Sp	51.97	16.00	831.52
4 - Initial PBIP							
a - Preparing draft for IEP		26.00	1513.09	Psych	63.88	3.00	191.64
b - Attending IEP meetings		34.00	2111.28	Behavior Sp	51.97	14.00	727.58
c - Training/monitoring PBIP		105.00	6028.88	Psych	63.88	10.00	638.80
d - Evaluating PBIP effectiveness		51.00	2958.34	Behavior Sp	51.97	6.00	311.82
e - Modifications in IEP meetings		7.50	426.95	Psych	63.88	5.00	319.40
f - Modifications outside of IEP meetings		26.00	1552.05	Behavior Sp	51.97	60.00	3,118.20
5 - FAA activities for pre-existing PBIP		447.75	27701.44	Psych	63.88	5.00	319.40
6 - Review/revision of pre-existing PBIP				n/a			0.00
a - Preparing draft for IEP		42.00	2597.48	Behavior Sp	51.97	10.00	519.70
b - Attending IEP meetings		57.00	3470.47	Behavior Sp	51.97	12.00	623.64
c - Training/monitoring PBIP		478.00	31411.35	Behavior Sp	51.97	14.00	727.58
d - Evaluating PBIP effectiveness		267.00	16019.65	Behavior Sp	51.97	12.00	623.64
e - Modifications in IEP meetings		33.00	2037.39	Behavior Sp	51.97	3.00	155.91
f - Modifications outside of IEP meetings		71.00	4944.10	Behavior Sp	51.97	4.00	727.58
7 - IEP's where PBIP was a component							
Students with 1 IEP	21			3			
Students with 2 IEP's	17			2			
Students with 3 or more IEP's	3			1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	Used formulas	50.00	3052.15	2 Program Sp	58.84	4.00	235.36
				2 Spec Ed Tchr	37.78	4.00	151.12
				1 OT	52.16	1.00	52.16
				1 Speech Therapist	45.22	1.00	45.22
				1 Dir of Spec Ed	76.26	1.00	76.26
				2 Psych	63.88	4.00	255.52
				1 Admin	65.40	0.50	32.70
				1 Program Sp	58.84	0.50	29.42
				1 Spec Ed Tchr	44.46	0.50	22.23
				1 Teacher	44.46	2.00	88.92
9 - PBIP issues in IEP by non-BICM's when pre-existing	Used formulas	159.50	9651.91	4 Program Sp	58.84	6.00	353.04
				4 Spec Ed Tchr	44.46	4.00	177.84
				4 OT	52.16	4.00	208.64
				2 Speech Therapist	45.22	2.00	90.44
				0 Dir of Spec Ed		0.00	0.00
				4 Psych	63.88	6.00	383.28
10 - Implementation/monitoring of PBIP's by non-Bicm's		23423.50	977938.99	Teacher	58.84	3,160.00	185,934.40
				Para-Educator	37.78	3,160.00	119,384.80
				Admin	65.40	1.50	98.10
				Program Spec	91.68	1.00	91.68
				Spec Ed Tchr	44.46	1.50	66.69
				Teacher	44.46	4.50	200.07
11 - Emergency Behavior Interventions							
a - Performing interventions		29.00	1791.89	Psych	63.88	20.00	1,277.60
b - One day notification		3.75	230.35	Behavior Sp	51.97	6.00	311.82
c - Completing report for file		7.75	523.95	Psych	63.88	2.00	127.76
d - IEP meetings for no PBIP		14.00	789.66	Behavior Sp	51.97	1.00	51.97
e - IEP meetings with PBIP		21.00	1200.01	Psych	63.88	3.00	191.64
f - Reporting data for annual CDE report		1.50	94.80	Behavior Sp	51.97	1.00	51.97
				Psych	63.88	1.00	63.88
				Behavior Sp	51.97	1.00	51.97
BICM LEVEL TOTALS		25526.75	1,108,521.35			6,711.25	327,263.92
Completing survey		#REF!	#REF!	Behavior Sp	51.97	8.00	415.76
Check Totals		25526.75	1108521.35	Psych	63.88	8.00	511.04

BICM Level - Solano County

BICM Summary

Fairfield-Suisun Unified
Hourly Rate # of Hours Total Costs

	Total	Total # of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP							
New	9						
Existing	21						
2 PBIP's with AB 3632 services	6						
3 - FAA Activities							
a - Parent notice and consent	6.75	6.75	438.52	Behavior Intervention Specialist	67.49	2.00	134.98
b - Information gathering & assessment	91.50	91.75	5628.04	Behavior Intervention Specialist	67.49	2.25	151.85
c - Writing FAA	80.75	73.00	4398.63	Behavior Intervention Specialist	67.49	0.25	16.87
The formula for 3a,b,c is correct				Behavior Intervention Specialist	67.49	27.00	1,822.23
4 - Initial PBIP				Behavior Intervention Specialist	67.49	4.00	269.96
a - Preparing draft for IEP		26.00	1513.09	Behavior Intervention Specialist	67.49	7.00	472.43
b - Attending IEP meetings		34.00	2111.28	Behavior Intervention Specialist	67.49	2.00	134.98
c - Training/monitoring PBIP		105.00	6028.88	Behavior Intervention Specialist	67.49	8.00	539.92
d - Evaluating PBIP effectiveness		51.00	2958.34	Behavior Intervention Specialist	67.49	24.00	1,619.76
e - Modifications in IEP meetings		7.50	426.95	Behavior Intervention Specialist	67.49	16.00	1,079.84
f - Modifications outside of IEP meetings		26.00	1552.05	Behavior Intervention Specialist	67.49	0.50	33.75
5 - FAA activities for pre-existing PBIP		447.75	27,701.44	Behavior Intervention Specialist	67.49	5.00	337.45
6 - Review/revision of pre-existing PBIP				Behavior Intervention Specialist	67.49	0.75	50.62
a - Preparing draft for IEP		42.00	2597.48	Behavior Intervention Specialist	67.49	85.00	5,736.65
b - Attending IEP meetings		57.00	3470.47	Behavior Intervention Specialist	67.49	5.00	337.45
c - Training/monitoring PBIP		478.00	31411.35	Behavior Intervention Specialist	67.49	12.00	809.88
d - Evaluating PBIP effectiveness		267.00	16019.65	Behavior Intervention Specialist	67.49	6.00	404.94
e - Modifications in IEP meetings		33.00	2037.39	Behavior Intervention Specialist	67.49	8.00	539.92
f - Modifications outside of IEP meetings		71.00	4944.10	Behavior Intervention Specialist	67.49	42.00	2,834.58
7 - IEP's where PBIP was a component				Behavior Intervention Specialist	67.49	320.00	21,596.80
Students with 1 IEP	21			Behavior Intervention Specialist	67.49	10.00	674.90
Students with 2 IEP's	17			Behavior Intervention Specialist	67.49	40.00	2,699.60
Students with 3 or more IEP's	3			Behavior Intervention Specialist	67.49	6.00	404.94
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	used formulas	50.00	3052.15	Behavior Intervention Specialist	67.49	4.00	269.96
9 - PBIP issues in IEP by non-BICM's when pre-existing	used formulas	159.50	9661.91	Behavior Intervention Specialist	67.49	5.00	337.45
10 - Implementation/monitoring of PBIP's by non-Bicm's	used formulas	28,423.50	977,936.99	Behavior Intervention Specialist	67.49	14.00	944.86
11- Emergency Behavior Interventions				1 Teacher	50.27	1.50	75.41
a - Performing interventions	29.00	1791.89		1 OT	67.49	1.50	101.24
b - One day notification	3.75	230.35		1 Principal	79.66	1.50	119.49
c - Completing report for file	7.75	523.95		1 Asst Prin	73.39	1.50	110.09
d - IEP meetings for no PBIP	14.00	789.66		1 Psych	56.11	1.50	84.17
e - IEP meetings with PBIP	21.00	1200.01					
f - Reporting data for annual CDE report	1.50	94.80					
BICM LEVEL TOTALS		25526.75	1,108,521.35				
Completing survey		#REF!	#REF!	2 Administrator	79.66	3.00	238.98
Check Totals		25526.75	1108521.35	12 Psychologist	56.11	19.50	1,094.15
				5 SDC	50.27	9.00	452.43
				2 SLP (Speech)	50.27	3.00	150.81
				12 Teacher	50.27	19.50	980.27
				10 Principal/AP	79.66	27.00	2,150.82
				2 Speech	50.27	1.00	50.27
				7 OT	67.49	10.50	708.65
				Para-Profes	23.16	1,600.00	37,056.00
				Teacher	50.27	500.00	25,135.00
				Instructional Asst	23.16	1,557.00	36,060.12
				Spec Ed Teacher	50.27	595.00	29,910.65
				Principal	79.66	33.00	2,628.78
				Teacher	50.27	1,330.00	66,859.10
				Psych	56.11	40.00	2,244.40
					0.00		0.00
				Behavior Intervention Specialist	67.49	3.00	202.47
					0.00		0.00
				Behavior Intervention Specialist	67.49	0.75	50.62
					0.00		0.00
				Behavior Intervention Specialist	67.49	3.00	202.47
					0.00		0.00
				Behavior Intervention Specialist	67.49	4.00	269.96
					0.00		0.00
				Behavior Intervention Specialist	67.49	7.00	472.43
					0.00		0.00
				Behavior Intervention Specialist	67.49	0.25	16.87

BICM Level - Solano County

BICM Summary

	Total	Total # of Hours	Total Costs
1a - Number of Students with PBIP			
New	9		
Existing	21		
2 PBIP's with AB 3632 services	6		
3 - FAA Activities			
a - Parent notice and consent	6.75	6.75	438.52
b - Information gathering & assessment	91.50	91.75	5626.04
c - Writing FAA	80.75	73.00	4398.63
The formula for 3a,b,c is correct			
4- Initial PBIP			
a - Preparing draft for IEP		26.00	1513.09
b - Attending IEP meetings		34.00	2111.28
c - Training/monitoring PBIP		105.00	6028.88
d - Evaluating PBIP effectiveness		51.00	2958.34
e - Modifications in IEP meetings		7.50	426.95
f - Modifications outside of IEP meetings		26.00	1552.05
5 - FAA activities for pre-existing PBIP		447.75	27701.44
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP		42.00	2597.48
b - Attending IEP meetings		57.00	3470.47
c - Training/monitoring PBIP		478.00	31411.35
d - Evaluating PBIP effectiveness		267.00	16019.65
e - Modifications in IEP meetings		33.00	2037.39
f - Modifications outside of IEP meetings		71.00	4944.10
7 - IEP's where PBIP was a component			
Students with 1 IEP	21		
Students with 2 IEP's	17		
Students with 3 or more IEP's	3		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		50.00	3052.15
9 - PBIP issues in IEP by non-BICM's when pre-existing		159.50	9661.91
10 - Implementation/monitoring of PBIP's by non-Bicm's		28423.50	977038.99
11- Emergency Behavior Interventions			
a - Performing interventions		29.00	1791.89
b - One day notification		3.75	230.35
c - Completing report for file		7.75	523.95
d - IEP meetings for no PBIP		14.00	789.66
e - IEP meetings with PBIP		21.00	1200.01
f - Reporting data for annual CDE report		1.50	94.80
BICM LEVEL TOTALS		25526.75	1,108,521.35
Completing survey		#REF!	#REF!
Check Totals		25526.75	1108521.35

BICM Level - Solano County	BICM Summary			Benicia, F-S USD, Travis, Dixon, Solano COE			
	Total	Total # of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP		Added Benicia to formulas		Zoe			
New	9					1	
Existing	21					3	
2 PBIP's with AB 3632 services	6					1	
3 - FAA Activities							
a - Parent notice and consent	6.75	6.75	438.52	Behavior Intervention Specialist	60.72	0.25	15.18
b - Information gathering & assessment	91.50	91.75	5628.04	Behavior Intervention Specialist	60.72	0.50	30.36
c - Writing FAA	80.75	73.00	4398.63	Behavior Intervention Specialist	60.72	36.00	2,185.92
The formula for 3a,b,c is correct							
4- Initial PBIP							
a - Preparing draft for IEP		26.00	1513.09	Behavior Intervention Specialist	60.72	2.00	121.44
b - Attending IEP meetings		34.00	2111.28	Behavior Intervention Specialist	60.72	8.00	485.76
c - Training/monitoring PBIP		105.00	6028.88	Behavior Intervention Specialist	60.72	16.00	971.52
d - Evaluating PBIP effectiveness		51.00	2958.34	Behavior Intervention Specialist	60.72	0.00	0.00
e - Modifications in IEP meetings		7.50	426.95	Behavior Intervention Specialist	60.72	2.00	121.44
f - Modifications outside of IEP meetings		26.00	1552.05	Behavior Intervention Specialist	60.72	10.00	607.20
5 - FAA activities for pre-existing PBIP		447.75	27701.44	a Behavior Intervention Specialist	60.72	0.75	45.54
6 - Review/revision of pre-existing PBIP				b Behavior Intervention Specialist	60.72	129.25	7,848.06
a - Preparing draft for IEP		42.00	2597.48	Behavior Intervention Specialist		0.00	0.00
b - Attending IEP meetings		57.00	3470.47	1 Behavior Intervention Specialist	60.72	8.00	485.76
c - Training/monitoring PBIP		478.00	31411.35	Behavior Intervention Specialist	60.72	6.00	364.32
d - Evaluating PBIP effectiveness		267.00	16019.65	Behavior Intervention Specialist	60.72	72.00	4,371.84
e - Modifications in IEP meetings		33.00	2037.39	Behavior Intervention Specialist	60.72	8.00	485.76
f - Modifications outside of IEP meetings		71.00	4944.10	Behavior Intervention Specialist	60.72	36.00	2,185.92
7 - IEP's where PBIP was a component							
Students with 1 IEP	21					1	
Students with 2 IEP's	17					3	
Students with 3 or more IEP's	3					0	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	Used formulas	59.00	3052.15	2 Travis Principal	67.29	4.00	269.16
				2 Travis Sp Ed Coord	91.68	4.00	366.72
				2 Travis Sp Ed Teacher	44.46	4.00	177.84
				2 Travis Sp Ed Director	76.26	4.00	305.04
				2 Travis Psychologist	63.88	4.00	255.52
9 - PBIP issues in IEP by non-BICM's when pre-existing	Used formulas	159.50	9661.91	1 FSUSD SP Ed Teacher	50.27	2.00	100.54
				1 FSUSD SP Ed Teacher	50.27	2.00	100.54
				1 VUSD Sp Ed Teacher	51.40	2.00	102.80
				1 FSUSD Principal	79.66	2.00	159.32
				1 VUSD Principal	70.07	2.00	140.14
10 - Implementation/monitoring of PBIP's by non-Bicm's		28423.50	977938.99	FSUSD Para-Educator	23.16	1,300.00	30,108.00
				FSUSD Para-Educator	23.16	1,300.00	30,108.00
				VUSD Teacher	51.40	780.00	40,092.00
				FSUSD Sp Ed Teacher	50.27	780.00	39,210.60
				FSUSD Sp Ed Teacher	50.27	780.00	39,210.60
				NPA/1:1 Assistant	34.00	1,300.00	44,200.00
11- Emergency Behavior Interventions							
a - Performing interventions		29.00	1791.89	n/a	0.00	0.00	0.00
b - One day notification		3.75	230.35	n/a	0.00	0.00	0.00
c - Completing report for file		7.75	523.95	n/a	0.00	0.00	0.00
d - IEP meetings for no PBIP		14.00	789.66	n/a	0.00	0.00	0.00
e - IEP meetings with PBIP		21.00	1200.01	n/a	0.00	0.00	0.00
f - Reporting data for annual CDE report		1.50	94.80	n/a	0.00	0.00	0.00
BICM LEVEL TOTALS		25526.75	1,108,521.35			6,604.75	245,232.84
Completing survey	#REF!	#REF!		Behavior Intervention Specialist	60.72	5.00	303.60
Check Totals	25526.75	1108521.35					

BICM Level - Solano County

BICM Summary

1a Number of Students with PBIP	BICM Summary		Position	Vacaville and other Districts	
	Total	Total # of Hours		Hourly Rate	# of Hours
New	9		5 S. Kumandan		
Existing	21				
2 PBIP's with AB-3632 services	6				
3 - FAA Activities					
a - Parent notice and consent	6.75	6.75			0.00
b - Information gathering & assessment	91.50	91.75			0.00
c - Writing FAA	80.75	73.00			0.00
The formula for 3a, b, c is correct					
4 - Initial PBIP					
a - Preparing draft for IEP		26.00			0.00
b - Attending IEP meetings		34.00			0.00
c - Training/monitoring PBIP		105.00			0.00
d - Evaluating PBIP effectiveness		51.00			0.00
e - Modifications in IEP meetings		7.50			0.00
f - Modifications outside of IEP meetings		26.00			0.00
5 - FAA activities for pre-existing PBIP		447.75	Behavior Intervention Specialist	60.72	215.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		42.00	Behavior Intervention Specialist	60.72	8.00
b - Attending IEP meetings		57.00	Behavior Intervention Specialist	60.72	16.00
c - Training/monitoring PBIP		478.00	Behavior Intervention Specialist	60.72	75.00
d - Evaluating PBIP effectiveness		267.00	Behavior Intervention Specialist	60.72	12.00
e - Modifications in IEP meetings		33.00	Behavior Intervention Specialist	60.72	10.00
f - Modifications outside of IEP meetings		71.00	Behavior Intervention Specialist	60.72	5.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	21				
Students with 2 IEP's	17				
Students with 3 or more IEP's	3				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	Used formulas	50.00			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	Used formulas	159.50			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		23423.50			0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		29.00			0.00
b - One day notification		3.75			0.00
c - Completing report for file		7.75			0.00
d - IEP meetings for no PBIP		14.00			0.00
e - IEP meetings with PBIP		21.00			0.00
f - Reporting data for annual CDE report		1.50			0.00
BICM LEVEL TOTALS		25526.75			5564.00
					271,486.59

Completing survey	#REF!	#REF!	Behavior intervention Specialist	60.72	3.00	182.16
Check Totals	25526.75	1108521.35				

BICM Level - Solano County

BICM Summary

	BICM Summary			Position	Benicia Unified Hourly Rate	# of Hours	Total Costs
	Total	Total # of Hours	Total Costs				
1a Number of Students with PBIP				9 M: Duncan			
New	9			2 Behavior Intervention Specialist			
Existing	21			7			
2 PBIP's with AB 3632 services	6			1			
3 - FAA Activities							
a - Parent notice and consent	6.75	6.75	438.62	Behavior Intervention Specialist	56.81	0.75	42.61
b - Information gathering & assessment	91.50	91.75	5628.04	Behavior Intervention Specialist	56.81	8	454.48
c - Writing FAA	80.75	73.00	4398.63			0	0
The formula for 3a,b,c is correct							
4 - Initial PBIP							
a - Preparing draft for IEP		26.00	1513.09				0.00
b - Attending IEP meetings		34.00	2111.28				0.00
c - Training/monitoring PBIP		105.00	6028.88				0.00
d - Evaluating PBIP effectiveness		51.00	2958.34				0.00
e - Modifications in IEP meetings		7.50	426.95				0.00
f - Modifications outside of IEP meetings		26.00	1552.05				0.00
5 - FAA activities for pre-existing PBIP		447.75	27701.44	Behavior Intervention Specialist	56.81	17	965.77
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP		42.00	2597.48	Behavior Intervention Specialist	56.81	6	340.86
b - Attending IEP meetings		57.00	3470.47	Behavior Intervention Specialist	56.81	6	340.86
c - Training/monitoring PBIP		478.00	31411.35	Behavior Intervention Specialist	56.81	18	1,022.58
d - Evaluating PBIP effectiveness		267.00	16019.65	Behavior Intervention Specialist	56.81	120	6,817.20
e - Modifications in IEP meetings		33.00	2037.39	Behavior Intervention Specialist	56.81	2	113.62
f - Modifications outside of IEP meetings		71.00	4944.10	Behavior Intervention Specialist	56.81	6	340.86
7 - IEP's where PBIP was a component							
Students with 1 IEP	21			6			
Students with 2 IEP's	17			4			
Students with 3 or more IEP's	3						
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		50.00	3052.15	2 Case Manager		1	0.00
				2 School Psychologist	63.3	1	63.30
				1 Principal	74.8	0.5	37.40
				2 SPED Director	70.17	1	70.17
				1 Teacher	55.41	0.5	27.71
9 - PBIP issues in IEP by non-BICM's when pre-existing		139.50	9661.91	12 Case Manager		3	0.00
				3 School Psychologist	63.3	1	63.30
				8 Principal	74.8	3	224.40
				3 SPED Director	70.17	1	70.17
				5 Teacher	55.41	2	110.82
				5 OT	54.6	2	109.20
10 - Implementation/monitoring of PBIP's by non-Bicm's		23423.50	977938.99	SPA's (Aides) (6) Up to 6 hrs per day			0.00
11- Emergency Behavior Interventions							
a - Performing interventions		29.00	1791.89				0
b - One day notification		3.75	230.35				0
c - Completing report for file		7.75	523.95				0
d - IEP meetings for no PBIP		14.00	789.66				0
e - IEP meetings with PBIP		21.00	1200.01				0
f - Reporting data for annual CDE report		1.50	94.80				0
BICM LEVEL TOTALS		25526.75	1,108,521.35			199.75	11,215.30

Completing survey	#REF!	#REF!	Behavior Intervention Specialist	56.81	7.5	426.08
Check Totals	25526.75	1108521.35				

Sonoma

SELPA

SELPA Level

Sonoma County

Number of BICM's in SELPA
 Number of BICM surveys returned
 Number of LEA's in SELPA
 Number of LEA surveys returned

7
 20 Either no BICM's or no FAA's and PBIP's in 06-07
 41 40 + County Office of Ed
 20

Question	Position	Hourly Rate	# of Hours	06-07 Costs	1x hours	One-Time Costs	Notes:
Local Plan							
* 7 - Procedures development	SELPA Dir	79.37			15.00	1,190.55	
* 8 - Governing Board approval	SELPA Dir	79.37			2.00	158.74	
Training							
*11- Design training for initial BICM certification	n/a						
**12- Update of training for initial BICM certification	n/a						N/A
**13- Lead training for initial BICM certification	n/a						N/A
**14- Lead training update for certified BICM's	n/a						N/A
*15- Design training for PBIP implementers	n/a						
**16- Update training for PBIP implementers	n/a						N/A
**17- Lead training for PBIP implementers	n/a						N/A
*18- Design training on Emergency Behavioral Interventions	n/a						
**19- Update training on Emergency Behavioral Interventions	n/a						N/A
**20- Lead training on Emergency Behavioral Interventions	n/a						N/A
21- Other costs of BICM certification training	n/a						
22- Number of participants in BICM training by position/hours	n/a						
23- Number of participants in PBIP training by position/hours	n/a						
24- Number of participants in Emergency Beh Interv training by position/hours	n/a						
25- Other training costs	n/a						
Staff Activities							
26 - Data collection from BER's for annual report to CDE	SELPA Dir	79.37	2.00	158.74			
27 - Due process hearings	n/a						
SELPA LEVEL TOTALS			2.00	158.74	17.00	1,349.29	
Time to complete survey	SELPA Dir	79.37	0.00	0.00			

NOTES:

one asterick indicates one-time cost
 two astericks indicates annual or more frequent costs

District

District Level		SONOMA COUNTY SELPA DISTRICT LEVEL SUMMARY	
1 - # of Reports		1	
		# of Hours	Total Costs
2 Activities			
a - performing emergency interventions		14	805.21
b - 1 day notification of use of emergency intervention		12	690.18
c - Completing report			
d - Scheduling and holding IEP meetings for students without PBIP		2.00	161.90
e - Scheduling and holding IEP meetings for students with PBIP			
f - Reporting data for annual report to CDE			
g - Reviewing reports & forwarding to SELPA		3.00	242.85
3 - Informing school personnel		4.50	331.27
4 - Number of due process requests filed			
a - Number of written responses For each response in 4a, there must be answers to 5 -8			
5 - Filing Response			
6 - Resolution Session			
7 - Mediation			
8 - Due Process Hearing			
9 - Outside Assistance			
DISTRICT LEVEL TOTALS		35.50	2,231.41
Time to complete survey		1.25	76.12

District Level

SONOMA COUNTY SELPA
 DISTRICT LEVEL SUMMARY

1 - # of Reports	1		0			
	# of Hours	Total Costs	Position	Windsor Unified		
Hourly Rate				# of Hours	Total Costs	
2 Activities						
a - performing emergency interventions	14	805.21	n/a			
b - 1 day notification of use of emergency intervention	12	690.18	n/a			
c - Completing report			n/a			
d - Scheduling and holding IEP meetings for students without PBIP	2.00	161.90	n/a			
e - Scheduling and holding IEP meetings for students with PBIP			n/a			
f - Reporting data for annual report to CDE			n/a			
g - Reviewing reports & forwarding to SELPA	3.00	242.85	n/a			
3 - Informing school personnel	4.50	331.27	BICM	61.81	0.5	30.91
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8						
5 - Filing Response						
6 - Resolution Session						
7 - Mediation						
8 - Due Process Hearing						
9 - Outside Assistance						
DISTRICT LEVEL TOTALS	35.50	2,231.41			0.50	30.91
Time to complete survey	1.25	76.12	Sp Ed Director	64.77	0.25	16.19

District Level

SONOMA COUNTY SELPA
 DISTRICT LEVEL SUMMARY

1 - # of Reports	1		0			
	# of Hours	Total Costs	Roseland			
Position			Hourly Rate	# of Hours	Total Costs	
2 Activities						
a - performing emergency interventions	14	805.21	Administrator Psychologist	70.18 44.85	7 7	491.26 313.95
b - 1 day notification of use of emergency intervention	12	690.18	Administrator Psychologist	70.18 44.85	6 6	421.08 269.10
c - Completing report			n/a			
d - Scheduling and holding IEP meetings for students without PBIP	2.00	161.90	n/a			
e - Scheduling and holding IEP meetings for students with PBIP			n/a			
f - Reporting data for annual report to CDE			n/a			
g - Reviewing reports & forwarding to SELPA	3.00	242.85	n/a			
3 - Informing school personnel	4.50	331.27	Psychologist Administrator	44.85 70.18	0.5 0.5	22.43 35.09
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8						
5 - Filing Response						
6 - Resolution Session						
7 - Mediation						
8 - Due Process Hearing						
9 - Outside Assistance						
DISTRICT LEVEL TOTALS	35.50	2,231.41			27.00	1,552.91
Time to complete survey	1.25	76.12	Sp Ed Coord	51.04	0.5	25.52

District Level

SONOMA COUNTY SELPA
 DISTRICT LEVEL SUMMARY

1 - # of Reports

		1	0	Old Adobe	
		# of Hours	Total Costs	Monte Rio, Wright, West Side, Sonoma U, Rincon	
				Position	Hourly Rate # of Hours Total Costs
2 Activities					
a - performing emergency interventions		14	805.21	n/a	
b - 1 day notification of use of emergency intervention		12	690.18	n/a	
c - Completing report				n/a	
d - Scheduling and holding IEP meetings for students without PBIP		2.00	161.90	n/a	
e - Scheduling and holding IEP meetings for students with PBIP				n/a	
f - Reporting data for annual report to CDE				n/a	
g - Reviewing reports & forwarding to SELPA		3.00	242.85	n/a	
3 - Informing school personnel		4.50	331.27	n/a	
4 - Number of due process requests filed				n/a	
a - Number of written responses					
For each response in 4a, there must be answers to 5 -8					
5 - Filing Response					
6 - Resolution Session					
7 - Mediation					
8 - Due Process Hearing					
9 - Outside Assistance					
DISTRICT LEVEL TOTALS		35.50	2,231.41		0.00 0.00

Time to complete survey

1.25 76.12

District Level

SONOMA COUNTY SELPA
 DISTRICT LEVEL SUMMARY

1 - # of Reports

	# of Hours	Total Costs	Cotati-Rohnert Park			
			Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	14	805.21	n/a			
b - 1 day notification of use of emergency intervention	12	690.18	n/a			
c - Completing report			n/a			
d - Scheduling and holding IEP meetings for students without PBIP	2.00	161.90	Sp Ed Director	80.95	2.00	161.90
e - Scheduling and holding IEP meetings for students with PBIP			n/a			
f - Reporting data for annual report to CDE			n/a			
g - Reviewing reports & forwarding to SELPA	3.00	242.85	Sp Ed Director	80.95	3.00	242.85
3 - Informing school personnel	4.50	331.27	Sp Ed Director	80.95	3.00	242.85
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8						
5 - Filing Response						
6 - Resolution Session						
7 - Mediation						
8 - Due Process Hearing						
9 - Outside Assistance						
DISTRICT LEVEL TOTALS	35.50	2,231.41			8.00	647.60
Time to complete survey	1.25	76.12	Behavior Spec	68.82	0.50	34.41

BICM

BICM Level - Sonoma County		BICM Summary	
		# of Hours	Total Costs
1a - Number of Students with PBIP			
New	24		
Existing	25		
	See last column		
3 - FAA Activities			
a - Parent notice and consent		11.00	747.36
b - Information gathering & assessment		261.00	16,011.14
c - Writing FAA		122.00	8,174.08
4 - Initial PBIP			
a - Preparing draft for IEP		101.00	6,735.29
b - Attending IEP meetings		86.00	5,611.28
c - Training/monitoring PBIP		353.00	24,124.75
d - Evaluating PBIP effectiveness		309.00	21,359.43
e - Modifications in IEP meetings		52.00	3,503.82
f - Modifications outside of IEP meetings		202.50	14,026.49
5 - FAA activities for pre-existing PBIP		400.00	27,761.20
6 - Review/revision of pre-existing PBIP		115.00	6,450.60
7 - IEP's where PBIP was a component			
Students with 1 IEP	9		
Students with 2 IEP's	6		
Students with 3 or more IEP's	25		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		162.00	2,505.51
9 - PBIP issues in IEP by non-BICM's when pre-existing		14.00	0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		39,869.50	13,372.64
Emergency Behavior Interventions			
a - Performing interventions		67.00	5,032.78
b - One day notification		30.50	2,332.30
c - Completing report for file		46.50	3,314.06
d - IEP meetings for no PBIP		18.00	1,380.24
e - IEP meetings with PBIP		13.00	938.00
f - Reporting dat for annual CDE report		4.00	291.40
BICM LEVEL TOTALS		42,158.00	165,722.34
Completing survey		17.50	1,469.75

BICM Level - Sonoma County		BICM Summary		Rincon Valley			
		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP						
	New	24				7	
	Existing	25				3	
	See last column						
3	FAA Activities						
a	Parent notice and consent	11.00	747.36	Exec Director	84.34	3.50	295.19
b	Information gathering & assessment	261.00	16,011.14	Exec Director	84.34	7.00	590.38
c	Writing FAA	122.00	6,174.08	Exec Director	84.34	28.00	2,361.52
4	Initial PBIP						
a	Preparing draft for IEP	101.00	6,795.29	Exec Director	84.34	28.00	2,361.52
b	Attending IEP meetings	86.00	5,611.28	Exec Director	84.34	14.00	1,180.76
c	Training/monitoring PBIP	353.00	24,124.75	Exec Director	84.34	105.00	8,855.70
d	Evaluating PBIP effectiveness	309.00	21,359.43	Exec Director	84.34	105.00	8,855.70
e	Modifications in IEP meetings	52.00	3,503.82	Exec Director	84.34	12.00	1,012.08
f	Modifications outside of IEP meetings	202.50	14,026.49	Exec Director	84.34	70.00	5,903.80
5	FAA activities for pre-existing PBIP	400.00	27,761.20	Exec Director	84.34	140.00	11,807.60
6	Review/revision of pre-existing PBIP	116.00	6,450.60	Exec Director	84.34	58.00	4,891.72
7	IEP's where PBIP was a component						
	Students with 1 IEP	9				3	
	Students with 2 IEP's	6				2	
	Students with 3 or more IEP's	25				5	
8	PBIP issues in IEP by non-BICM's when discussed for the first time	92.00	2,505.51	5 TSA	0	10.00	0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	14.00	0.00	2 TSA		4.00	0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	39,869.50	13,372.64	TSA	0	9180.00	0.00
Emergency Behavior Interventions							
a	Performing interventions	67.00	5,032.76	Exec Director	84.34	40.00	3,373.60
b	One day notification	30.00	2,332.30	Exec Director	84.34	20.00	1,686.80
c	Completing report for file	46.50	3,314.06	Exec Director	84.34	20.00	1,686.80
d	IEP meetings for no PBIP	18.00	1,380.24	Exec Director	84.34	12.00	1,012.08
e	IEP meetings with PBIP	13.00	938.00	Exec Director	84.34	6.00	506.04
f	Reporting dat for annual CDE report	4.00	297.40	Exec Director	84.34	2.00	168.68
BICM LEVEL TOTALS		42,158.00	165,722.34			9,864.50	56,549.97
	Completing survey	17.50	1,169.75	Exec Director	84.34	3.00	253.02

BICM Level - Sonoma County		BICM Summary		Roseland			
1a Number of Students with PBIP		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
New	24			1			
Existing	25			0			
See last column							
3 - FAA Activities							
a - Parent notice and consent		11.00	747.36	Psychologist	44.85	0.50	22.43
b - Information gathering & assessment		261.00	16,011.14	Psychologist	44.85	20.00	897.00
c - Writing FAA		122.00	8,174.08	Psychologist	44.85	2.00	89.70
4 - Initial PBIP							
a - Preparing draft for IEP		101.00	6,785.29	Psychologist	44.85	4.00	179.40
b - Attending IEP meetings		86.00	5,611.28	Psychologist	44.85	4.00	179.40
c - Training/monitoring PBIP		353.00	24,124.75	Psychologist	44.85	3.00	134.55
d - Evaluating PBIP effectiveness		309.00	21,359.43	Psychologist	44.85	1.00	44.85
e - Modifications in IEP meetings		52.00	3,503.82				
f - Modifications outside of IEP meetings		202.50	14,026.49	Psychologist	44.85	0.50	22.43
5 - FAA activities for pre-existing PBIP				n/a			
6 - Review/revision of pre-existing PBIP				n/a			
7 - IEP's where PBIP was a component							
Students with 1 IEP	9			0			
Students with 2 IEP's	6			0			
Students with 3 or more IEP's	25			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time							
		82.00	2,505.51	2 RSP Teacher	43.13	6.00	258.78
				2 Teacher	42.00	6.00	252.00
				2 Counselor	49.26	6.00	295.56
				2 Administrator	70.18	6.00	421.08
9 - PBIP issues in IEP by non-BICM's when pre-existing				n/a			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's							
		39,869.50	13,372.64	Teacher	43.13	7.00	301.91
Emergency Behavior Interventions							
a - Performing interventions		67.00	5,032.76	n/a			
b - One day notification		30.50	2,332.90	Psychologist	44.85	2.00	89.70
c - Completing report for file		46.50	3,314.06	n/a			
d - IEP meetings for no PBIP		48.00	1,380.24	n/a			
e - IEP meetings with PBIP		13.00	338.00	n/a			
f - Reporting dat for annual CDE report		4.00	291.40	n/a			
BICM LEVEL TOTALS		42,150.00	165,722.34			68.00	3,188.78
Completing survey		17.50	1,169.76	Psychologist	44.85	0.00	0.00

BICM Level - Sonoma County		BICM Summary		Santa Rosa City Schools			
		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP						
	New	24		13			
	Existing	25		13			
		See last column					
3	FAA Activities						
a	Parent notice and consent	11.00	747.36	Exec Director	61.36	6.50	398.84
b	Information gathering & assessment	261.00	16,011.14	Exec Director	61.36	130.00	7,976.80
c	Writing FAA	122.00	8,174.08	Exec Director	61.36	52.00	3,190.72
4	Initial PBIP						
a	Preparing draft for IEP	101.00	6,785.29	Exec Director	61.36	52.00	3,190.72
b	Attending IEP meetings	86.00	5,611.28	Exec Director	61.36	26.00	1,595.36
c	Training/monitoring PBIP	353.00	24,124.75	Exec Director	61.36	195.00	11,965.20
d	Evaluating PBIP effectiveness	309.00	21,359.43	Exec Director	61.36	195.00	11,965.20
e	Modifications in IEP meetings	52.00	3,503.82	Exec Director	61.36	23.00	1,411.28
f	Modifications outside of IEP meetings	202.50	14,026.49	Exec Director	61.36	130.00	7,976.80
5	FAA activities for pre-existing PBIP	400.00	27,761.20	Exec Director	61.36	260.00	15,953.60
6	Review/revision of pre-existing PBIP	116.00	8,450.60	Exec Director	61.36	58.00	3,558.88
7	IEP's where PBIP was a component						
	Students with 1 IEP	9		5			
	Students with 2 IEP's	6		3			
	Students with 3 or more IEP's	25		18			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	62.00	2,505.91	13 TSA	0.00	26.00	0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	14.00	0.00	5 TSA	0.00	10.00	0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	39,869.50	13,372.64	TSA	0.00	30420.00	0.00
Emergency Behavior Interventions							
a	Performing interventions	57.00	5,032.76	Exec Director	61.36	26.00	1,595.36
b	One day notification	30.50	2,332.30	Exec Director	61.36	10.00	613.60
c	Completing report for file	46.50	3,314.06	Exec Director	61.36	26.00	1,595.36
d	IEP meetings for no PBIP	18.00	1,380.24	Exec Director	61.36	6.00	368.16
e	IEP meetings with PBIP	13.00	938.00	Exec Director	61.36	6.00	368.16
f	Reporting dat for annual CDE report	4.00	291.40	Exec Director	61.36	2.00	122.72
BICM LEVEL TOTALS		42,158.00	165,722.34			31,659.50	73,846.76
Completing survey		17.50	1,169.75	Exec Director	61.36	5.00	306.80

BICM Level - Sonoma County		BICM Summary		Windsor Unified			
		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP						
	New	24					
	Existing	25					
	See last column						
3	FAA Activities						
a	Parent notice and consent	11.00	747.36	BICM	61.81	0.50	30.91
b	Information gathering & assessment	261.00	16,011.14	BICM	61.81	15.00	927.15
c	Writing FAA	122.00	6,174.08	BICM	61.81	2.00	123.62
4	Initial PBIP						
a	Preparing draft for IEP	101.00	6,785.29	BICM	61.81	2.00	123.62
b	Attending IEP meetings	86.00	5,611.28	BICM	61.81	4.00	247.24
c	Training/monitoring PBIP	353.00	24,124.75	BICM	61.81	5.00	309.05
d	Evaluating PBIP effectiveness	309.00	21,859.43	BICM	61.81	3.00	185.43
e	Modifications in IEP meetings	52.00	3,503.82	BICM	61.81	1.00	61.81
f	Modifications outside of IEP meetings	202.50	14,026.49	BICM	61.81	1.00	61.81
5	FAA activities for pre-existing PBIP	400.00	27,761.20	n/a			
6	Review/revision of pre-existing PBIP	116.00	8,450.60	n/a			
7	IEP's where PBIP was a component						
	Students with 1 IEP	9		0			
	Students with 2 IEP's	6		0			
	Students with 3 or more IEP's	25		1			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	82.00	2,505.51	1 Teacher	61.81	3.00	185.43
				1 Paraeducator	28.99	3.00	86.97
				1 Psychologist	63.03	3.00	189.09
				1 Sp Ed Dir	64.77	3.00	194.31
				1 Principal	69.92	3.00	209.76
				1 Sp Ed Teacher	55.31	3.00	165.93
9	PBIP issues in IEP by non-BICM's when pre-existing	14.00	0.00	n/a			0
10	Implementation/monitoring of PBIP's by non-Bicm's	39,669.50	13,372.64	Teacher	61.81	72.50	4,481.23
				Paraeducator	28.99	72.50	2,101.78
				Sp Ed Teacher	55.31	72.50	4,009.98
Emergency Behavior Interventions							
a	Performing interventions	67.00	5,032.78	n/a			
b	One day notification	30.50	2,332.30	n/a			
c	Completing report for file	48.50	3,314.08	n/a			
d	IEP meetings for no PBIP	18.00	1,390.24	n/a			
e	IEP meetings with PBIP	13.00	938.00	n/a			
f	Reporting dat for annual CDE report	4.00	291.40	n/a			
BICM LEVEL TOTALS		42,158.00	165,722.34			269.00	13,695.10
Completing survey		17.50	1,169.78	BICM	61.81	2.00	123.62

Used assumptions

BICM Level - Sonoma County		BICM Summary		Wright Elementary			
1a Number of Students with PBIP		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
New	24						
Existing	25						
See last column							
3 - FAA Activities							
a - Parent notice and consent		11.00	747.36	n/a			
b - Information gathering & assessment		261.00	16,011.14	Psychologist	62.09	9.00	558.81
c - Writing FAA		122.00	8,174.08	Psychologist	62.09	3.00	186.27
4 - Initial PBIP							
a - Preparing draft for IEP		101.00	6,785.29	Psychologist	62.09	12.00	745.08
b - Attending IEP meetings		86.00	5,611.28	Psychologist	62.09	3.00	186.27
c - Training/monitoring PBIP		353.00	24,124.75	n/a			
d - Evaluating PBIP effectiveness		309.00	21,359.43	n/a			
e - Modifications in IEP meetings		52.00	3,503.62	n/a			
f - Modifications outside of IEP meetings		202.50	14,026.49	n/a			
5 - FAA activities for pre-existing PBIP							
		400.00	27,761.20	n/a			
6 - Review/revision of pre-existing PBIP							
		116.00	8,450.60	n/a			
7 - IEP's where PBIP was a component							
Students with 1 IEP	9					1	
Students with 2 IEP's	6					0	
Students with 3 or more IEP's	25					0	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		82.00	2,503.51	n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing		14.00	0.00	n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's							
		39,863.50	13,372.64	n/a			
Emergency Behavior Interventions							
a - Performing interventions		67.00	5,032.76	n/a			
b - One day notification		30.50	2,332.30	n/a			
c - Completing report for file		46.50	3,314.06	n/a			
d - IEP meetings for no PBIP		18.00	1,380.24	n/a			
e - IEP meetings with PBIP		13.00	938.00	n/a			
f - Reporting dat for annual CDE report		4.00	291.40	n/a			
BICM LEVEL TOTALS		42,158.00	165,722.34			27.00	1,676.43
Completing survey		17.50	1,169.75	Sp Ed Dir	69.92	1.00	69.92
				Psychologist	62.09	3.00	186.27

BICM Level - Sonoma County		BICM Summary		Sonoma COE			
		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP						
	New	24		1			
	Existing	25		8			
	See last column						
3	FAA Activities						
a	Parent notice and consent	11.00	747.36	n/a			
b	Information gathering & assessment	261.00	16,011.14	Sch Principal	61.65	20.00	1,233.00
c	Writing FAA	122.00	8,174.08	Sch Principal	61.65	5.00	308.25
4	Initial PBIP						
a	Preparing draft for IEP	101.00	6,785.29	Sch Principal	61.65	3.00	184.95
b	Attending IEP meetings	86.00	5,611.28	Sch Principal	61.65	5.00	308.25
c	Training/monitoring PBIP	353.00	24,124.75	Sch Principal	61.65	5.00	308.25
d	Evaluating PBIP effectiveness	309.00	21,359.43	Sch Principal	61.65	5.00	308.25
e	Modifications in IEP meetings	52.00	3,503.82	Sch Principal	61.65	1.00	61.65
f	Modifications outside of IEP meetings	202.50	14,026.49	Sch Principal	61.65	1.00	61.65
5	FAA activities for pre-existing PBIP	400.00	27,761.20	n/a			
6	Review/revision of pre-existing PBIP	116.00	8,450.60	n/a			
7	IEP's where PBIP was a component						
	Students with 1 IEP	9		0			
	Students with 2 IEP's	6		0			
	Students with 3 or more IEP's	25		1			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	82.00	2,505.51	2 Sch Principal see form	61.65	4.00	246.60
9	PBIP issues in IEP by non-BICM's when pre-existing	14.00	0.00	n/a			
10	Implementation/monitoring of PBIP's by non-Bicm's	39,869.50	13,372.64	n/a			
	Emergency Behavior Interventions						
a	Performing interventions	67.00	5,032.76	n/a			
b	One day notification	30.50	2,332.30	n/a			
c	Completing report for file	46.50	3,314.06	n/a			
d	IEP meetings for no PBIP	18.00	1,380.24	Sch Principal	61.65	10.00	616.50
e	IEP meetings with PBIP	13.00	938.00	n/a			
f	Reporting dat for annual CDE report	4.00	291.40	n/a			
BICM LEVEL TOTALS		42,158.00	163,722.34			59.00	3,637.35
	Completing survey	17.50	1,169.75	Sch Principal	61.65	1.50	92.48

BICM Level - Sonoma County		BICM Summary		Cypress, Old Adobe, Sonoma U, West Side			
1a Number of Students with PBIP		# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
New		24					
Existing		25					
3 - FAA Activities		See last column					
a - Parent notice and consent		11.00	747.36				n/a
b - Information gathering & assessment		261.00	16,011.14				
c - Writing FAA		122.00	8,174.08				
4 - Initial PBIP							n/a
a - Preparing draft for IEP		101.00	6,785.29				
b - Attending IEP meetings		86.00	5,611.28				
c - Training/monitoring PBIP		353.00	24,124.75				
d - Evaluating PBIP effectiveness		309.00	21,359.43				
e - Modifications in IEP meetings		52.00	3,503.82				n/a
f - Modifications outside of IEP meetings		202.50	14,026.49				
5 - FAA activities for pre-existing PBIP		400.00	27,761.20				n/a
6 - Review/revision of pre-existing PBIP		116.00	8,450.60				n/a
7 - IEP's where PBIP was a component							n/a
Students with 1 IEP		9					0
Students with 2 IEP's		6					0
Students with 3 or more IEP's		25					0
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		92.00	2,505.51				n/a
9 - PBIP issues in IEP by non-BICM's when pre-existing		14.00	0.00				n/a
10 - Implementation/monitoring of PBIP's by non-Bicm's		39,869.50	13,372.64				n/a
Emergency Behavior Interventions							
a - Performing interventions		57.00	5,032.75				n/a
b - One day notification		30.50	2,332.50				n/a
c - Completing report for file		46.50	3,314.96				n/a
d - IEP meetings for no PBIP		15.00	1,380.24				n/a
e - IEP meetings with PBIP		13.00	938.00				n/a
f - Reporting dat for annual CDE report		4.00	291.40				n/a
BICM LEVEL TOTALS		42,158.00	165,722.34			0.00	0.00
Completing survey		17.50	1,169.75				

BICM Level - Sonoma County

	BICM Summary		Cloverdale			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP						
New	24				0	
Existing	25				5	
3 - FAA Activities						
a - Parent notice and consent		11.00	n/a			
b - Information gathering & assessment		261.00	Behav. Spec.	63.80	60.00	3,828.00
c - Writing FAA		122.00	Behav. Spec.	63.80	30.00	1,914.00
4 - Initial PBIP						
a - Preparing draft for IEP		101.00	n/a		0.00	
b - Attending IEP meetings		86.00	Behav. Spec.	63.80	30.00	1,914.00
c - Training/monitoring PBIP		353.00	Behav. Spec.	63.80	40.00	2,552.00
d - Evaluating PBIP effectiveness		309.00			0.00	
e - Modifications in IEP meetings		52.00	n/a Behav. Spec.	63.80	15.00	957.00
f - Modifications outside of IEP meetings		202.50				
5 - FAA activities for pre-existing PBIP		400.00	n/a			
6 - Review/revision of pre-existing PBIP		116.00	n/a			
7 - IEP's where PBIP was a component						
Students with 1 IEP	9		n/a		2	
Students with 2 IEP's	6				3	
Students with 3 or more IEP's	25				0	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		82.00	n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing		14.00	n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's		39,869.50	n/a			
Emergency Behavior Interventions						
a - Performing interventions		67.00	n/a Behav. Spec.	63.80	1.00	63.80
b - One day notification		30.50	n/a Behav. Spec.	63.80	0.50	31.90
c - Completing report for file		46.50	n/a Behav. Spec.	63.80	0.50	31.90
d - IEP meetings for no PBIP		18.00	n/a			
e - IEP meetings with PBIP		13.00	n/a Behav. Spec.	63.80	1.00	63.80
f - Reporting dat for annual CDE report		4.00	n/a			
BICM LEVEL TOTALS		42,158.00			178.00	11,356.40
Completing survey		17.50				1,169.75

The Behavior Specialist is an employee of the Sonoma County SELPA; the hourly rate is the same as the Program Specialist on the hourly rate sheet attached to the SELPA survey.

South County

SELPA

SELPA Level SOUTH COUNTY

Number of BICM's in SELPA	39
Number of BICM surveys returned	39
Number of LEA's in SELPA	6
Number of LEA surveys returned	6

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7- Procedures development	SELPA Director	88.18	6.00		529.08	
* 8- Governing Board approval	SELPA Director	88.18	1.00		88.18	
	Area Supt				0.00	
Training						
*11- Design training for initial BICM certification	SELPA Director	88.18	16.00		1,410.88	
**12- Update of training for initial BICM certification	N/A					N/A
**13- Lead training for initial BICM certification	N/A					Alternate years
**14- Lead training update for certified BICM's	Same as #13					Alternate years
*15- Design training for PBIP implementers	N/A					
** 16 - Update training for PBIP implementers	Presenter			1,800.00		Alternate years
** 17 - Lead training for PBIP implementers	Program Specialist	78.20	14.00	1,094.80		As requested
*18 - Design training on Emergency Behavioral Interventions	Program Specialist	78.20	8.00		625.60	
** 19 - Update trainin on Emergency Behavioral Interventions	Coordinator	78.20	6.50	508.30		As requested
** 20 - Lead training on Emergency Behavioral Interventions	Program Specialist	78.20	6.50	508.30		As requested
21- Other costs of BCIM certification training	N/A					
22 - Number of participants in BICM training by position/hours	N/A				0.00	
23 - Number of participants in PBIP training by position/hours	N/A					
24 - Number of participants in Emergency Beh Interv training by position/hours	SELPA Director 32 employees @6.5 See e-mail for list	88.18	6.50 208.00	573.17 14,059.58		
25 - Other training costs	N/A					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Coordinator	78.20	2.00	156.40		
27 - Due process hearings	NONE					
TOTAL			274.50	18,700.55	2,653.74	0.00

Time to complete survey	SELPA Director	88.18	6.00		529.08	
	Admin Assistant	38.96	1.00		38.96	

NOTES:
 one asterisk indicates a one time cost
 two asterisks indicates annual or more frequent costs

District

District Level-

SOUTH COUNTY

	100	
	# of Hours	Total Costs
1 # of Behavioral Emergency Reports		
2 Activities		
a - performing emergency interventions	39.00	1,884.27
b - 1 day notification of use of emergency intervention	10.00	640.27
c - Completing report	30.00	1,742.25
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,738.51
e - Scheduling and holding IEP meetings for students with PBIP	47.00	2,928.10
f - Reporting data for annual report to CDE	17.00	1,019.63
g - Reviewing reports & forwarding to SELPA	15.50	947.87
3 - Informing school personnel	368.00	22,796.58
4 - Number of due process requests filed		
a - Number of written responses		
answers to 5 -8		
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance		
TOTALS	553.00	33,697.47
Time to complete survey	8.50	446.82

District Level-	SOUTH COUNTY		Ronald A. Lopez	SOUTH COUNTY		
1 # of Behavioral Emergency Reports	100		3	Sweetwater		
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	39.00	1,884.27	Psychologist	80.20	3.00	240.60
b - 1 day notification of use of emergency intervention	10.00	640.27	Psychologist	80.20	0.50	40.10
c - Completing report	30.00	1,742.25	Psychologist	80.20	1.00	80.20
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,738.51	Psychologist	80.20	2.00	160.40
e - Scheduling and holding IEP meetings for students with PBIP	47.00	2,928.10	Psychologist	80.20	0.50	40.10
f - Reporting data for annual report to CDE	17.00	1,019.63	Psychologist	80.20	0.50	40.10
g - Reviewing reports & forwarding to SELPA	15.50	947.87	Program Manager	80.50	0.00	0.00
3 - Informing school personnel	368.00	22,796.58	Program Manager	80.50	1.00	80.50
4 - Number of due process requests filed			n/a			
a - Number of written responses			0			
answers to 5 -8						
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance			n/a			0.00
TOTALS	553.00	33,697.47			8.50	682.00
Time to complete survey	8.50	446.82	SELPA Director		1.00	0.00

District Level-

SOUTH COUNTY

Nitza Corrales

San Ysidro

1 # of Behavioral Emergency Reports	100		7			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	39.00	1,884.27	Psychologist	62.64	4.00	250.56
b - 1 day notification of use of emergency intervention	10.00	640.27	Psychologist	62.64	3.00	187.92
c - Completing report	30.00	1,742.25	Psychologist	62.64	3.00	187.92
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,738.51	Psychologist	62.64	3.00	187.92
e - Scheduling and holding IEP meetings for students with PBIP	47.00	2,928.10	Psychologist	62.64	3.00	187.92
f - Reporting data for annual report to CDE	17.00	1,019.63	Psychologist	62.64	3.00	187.92
g - Reviewing reports & forwarding to SELPA	15.50	947.87	Psychologist	62.64	1.00	62.64
3 - Informing school personnel	368.00	22,796.58	Program Specialist	62.64	10.00	626.40
			Psychologist	62.64	5.00	313.20
4 - Number of due process requests filed			n/a			
a - Number of written responses			0			
answers to 5 -8						
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance			n/a			0.00
TOTALS	553.00	33,697.47			35.00	2,192.40
Time to complete survey	8.50	446.82	SELPA Director	75.16	1.00	75.16

Used Assumption

District Level-

SOUTH COUNTY

K. Filzenger
 2

National

100			2			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1 # of Behavioral Emergency Reports						
2 Activities						
a - performing emergency interventions	39.00	1,884.27	Teacher	66.33	1.00	66.33
b - 1 day notification of use of emergency intervention	10.00	640.27	Teacher	66.33	0.50	33.17
c - Completing report	30.00	1,742.25	Psychologist	79.09	1.00	79.09
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,738.51	Psychologist	79.09	2.00	158.18
e - Scheduling and holding IEP meetings for students with PBIP	47.00	2,928.10	Psychologist	79.09	2.00	158.18
f - Reporting data for annual report to CDE	17.00	1,019.63	Psychologist	79.09	0.50	39.55
g - Reviewing reports & forwarding to SELPA	15.50	947.87	Sp. Ed. Director	82.38	2.00	164.76
3 - Informing school personnel	368.00	22,796.58	N/A			0.00 0.00
4 - Number of due process requests filed			n/a			
a - Number of written responses			0			
answers to 5 -8						
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance			n/a			0.00
TOTALS	553.00	33,697.47			9.00	699.25
Time to complete survey	8.50	446.82	Sp. Ed. Director	82.38	1.00	82.38

District Level-

SOUTH COUNTY

Allen Feldstein
 22

Coronado

1 # of Behavioral Emergency Reports	100					
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	39.00	1,884.27			0.00	0.00
b - 1 day notification of use of emergency intervention	10.00	640.27	Sp.Ed. Teacher	48.90	0.00	0.00
c - Completing report	30.00	1,742.25	Behavior Specialist	45.86	11.00	504.46
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,738.51				0.00
e - Scheduling and holding IEP meetings for students with PBIP	47.00	2,928.10	Behavior Specialist	45.86	3.00	137.58
			Vice Principal	75.29	3.00	225.87
			Sp.Ed. Teacher	48.90	3.00	146.70
			Gen.Ed. Teacher	51.13	1.50	76.70
			Psychologist	47.33	1.50	71.00
			Counselor	60.52	1.50	90.78
f - Reporting data for annual report to CDE	17.00	1,019.63	Behavior Specialist	45.86	4.00	183.44
g - Reviewing reports & forwarding to SELPA	15.50	947.87	Behavior Specialist	45.86	4.00	183.44
3 - Informing school personnel	368.00	22,796.58	N/A			0.00
						0.00
4 - Number of due process requests filed			n/a			
a - Number of written responses			0			
answers to 5 -8						
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance			n/a			0.00
TOTALS	553.00	33,697.47			32.50	1,619.96
Time to complete survey	8.50	446.82	Behavior Specialist	45.86	4.00	183.44

District Level-

SOUTH COUNTY

Deborah Wenbourne Chula Vista
 66

1 # of Behavioral Emergency Reports	100					
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	39.00	1,884.27	Psychologist	63.18	21.00	1,326.78
b - 1 day notification of use of emergency intervention	10.00	640.27	Behavior Specialist	66.21	10.00	
			Psychologist	63.18	6.00	379.08
c - Completing report	30.00	1,742.25	Psychologist	63.18	12.00	758.16
			Behavior Specialist	66.21	2.00	132.42
d - Scheduling and holding IEP meetings for students without PBIP	26.50	1,738.51	Psychologist	63.18	19.50	1,232.01
e - Scheduling and holding IEP meetings for students with PBIP	47.00	2,928.10	Psychologist	63.18	20.00	1,263.60
			Behavior Specialist	66.21	8.00	529.68
f - Reporting data for annual report to CDE	17.00	1,019.63	Psychologist	63.18	9.00	568.62
g - Reviewing reports & forwarding to SELPA	15.50	947.87	Psychologist	63.18	8.50	537.03
3 - Informing school personnel	368.00	22,796.58	Principal	85.33	88.00	7,509.04
			Psychologist	63.18	88.00	5,559.84
			Behavior Specialist	66.21	88.00	5,826.48
			Behavioral Aide	32.74	88.00	2,881.12
4 - Number of due process requests filed			n/a			
a - Number of written responses			0			
answers to 5 -8						
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance			n/a			0.00
TOTALS	553.00	33,697.47			468.00	28,503.86
Time to complete survey	8.50	446.82	Director	70.56	1.50	105.84

BICM

	Chris' thanks. We missed this I think due to trying to get name and title.		
BICM Level- SOUTH COUNTY SD			
1a	Number of Students with PBIP	77	
	New	42	
	Existing	39	
3 - FAA Activities			
a	Parent notice and consent	16.08	1,054.76
b	Information gathering & assessment	568.00	37,284.59
c	Writing FAA	259.50	17,167.48
4- Initial PBIP			
a	Preparing draft for IEP	91.00	5,771.73
b	Attending IEP meetings	221.50	14,239.43
c	Training/monitoring PBIP	268.00	15,642.08
d	Evaluating PBIP effectiveness	130.50	7,136.53
e	Modifications in IEP meetings	48.00	3,067.55
f	Modifications outside of IEP meetings	52.50	3,312.47
5 - FAA activities for pre-existing PBIP			
5a	Parent notice	29.00	2,046.83
5b	Information gathering	237.00	16,277.50
5c	Writing FAA	70.50	4,944.41
6 - Review/revision of pre-existing PBIP			
a	Preparing draft for IEP	49.00	3,443.37
b	Attending IEP meetings	127.00	8,553.34
c	Training/monitoring PBIP	209.50	13,181.54
d	Evaluating PBIP effectiveness	61.00	3,574.26
e	Modifications in IEP meetings	36.00	2,504.78
f	Modifications outside of IEP meetings	56.00	4,118.33
7 - IEP's where PBIP was a component			
	Students with 1 IEP	39	
	Students with 2 IEP's	26	
	Students with 3 or more IEP's	21	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time			
		151.00	9,412.71
9 - PBIP issues in IEP by non-BICM's when pre-existing			
		243.00	13,295.06
10 - Implementation/monitoring of PBIP's by non-Bicm's			
		569.50	34,861.03
11 - Emergency Behavior Interventions			
a	Performing interventions	48.70	3,370.55
b	One day notification	25.75	1,851.50
c	Completing report for file	42.00	2,694.49
d	IEP meetings for no PBIP	34.58	2,080.95
e	IEP meetings with PBIP	65.50	4,562.59
f	Reporting dat for annual CDE report	28.50	1,935.52
TOTALS		3,738.61	237,385.37
Completing survey		39.75	2,379.53
			This line did not include

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title.			Patrick Crain	South County		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77						
	New	42			5			
	Existing	39			0			
					5			
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76					0.00
b	Information gathering & assessment	569.00	37,284.59					0.00
c	Writing FAA	259.50	17,167.48					0.00
4	Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73					0.00
b	Attending IEP meetings	221.50	14,239.43					0.00
c	Training/monitoring PBIP	268.00	15,842.08					0.00
d	Evaluating PBIP effectiveness	130.50	7,136.63					0.00
e	Modifications in IEP meetings	48.00	3,067.55					0.00
f	Modifications outside of IEP meetings	52.50	3,312.47					0.00
5	FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83	Psychologist	80.20	10.00		802.00
5b	Information gathering	237.00	16,277.50	Psychologist	80.20	22.00		1,764.40
5c	Writing FAA	70.50	4,944.41	Psychologist	80.20	10.00		802.00
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	80.20	10.00		802.00
b	Attending IEP meetings	127.00	8,553.34	Psychologist	80.20	5.00		401.00
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	80.20	5.00		401.00
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	80.20	0.00		0.00
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	80.20	5.00		401.00
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	80.20	18.00		1,443.60
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			5			
	Students with 2 IEP's	26			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71					0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06	5 JCCS		22.00		0.00
								0.00
								0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	589.50	34,861.03	JCCS		20.00		0.00
								0.00
								0.00
11	Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55	Psychologist				0.00
b	One day notification	25.75	1,851.50	Psychologist			0.00	0.00
c	Completing report for file	42.00	2,694.49	Psychologist			0.00	0.00
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist			0.00	0.00
e	IEP meetings with PBIP	65.50	4,562.69	Psychologist			0.00	0.00
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist			0.00	0.00
	TOTALS	3,738.61	237,385.37				127.00	6,817.00
	Completing survey	39.75	2,379.53	Psychologist	80.20	1.50		120.30
				This line did not include \$\$ from HH column				

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title.			Robert Kelin	Sweetwater		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77			1			
	New	42			1			
	Existing	39			0			
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76		Psychologist	80.20	0.17	13.63
b	Information gathering & assessment	568.00	37,284.59		Psychologist	80.20	1.00	80.20
c	Writing FAA	259.50	17,167.48		Psychologist	80.20	0.50	40.10
4	Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73		Psychologist	80.20	0.50	40.10
b	Attending IEP meetings	221.50	14,239.43		Psychologist	80.20	1.00	80.20
c	Training/monitoring PBIP	268.00	15,642.08		Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.53		Psychologist	80.20	0.50	40.10
e	Modifications in IEP meetings	48.00	3,067.55		Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47		Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83		Psychologist	80.20	0.00	0.00
5b	Information gathering	237.00	16,277.50		Psychologist	80.20	0.00	0.00
5c	Writing FAA	70.50	4,944.41		Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37		Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34		Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54		Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26		Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78		Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33		Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			1			
	Students with 2 IEP's	28			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71		1 Teacher	66.33	1.00	66.33
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06					0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03					0.00
11	Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55		Psychologist			0.00
b	One day notification	25.75	1,851.50		Psychologist			0.00
c	Completing report for file	42.00	2,694.49		Psychologist			0.00
d	IEP meetings for no PBIP	34.58	2,080.95		Psychologist			0.00
e	IEP meetings with PBIP	65.50	4,562.98		Psychologist			0.00
f	Reporting dat for annual CDE report	28.50	1,935.52		Psychologist			0.00
TOTALS		3,738.61	237,385.37				4.67	360.66
Completing survey		39.75	2,379.53		Psychologist	80.20	0.50	40.10
			This line did not include					

BICM Level- SOUTH COUNTY SD		Chris' thanks! We missed this I think due to trying to get name and title		Eva Jarosz	Sweetwater		
				Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77		2			
	New	42		2			
	Existing	39		0			
3	FAA Activities						
a	Parent notice and consent	16.08	1,054.76	Psychologist	80.20	0.50	40.10
b	Information gathering & assessment	568.00	37,284.59	Psychologist	80.20	4.00	320.80
c	Writing FAA	259.50	17,167.48	Psychologist	80.20	2.00	160.40
4	Initial PBIP						
a	Preparing draft for IEP	91.00	5,771.73	Psychologist	80.20	2.00	160.40
b	Attending IEP meetings	221.50	14,239.43	Psychologist	80.20	3.00	240.60
c	Training/monitoring PBIP	268.00	15,842.08	Psychologist	80.20	2.00	160.40
d	Evaluating PBIP effectiveness	130.50	7,136.53	Psychologist	80.20	1.00	80.20
e	Modifications in IEP meetings	48.00	3,087.55	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47	Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP						
5a	Parent notice	29.00	2,046.83	Psychologist	80.20	0.00	0.00
5b	Information gathering	237.00	16,277.50	Psychologist	80.20	0.00	0.00
5c	Writing FAA	70.50	4,944.41	Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component						
	Students with 1 IEP	39		2			
	Students with 2 IEP's	28		0			
	Students with 3 or more IEP's	21		0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71	2 Teacher	66.33	2.00	132.66
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06				0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03	Teacher	66.33	0.50	33.17
11	Emergency Behavior Interventions						
a	Performing interventions	48.70	3,370.55	Psychologist	80.20	3.00	240.60
b	One day notification	25.75	1,851.50	Psychologist	80.20	0.50	40.10
c	Completing report for file	42.00	2,694.49	Psychologist	80.20	1.00	80.20
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist	80.20	2.00	160.40
e	IEP meetings with PBIP	65.50	4,562.59	Psychologist	80.20	0.50	40.10
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist	80.20	0.50	40.10
TOTALS		3,738.61	237,385.37			24.50	1,930.23
Completing survey		39.75	2,379.53	Psychologist	80.20	0.50	40.10
			This line did not includ				

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title			Sergio Campos	Sweetwater		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77						
	New	42			0			
	Existing	39			0			
3	FAA Activities							
a	Parent notice and consent		16.08	1,054.76	Psychologist	80.20	0.00	0.00
b	Information gathering & assessment		588.00	37,284.59	Psychologist	80.20	0.00	0.00
c	Writing FAA		259.50	17,167.48	Psychologist	80.20	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP		91.00	5,771.73	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings		221.50	14,239.43	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP		268.00	15,642.08	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings		48.00	3,067.55	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP							
5a	Parent notice		29.00	2,046.83	Psychologist	80.20	0.00	0.00
5b	Information gathering		237.00	16,277.50	Psychologist	80.20	0.00	0.00
5c	Writing FAA		70.50	4,944.41	Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP		49.00	3,443.37	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings		127.00	8,553.34	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP		209.50	13,181.54	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings		36.00	2,504.78	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			0			
	Students with 2 IEP's	26			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71				0.00
9	PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06				0.00
10	Implementation/monitoring of PBIP's by non-Bicm's		589.50	34,861.03				0.00
11	Emergency Behavior Interventions							
a	Performing interventions		48.70	3,370.55	Psychologist			0.00
b	One day notification		25.75	1,851.50	Psychologist			0.00
c	Completing report for file		42.00	2,894.49	Psychologist			0.00
d	IEP meetings for no PBIP		34.38	2,080.95	Psychologist			0.00
e	IEP meetings with PBIP		65.60	4,562.59	Psychologist			0.00
f	Reporting dat for annual CDE report		28.50	1,935.52	Psychologist			0.00
TOTALS			3,738.61	237,385.37			0.00	0.00
Completing survey			39.75	2,379.53	Psychologist	80.20	0.25	20.05
				This line did not include				

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title.		Pamela Jacoby	Sweetwater		
				Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77					
	New	42					
	Existing	39					
3	FAA Activities						
a	Parent notice and consent	16.08	1,054.76	Psychologist	80.20	0.00	0.00
b	Information gathering & assessment	568.00	37,284.59	Psychologist	80.20	0.00	0.00
c	Writing FAA	259.50	17,167.48	Psychologist	80.20	0.00	0.00
4	Initial PBIP						
a	Preparing draft for IEP	91.00	5,771.73	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	221.50	14,239.43	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	268.00	15,842.08	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.53	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	48.00	3,067.55	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47	Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP						
5a	Parent notice	29.00	2,046.83	Psychologist	80.20	0.00	0.00
5b	Information gathering	237.00	16,277.50	Psychologist	80.20	0.00	0.00
5c	Writing FAA	70.50	4,944.41	Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component						
	Students with 1 IEP	39		0			
	Students with 2 IEP's	26		0			
	Students with 3 or more IEP's	23		0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71				0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06				0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	589.50	34,861.03				0.00
11	Emergency Behavior Interventions						
a	Performing interventions	48.70	3,370.55	Psychologist		0.00	0.00
b	One day notification	26.75	1,851.50	Psychologist			0.00
c	Completing report for file	42.00	2,694.49	Psychologist			0.00
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist			0.00
e	IEP meetings with PBIP	65.50	4,562.59	Psychologist			0.00
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist			0.00
TOTALS		3,738.61	237,385.37			0.00	0.00
Completing survey		39.75	2,379.53	Psychologist	80.20	0.25	20.05
			This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris: thanks. We missed this I think due to trying to get name and title			Cynthia Hernandez	Sweetwater		
				Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77						
New	42						
Existing	39						
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	80.20	0.00	0.00
b - Information gathering & assessment		568.00	37,284.59	Psychologist	80.20	0.00	0.00
c - Writing FAA		258.50	17,167.48	Psychologist	80.20	0.00	0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		221.50	14,239.43	Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	80.20	0.00	0.00
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83	Psychologist	80.20	0.00	0.00
5b Information gathering		237.00	16,277.50	Psychologist	80.20	0.00	0.00
5c Writing FAA		70.50	4,944.41	Psychologist	80.20	0.00	0.00
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	80.20	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34	Psychologist	80.20	0.00	0.00
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	80.20	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	80.20	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	80.20	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	80.20	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			0			
Students with 3 or more IEP's	21			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71				0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06				0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03				0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist			0.00
b - One day notification		25.75	1,851.50	Psychologist			0.00
c - Completing report for file		42.00	2,694.49	Psychologist			0.00
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist			0.00
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist			0.00
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist			0.00
TOTALS		3,738.61	237,385.37			0.00	0.00
Completing survey		39.75	2,379.53	Psychologist	80.20	0.25	20.05
			This line did not include				

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title			Deanne B. Monte	Sweetwater		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77		0				
	New	42		0				
	Existing	35		0				
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76		Psychologist	80.20	0.00	0.00
b	Information gathering & assessment	568.00	37,284.59		Psychologist	80.20	0.00	0.00
c	Writing FAA	259.50	17,167.48		Psychologist	80.20	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73		Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	221.50	14,239.43		Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	268.00	15,642.08		Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.53		Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	48.00	3,067.55		Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47		Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83		Psychologist	80.20	0.00	0.00
5b	Information gathering	237.00	16,277.50		Psychologist	80.20	0.00	0.00
5c	Writing FAA	70.50	4,944.41		Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37		Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34		Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54		Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26		Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78		Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33		Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39		0				
	Students with 2 IEP's	26		0				
	Students with 3 or more IEP's	21		0				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71					0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06					0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03					0.00
11	Emergency Behavior Interventions							
a	Performing interventions	49.70	3,370.55		Psychologist			0.00
b	One day notification	25.75	1,851.50		Psychologist			0.00
c	Completing report for file	42.00	2,694.49		Psychologist			0.00
d	IEP meetings for no PBIP	34.58	2,080.95		Psychologist			0.00
e	IEP meetings with PBIP	65.50	4,582.58		Psychologist			0.00
f	Reporting dat for annual CDE report	28.50	1,935.52		Psychologist			0.00
TOTALS		3,738.61	237,385.37				0.00	0.00
Completing survey		39.75	2,379.53		Psychologist	80.20	0.17	13.63
			This line did not includ					

BICM Level- SOUTH COUNTY SD		Chris: thanks We missed this I think due to trying to get name and title.			Sergio Appel Position	Sweetwater Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77		0				
	New	42		0				
	Existing	39		0				
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76		Psychologist	80.20	0.00	0.00
b	Information gathering & assessment	568.00	37,284.59		Psychologist	80.20	0.00	0.00
c	Writing FAA	259.50	17,167.48		Psychologist	80.20	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73		Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	221.50	14,239.43		Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	268.00	15,642.08		Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.53		Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	48.00	3,067.55		Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47		Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83		Psychologist	80.20	0.00	0.00
5b	Information gathering	237.00	18,277.50		Psychologist	80.20	0.00	0.00
5c	Writing FAA	70.50	4,944.41		Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37		Psychologist	80.20	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34		Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54		Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26		Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78		Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33		Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39		0				
	Students with 2 IEP's	26		0				
	Students with 3 or more IEP's	21		0				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71					0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06					0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03					0.00
11	Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55		Psychologist			0.00
b	One day notification	26.75	1,851.50		Psychologist			0.00
c	Completing report for file	42.00	2,694.49		Psychologist		0.00	0.00
d	IEP meetings for no PBIP	34.58	2,080.95		Psychologist			0.00
e	IEP meetings with PBIP	65.50	4,562.59		Psychologist		0.00	0.00
f	Reporting dat for annual CDE report	28.50	1,935.52		Psychologist			0.00
TOTALS		3,738.61	237,385.37				0.00	0.00
Completing survey		39.75	2,379.53		Psychologist	80.20	0.25	20.05
			This line did not includ					

BICM Level- SOUTH COUNTY SD		Chris' thanks. We missed this I think due to trying to get name and title			Kenya Bratton	Sweetwater		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP							
	New	77			0			
	Existing	42			0			
		39			0			
3	FAA Activities							
a	Parent notice and consent		16.08	1,054.76	Psychologist	80.20	0.00	0.00
b	Information gathering & assessment		568.00	37,284.59	Psychologist	80.20	0.00	0.00
c	Writing FAA		259.50	17,167.48	Psychologist	80.20	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP		91.00	5,771.73	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings		221.50	14,239.43	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP		268.00	15,642.08	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings		48.00	3,067.55	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	80.20	0.00	0.00
5	FAA activities for pre-existing PBIP							
5a	Parent notice		29.00	2,046.83	Psychologist	80.20	0.00	0.00
5b	Information gathering		237.00	16,277.50	Psychologist	80.20	0.00	0.00
5c	Writing FAA		70.50	4,944.41	Psychologist	80.20	0.00	0.00
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP		49.00	3,443.37	Psychologist	80.20	0.00	0.00
b	Attending IEP meetings		127.00	8,553.34	Psychologist	80.20	0.00	0.00
c	Training/monitoring PBIP		209.50	13,181.54	Psychologist	80.20	0.00	0.00
d	Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	80.20	0.00	0.00
e	Modifications in IEP meetings		36.00	2,504.78	Psychologist	80.20	0.00	0.00
f	Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	80.20	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			0			
	Students with 2 IEP's	28			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71				0.00
9	PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06				0.00
10	Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03				0.00
11	Emergency Behavior Interventions							
a	Performing interventions		48.70	3,370.55	Psychologist			0.00
b	One day notification		25.75	1,851.50	Psychologist			0.00
c	Completing report for file		42.00	2,694.49	Psychologist			0.00
d	IEP meetings for no PBIP		34.58	2,080.95	Psychologist			0.00
e	IEP meetings with PBIP		65.50	4,562.59	Psychologist			0.00
f	Reporting dat for annual CDE report		28.50	1,935.52	Psychologist			0.00
TOTALS			3,738.61	237,385.37			0.00	0.00
Completing survey			39.75	2,379.53	Psychologist	80.20	0.13	10.43
				This line did not include				

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title.			Nitza Corrales	San Ysidro		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP							
	New	77			3			
	Existing	42			1			
		39			2			
3	FAA Activities							
a	Parent notice and consent		16.08	1,054.76	Psychologist	62.64	3.00	187.92
b	Information gathering & assessment		568.00	37,284.59	Psychologist	62.64	80.00	5,011.20
c	Writing FAA		259.50	17,167.48	Psychologist	62.64	15.00	939.60
4	Initial PBIP							
a	Preparing draft for IEP		91.00	5,771.73	Psychologist	62.64	15.00	939.60
b	Attending IEP meetings		224.50	14,239.43	Psychologist	62.64	9.00	563.76
c	Training/monitoring PBIP		268.00	15,642.08	Psychologist	62.64	10.00	626.40
d	Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	62.64	20.00	1,252.80
e	Modifications in IEP meetings		48.00	3,067.55	Psychologist	62.64	10.00	626.40
f	Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	62.64	10.00	626.40
5	FAA activities for pre-existing PBIP							
5a	Parent notice		29.00	2,046.83	Psychologist	62.64	1.00	62.64
5b	Information gathering		237.00	16,277.50	Psychologist	62.64	25.00	1,566.00
5c	Writing FAA		70.50	4,944.41	Psychologist	62.64	5.00	313.20
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP		49.00	3,443.37	Psychologist	62.64	5.00	313.20
b	Attending IEP meetings		127.00	8,553.34	Psychologist	62.64	3.00	187.92
c	Training/monitoring PBIP		209.50	13,181.54	Psychologist	62.64	3.00	187.92
d	Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	62.64	4.00	250.56
e	Modifications in IEP meetings		36.00	2,504.78	Psychologist	62.64	3.00	187.92
f	Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	62.64	3.00	187.92
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			1			
	Students with 2 IEP's	26			2			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	1 RSP	64.09	2.00	128.18
					1 SDC	60.46	2.00	120.92
					1 Psychologist	62.64	2.00	125.28
					1 Vice Principal	66.06	2.00	132.12
					1 Program Spec	77.80	2.00	155.60
9	PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	2 RSP	64.09	3.00	192.27
					2 SDC	60.46	3.00	181.38
					2 Psychologist	62.64	3.00	187.92
					2 Vice Principal	66.06	3.00	198.18
					2 Program Spec	77.80	3.00	233.40
10	Implementation/monitoring of PBIP's by non-Bicm's		589.50	34,881.03	RSP	64.09	10.00	640.90
					SDC	60.46	10.00	604.60
					Psychologist	62.64	15.00	939.60
					Vice Principal	66.06	5.00	330.30
					Program Spec	77.80	15.00	1,167.00
11	Emergency Behavior Interventions							
a	Performing Interventions		48.70	3,370.55	Psychologist	62.64	9.00	563.76
b	One day notification		25.75	1,651.50	Psychologist	62.64	2.00	125.28
c	Completing report for file		42.00	2,694.49	Psychologist	62.64	4.00	250.56
d	IEP meetings for no PBIP		34.58	2,080.95	Psychologist	62.64	2.00	125.28
e	IEP meetings with PBIP		66.50	4,562.59	Psychologist	62.64	10.00	626.40
f	Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	62.64	4.00	250.56
	TOTALS		3,738.61	237,385.37			335.00	21,310.85
	Completing survey		39.75	2,379.53	Psychologist	62.64	0.25	15.66
				This line did not include				

BICM Level- SOUTH COUNTY SD	Chris: thanks. We missed this I think due to trying to get name and title			Tonya Pearsley Position	National Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP							
New	77			1			
Existing	42			0			
	39			1			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	79.09	0.00	0.00
b - Information gathering & assessment		568.00	37,284.59	Psychologist	79.09	0.00	0.00
c - Writing FAA		259.50	17,167.48	Psychologist	79.09	0.00	0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	79.09	0.00	0.00
b - Attending IEP meetings		221.50	14,239.43	Psychologist	79.09	0.00	0.00
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	79.09	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	79.09	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	79.09	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	79.09	0.00	0.00
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83	Psychologist	79.09	0.00	0.00
5b Information gathering		237.00	18,277.50	Psychologist	79.09	8.00	632.72
5c Writing FAA		70.50	4,944.41	Psychologist	79.09	1.00	79.09
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	79.09	1.00	79.09
b - Attending IEP meetings		127.00	8,553.34	Psychologist	79.09	5.00	395.45
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	79.09	1.00	79.09
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	79.09	2.00	158.18
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	79.09	1.00	79.09
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	79.09	1.00	79.09
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			1			
Students with 3 or more IEP's	21			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	2 Principal	61.14	3.50	213.99
				2 Psychologist	79.09	3.50	276.82
				2 Program Specialist	56.75	3.50	198.63
				2 Teacher	66.33	3.50	232.16
							0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	Teacher	66.33	1.00	66.33
				1:1Aide	12.18	1.00	12.18
							0.00
							0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	79.09	0.00	0.00
b - One day notification		25.76	1,851.50	Psychologist	79.09	0.00	0.00
c - Completing report for file		42.00	2,694.49	Psychologist	79.09	0.00	0.00
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	79.09	0.00	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	79.09	0.00	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	79.09	0.00	0.00
TOTALS		3,738.61	237,385.37			36.00	2,581.90
Completing survey		39.75	2,379.53	Psychologist	79.09	1.00	79.09
			This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris: thanks - We missed this I think due to trying to get name and title			Greg Chase	National		
				Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77			1			
New	42			0			
Existing	39			1			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	79.09	0.00	0.00
b - Information gathering & assessment		588.00	37,284.59	Psychologist	79.09	0.00	0.00
c - Writing FAA		259.50	17,167.48	Psychologist	79.09	0.00	0.00
4 - Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	79.09	0.00	0.00
b - Attending IEP meetings		221.50	14,239.43	Psychologist	79.09	0.00	0.00
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	79.09	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	79.09	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	79.09	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	79.09	0.00	0.00
5 - FAA activities for pre-existing PBIP							0.00
5a Parent notice		29.00	2,046.83	Psychologist	79.09	1.00	79.09
5b Information gathering		237.00	16,277.50	Psychologist	79.09	10.00	790.90
5c Writing FAA		70.50	4,944.41	Psychologist	79.09	3.00	237.27
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	79.09	4.00	316.36
b - Attending IEP meetings		127.00	8,553.34	Psychologist	79.09	3.00	237.27
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	79.09	2.00	158.18
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	79.09	6.00	474.54
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	79.09	3.00	237.27
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	79.09	10.00	790.90
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			0			
Students with 3 or more IEP's	21			1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	3 Principal	61.14	24.00	1,467.36
				3 Teacher	66.33	24.00	1,591.92
				3 1:1 Aide	12.18	24.00	292.32
				3 Sp.Ed. Director	82.38	24.00	1,977.12
				3 Program Specialist	56.75	24.00	1,362.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	Teacher	66.33	8.00	530.64
				1:1 Aide	12.18	8.00	97.44
							0.00
							0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	79.09	10.00	790.90
b - One day notification		25.75	1,851.50	Psychologist	79.09	10.00	790.90
c - Completing report for file		42.00	2,694.49	Psychologist	79.09	10.00	790.90
d - IEP meetings for no PBIP		34.58	2,080.85	Psychologist	79.09	0.00	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	79.09	25.00	1,977.25
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	79.09	10.00	790.90
TOTALS		3,738.61	237,385.37			243.00	15,781.43
Completing survey		39.75	2,379.53	Psychologist	79.09	1.00	79.09
			This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris: thanks We missed this I think due to trying to get name and title.			Allen Feldstein Position	Coronado Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP		77		7			
New		42		5			
Existing		39		2			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76				0.00
b - Information gathering & assessment		568.00	37,284.59				0.00
c - Writing FAA		259.50	17,167.48				0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Behavior Specialist	45.86	10.00	458.60
b - Attending IEP meetings		221.50	14,239.43	Behavior Specialist	45.86	20.00	917.20
c - Training/monitoring PBIP		268.00	15,642.08	Behavior Specialist	45.86	101.00	4,631.86
d - Evaluating PBIP effectiveness		130.50	7,136.53	Behavior Specialist	45.86	69.50	3,187.27
e - Modifications in IEP meetings		48.00	3,067.55	Behavior Specialist	45.86	4.00	183.44
f - Modifications outside of IEP meetings		52.50	3,312.47	Behavior Specialist	45.86	4.00	183.44
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83	Behavior Specialist	45.86	0.00	0.00
5b Information gathering		237.00	16,277.50	Behavior Specialist	45.86	0.00	0.00
5c Writing FAA		70.50	4,944.41	Behavior Specialist	45.86	0.00	0.00
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37	Behavior Specialist	45.86	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34	Behavior Specialist	45.86	3.00	137.58
c - Training/monitoring PBIP		209.50	13,181.54	Behavior Specialist	45.86	39.00	1,788.54
d - Evaluating PBIP effectiveness		61.00	3,574.26	Behavior Specialist	45.86	27.50	1,261.15
e - Modifications in IEP meetings		36.00	2,504.78	Behavior Specialist	45.86	1.00	45.86
f - Modifications outside of IEP meetings		56.00	4,148.33	Behavior Specialist	45.86	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP		39		4			
Students with 2 IEP's		28		3			
Students with 3 or more IEP's		21		0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	1 Gen.Ed. Teacher	51.13	1.00	51.13
				6 Sp.Ed. Teacher	48.90	6.50	317.85
				1 PPS Director	79.13	1.00	79.13
				3 Counselor	60.52	2.50	151.30
				3 Psychologist	47.33	2.50	118.33
				5 Vice Principal	75.29	4.50	338.81
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	1 Gen.Ed. Teacher	51.13	1.50	76.70
				1 Sp.Ed. Teacher	48.90	1.50	73.35
				1 Vice Principal	75.29	1.50	112.94
				1 PPS Director	66.33	1.50	99.50
							0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,661.03	Gen.Ed. Teacher	51.13	8.75	447.39
				Sp.Ed. Teacher	48.90	19.25	941.33
				Vice Principal	75.29	8.50	639.97
				Psychologist	47.33	3.00	141.99
				PPS Director	79.13	2.50	197.83
				Counselor	60.52	2.50	151.30
				Aide	29.01	11.00	319.11
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Behavior Specialist	45.86	0.00	0.00
b - One day notification		25.75	1,851.50	Behavior Specialist	45.86	0.00	0.00
c - Completing report for file		42.00	2,694.49	Behavior Specialist	45.86	11.00	504.46
d - IEP meetings for no PBIP		34.58	2,080.95	Behavior Specialist	45.86	11.25	515.93
e - IEP meetings with PBIP		65.50	4,562.59	Behavior Specialist	45.86	2.00	91.72
f - Reporting dat for annual CDE report		28.50	1,935.52	Behavior Specialist	45.86	4.00	183.44
TOTALS		3,738.61	237,385.37			386.75	18,348.40
Completing survey		39.75	2,379.53	Behavior Specialist	45.86	15.50	710.83
			This line did not include				

BICM Level- SOUTH COUNTY SD	Chris: thanks We missed this I think due to trying to get name and title.			Celeste Dungca Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77						
New	42						
Existing	39						
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	63.18	0.50	31.59
b - Information gathering & assessment		568.00	37,284.59	Psychologist	63.18	2.00	126.36
c - Writing FAA		259.50	17,167.48	Psychologist	63.18	1.00	63.18
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	1.00	63.18
b - Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	2.00	126.36
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	3.00	189.54
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	63.18	1.00	63.18
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	0.50	31.59
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	1.00	63.18
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b Information gathering		237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	3.00	189.54
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39						
Students with 2 IEP's	26						
Students with 3 or more IEP's	21						
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	3 Gen.Ed. Teacher 3 Behavior Specialist 3 Admin	66.33 66.21 70.00	3.00 3.00 3.00	198.99 198.63 210.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	N/A			0.00 0.00 0.00 0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		589.50	34,861.03	Gen.Ed. Teacher	66.33	10.00	663.30 0.00 0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	63.18	0.00	0.00
b - One day notification		25.75	1,851.50	Psychologist	63.18	0.00	0.00
c - Completing report for file		42.00	2,894.49	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		28.60	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37			34.00	2,218.62
Completing survey		39.75	2,379.53	Psychologist	63.18	0.25	15.80
			This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris: thanks - We missed this I think due to trying to get name and title			Refugio Escobar Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77						
New	42						
Existing	39						
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Behavior Specialist	66.21	0.00	0.00
b - Information gathering & assessment		568.00	37,284.59	Behavior Specialist	66.21	96.00	6,356.16
c - Writing FAA		259.50	17,167.48	Behavior Specialist	66.21	54.00	3,575.34
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Behavior Specialist	66.21	8.00	529.68
b - Attending IEP meetings		221.50	14,239.43	Behavior Specialist	66.21	32.00	2,118.72
c - Training/monitoring PBIP		268.00	15,642.08	Behavior Specialist	66.21	100.00	6,621.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Behavior Specialist	66.21	4.00	264.84
e - Modifications in IEP meetings		48.00	3,067.55	Behavior Specialist	66.21	4.00	264.84
f - Modifications outside of IEP meetings		52.50	3,312.47	Behavior Specialist	66.21	4.00	264.84
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83	Behavior Specialist	66.21	0.00	0.00
5b Information gathering		237.00	16,277.50	Behavior Specialist	66.21	50.00	3,310.50
5c Writing FAA		70.50	4,944.41	Behavior Specialist	66.21	10.00	662.10
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37	Behavior Specialist	66.21	5.00	331.05
b - Attending IEP meetings		127.00	8,553.34	Behavior Specialist	66.21	30.00	1,986.30
c - Training/monitoring PBIP		209.50	13,181.54	Behavior Specialist	66.21	125.00	8,276.25
d - Evaluating PBIP effectiveness		61.00	3,574.26	Behavior Specialist	66.21	5.00	331.05
e - Modifications in IEP meetings		36.00	2,304.78	Behavior Specialist	66.21	5.00	331.05
f - Modifications outside of IEP meetings		56.00	4,118.33	Behavior Specialist	66.21	5.00	331.05
7 - IEP's where PBIP was a component							
Students with 1 IEP	39						
Students with 2 IEP's	26						
Students with 3 or more IEP's	21						
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	9 Behavior Specialist	66.21	9.00	595.89
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	5 Behavior Specialist	66.21	5.00	331.05
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	Behavior Specialist	66.21	90.00	5,958.90
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Behavior Specialist	66.21	9.00	595.89
b - One day notification		25.76	1,851.50	Behavior Specialist	66.21	0.00	0.00
c - Completing report for file		42.00	2,694.49	Behavior Specialist	66.21	1.50	99.32
d - IEP meetings for no PBIP		34.58	2,080.95	Behavior Specialist	66.21	0.00	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Behavior Specialist	66.21	0.00	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52	Behavior Specialist	66.21	0.00	0.00
TOTALS		3,738.61	237,385.37			651.50	43,135.82
Completing survey		39.75	2,379.53	Behavior Specialist	66.21	5.00	331.05
			This line did not include				

BICM Level- SOUTH COUNTY SD	Chris, thanks. We missed this I think due to trying to get name and title.			Susan Zeballas Position	Chula Vista Hourly Rate	# of Hours
1a Number of Students with PBIP	77			22		
New	42			13		
Existing	39			9		
3 - FAA Activities						
a - Parent notice and consent		16.08	1,054.76	Behavior Specialist	66.21	0.00
b - Information gathering & assessment		568.00	37,284.59	Behavior Specialist	66.21	275.00
c - Writing FAA		259.50	17,167.48	Behavior Specialist	66.21	132.00
4- Initial PBIP						
a - Preparing draft for IEP		91.00	5,771.73	Behavior Specialist	66.21	26.00
b - Attending IEP meetings		221.50	14,239.43	Behavior Specialist	66.21	104.00
c - Training/monitoring PBIP		268.00	15,642.08	Behavior Specialist	66.21	32.50
d - Evaluating PBIP effectiveness		130.50	7,136.53	Behavior Specialist	66.21	13.00
e - Modifications in IEP meetings		48.00	3,067.55	Behavior Specialist	66.21	13.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Behavior Specialist	63.18	13.00
5 - FAA activities for pre-existing PBIP						
5a Parent notice		29.00	2,046.83	Behavior Specialist	66.21	0.00
5b Information gathering		237.00	16,277.50	Behavior Specialist	66.21	90.00
5c Writing FAA		70.50	4,944.41	Behavior Specialist	66.21	18.00
6 - Review/revision of pre-existing PBIP						
a - Preparing draft for IEP		49.00	3,443.37	Behavior Specialist	66.21	9.00
b - Attending IEP meetings		127.00	8,553.34	Behavior Specialist	66.21	54.00
c - Training/monitoring PBIP		209.50	13,181.54	Behavior Specialist	66.21	27.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Behavior Specialist	66.21	9.00
e - Modifications in IEP meetings		36.00	2,504.78	Behavior Specialist	66.21	9.00
f - Modifications outside of IEP meetings		56.00	4,118.33	Behavior Specialist	66.21	9.00
7 - IEP's where PBIP was a component						
Students with 1 IEP	39			9		
Students with 2 IEP's	28			8		
Students with 3 or more IEP's	21			8		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	13 Behavior Specialist	66.21	26.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	9 Behavior Specialist	66.21	9.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		589.50	34,861.03	Behavior Specialist	66.21	250.00
11 - Emergency Behavior Interventions						
a - Performing interventions		48.70	3,370.55	Behavior Specialist	66.21	1.00
b - One day notification		25.75	1,851.50	Behavior Specialist	66.21	0.00
c - Completing report for file		42.00	2,894.49	Behavior Specialist	66.21	1.50
d - IEP meetings for no PBIP		34.58	2,080.95	Behavior Specialist	66.21	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Behavior Specialist	66.21	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52	Behavior Specialist	66.21	0.00
TOTALS		3,738.61	237,385.37			1,121.00
Completing survey		39.75	2,379.53	Behavior Specialist	66.21	5.00
			This line did not include			

	Chris: thanks We missed this I think due to trying to get name and title			Total Costs
BICM Level- SOUTH COUNTY SD				
1a	Number of Students with PBIP	77		
	New	42		
	Existing	39		
3	FAA Activities			
a	Parent notice and consent	16.08	1,054.76	0.00
b	Information gathering & assessment	568.00	37,284.59	18,207.75
c	Writing FAA	259.50	17,167.48	8,739.72
4	Initial PBIP			
a	Preparing draft for IEP	91.00	5,771.73	1,721.46
b	Attending IEP meetings	221.50	14,239.43	6,885.84
c	Training/monitoring PBIP	268.00	15,642.08	2,151.83
d	Evaluating PBIP effectiveness	130.50	7,136.53	860.73
e	Modifications in IEP meetings	48.00	3,067.55	860.73
f	Modifications outside of IEP meetings	52.50	3,312.47	821.34
5	FAA activities for pre-existing PBIP			0.00
5a	Parent notice	29.00	2,046.83	0.00
5b	Information gathering	237.00	16,277.50	5,958.90
5c	Writing FAA	70.50	4,944.41	1,191.78
6	Review/revision of pre-existing PBIP			0.00
a	Preparing draft for IEP	49.00	3,443.37	595.89
b	Attending IEP meetings	127.00	8,553.34	3,575.34
c	Training/monitoring PBIP	209.50	13,181.54	1,787.67
d	Evaluating PBIP effectiveness	61.00	3,574.26	595.89
e	Modifications in IEP meetings	36.00	2,504.78	595.89
f	Modifications outside of IEP meetings	56.00	4,118.33	595.89
7	IEP's where PBIP was a component			
	Students with 1 IEP	39		
	Students with 2 IEP's	26		
	Students with 3 or more IEP's	21		
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71	1,721.46
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06	595.89
				0.00
				0.00
				0.00
				0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03	16,552.50
				0.00
				0.00
				0.00
				0.00
11	Emergency Behavior Interventions			
a	Performing interventions	48.70	3,370.55	66.21
b	One day notification	25.75	1,851.50	0.00
c	Completing report for file	42.00	2,694.49	99.32
d	IEP meetings for no PBIP	34.58	2,080.95	0.00
e	IEP meetings with PBIP	65.50	4,562.59	0.00
f	Reporting dat for annual CDE report	28.50	1,935.52	0.00
	TOTALS	3,738.61	237,385.37	74,182.02
	Completing survey	39.75	2,379.53	331.05

This line did not include

BICM Level- SOUTH COUNTY SD	Chris thanks. We missed this I think due to trying to get name and title.			Eddie Iriqui	Chula Vista		
				Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP							
New	77			4			
Existing	39			3			
				1			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	63.18	1.00	63.18
b - Information gathering & assessment		568.00	37,284.59	Psychologist	63.18	12.00	758.16
c - Writing FAA		259.50	17,167.48	Psychologist	63.18	3.00	189.54
4 - Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	2.00	126.36
b - Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	8.00	505.44
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	6.00	379.08
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	63.18	8.00	505.44
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	2.00	126.36
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	6.00	379.08
5 - FAA activities for pre-existing PBIP							0.00
5a Parent notice		29.00	2,046.83	Psychologist	63.18	8.00	505.44
5b Information gathering		237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	3.00	189.54
b - Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			4			
Students with 2 IEP's	26			2			
Students with 3 or more IEP's	21			1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	3 Teacher	66.33	10.00	663.30
				3 Psychologist	63.18	10.00	631.80
				3 OT	65.00	10.00	650.00
				3 APE	45.00	10.00	450.00
				3 Behavior Specialist	66.21	10.00	662.10
							0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	2 Behavior Specialist	66.21	2.00	132.42
				2 Teacher	66.33	2.00	132.66
				2 Psychologist	63.18	2.00	126.36
				2 OT	65.00	2.00	130.00
				2 APE	45.00	2.00	90.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	Teacher	66.33	16.00	1,061.28
				Psychologist	63.18	16.00	1,010.88
							0.00
							0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	63.18	6.00	379.08
b - One day notification		25.75	1,851.50	Psychologist	63.18	1.00	63.18
c - Completing report for file		42.00	2,694.49	Psychologist	63.18	1.00	63.18
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	4.00	252.72
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	8.00	505.44
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	63.18	2.00	126.36
TOTALS		3,738.61	237,385.37			173.00	10,858.38
Completing survey		39.75	2,379.53	Psychologist	63.18	0.33	20.85
			This line did not include				

BICM Level- SOUTH COUNTY SD	Chris: thanks. We missed this I think due to trying to get name and title.			Norma Jourdain Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77			1			
New	42			0			
Existing	39			1			
3 - FAA Activities							
a - Parent notice and consent	16.08	1,054.76		Psychologist	63.18	0.33	20.85
b - Information gathering & assessment	568.00	37,284.59		Psychologist	63.18	2.00	126.36
c - Writing FAA	259.50	17,167.48		Psychologist	63.18	2.00	126.36
4- Initial PBIP							
a - Preparing draft for IEP	91.00	5,771.73		Psychologist	63.18	1.00	63.18
b - Attending IEP meetings	221.50	14,239.43		Psychologist	63.18	2.00	126.36
c - Training/monitoring PBIP	268.00	15,642.08		Psychologist	63.18	1.00	63.18
d - Evaluating PBIP effectiveness	130.50	7,136.53		Psychologist	63.18	1.00	63.18
e - Modifications in IEP meetings	48.00	3,067.55		Psychologist	63.18	0.50	31.59
f - Modifications outside of IEP meetings	52.50	3,312.47		Psychologist	63.18	0.50	31.59
5 - FAA activities for pre-existing PBIP							0.00
5a Parent notice	29.00	2,046.83		Psychologist	63.18	0.50	31.59
5b Information gathering	237.00	18,277.50		Psychologist	63.18	0.50	31.59
5c Writing FAA	70.50	4,944.41		Psychologist	63.18	0.50	31.59
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP	49.00	3,443.37		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	127.00	8,553.34		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	209.50	13,181.54		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	61.00	3,574.26		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	36.00	2,504.78		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	56.00	4,118.33		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			1			
Students with 3 or more IEP's	21			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71		1 Psychologist	63.18	2.00	126.36
9 - PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06		1 Psychologist	63.18	2.00	126.36
10 - Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03		Psychologist	63.18	0.00	0.00
11 - Emergency Behavior Interventions							
a - Performing interventions	48.70	3,370.55		Psychologist	63.18	1.00	63.18
b - One day notification	25.75	1,851.50		Psychologist	63.18	0.50	31.59
c - Completing report for file	42.00	2,694.49		Psychologist	63.18	0.50	31.59
d - IEP meetings for no PBIP	34.58	2,080.95		Psychologist	63.18	0.33	20.85
e - IEP meetings with PBIP	65.50	4,562.59		Psychologist	63.18	2.00	126.36
f - Reporting dat for annual CDE report	28.50	1,935.52		Psychologist	63.18	0.50	31.59
TOTALS	3,738.61	237,385.37				20.66	1,305.30
Completing survey	39.75	2,379.53		Psychologist	63.18	0.33	20.85
		This line did not include					

BICM Level- SOUTH COUNTY SD	Chris: thanks - We missed this I think due to trying to get name and title			Jennifer McPhall	Chula Vista		
				Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77			3			
New	42			2			
Existing	39			1			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	63.18	3.00	189.54
b - Information gathering & assessment		568.00	37,284.59	Psychologist	63.18	40.00	2,527.20
c - Writing FAA		259.50	17,167.48	Psychologist	63.18	12.00	758.16
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	10.00	631.80
b - Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	7.00	442.26
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	6.00	379.08
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	63.18	5.00	315.90
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	4.00	252.72
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	4.00	252.72
5 - FAA activities for pre-existing PBIP							0.00
5a Parent notice		29.00	2,046.83	Psychologist	63.18	5.00	315.90
5b Information gathering		237.00	16,277.50	Psychologist	63.18	5.00	315.90
5c Writing FAA		70.50	4,944.41	Psychologist	63.18	3.00	189.54
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	5.00	315.90
b - Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	5.00	315.90
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	3.00	189.54
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	3.00	189.54
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	2.00	126.36
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	3.00	189.54
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			0			
Students with 3 or more IEP's	21			3			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	3 SDC Teacher	59.51	2.50	148.78
				3 Aide	32.74	2.50	81.85
				3 Principal	85.33	2.50	213.33
				3 Gen.Ed. Teacher	66.33	2.50	165.83
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	3 SDC Teacher	59.51	2.00	119.02
				3 Aide	32.74	2.00	65.48
				3 Principal	85.33	2.00	170.66
				3 Gen.Ed. Teacher	66.33	2.00	132.66
							0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	SDC Teacher	59.51	0.00	0.00
				Aide	32.74	0.00	0.00
				Principal	85.33	0.00	0.00
				Gen.Ed. Teacher	66.33	0.00	0.00
							0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	63.18	0.00	0.00
b - One day notification		25.75	1,851.50	Psychologist	63.18	4.00	252.72
c - Completing report for file		42.00	2,694.49	Psychologist	63.18	3.00	189.54
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	3.00	189.54
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	4.00	252.72
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37			157.00	9,879.62
Completing survey		39.75	2,379.53	Psychologist	63.18	1.50	94.77
			this line did not includ				

BICM Level- SOUTH COUNTY SD		Chris: thanks - We missed this I think due to trying to get name and title			Lauren Short Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77			3			
	New	42			3			
	Existing	39			0			
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76	Psychologist	63.18	1.00	63.18	
b	Information gathering & assessment	568.00	37,284.59	Psychologist	63.18	6.00	379.08	
c	Writing FAA	259.50	17,167.48	Psychologist	63.18	6.00	379.08	
4	Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73	Psychologist	63.18	2.00	126.36	
b	Attending IEP meetings	221.50	14,239.43	Psychologist	63.18	4.00	252.72	
c	Training/monitoring PBIP	268.00	15,842.08	Psychologist	63.18	1.00	63.18	
d	Evaluating PBIP effectiveness	130.50	7,136.53	Psychologist	63.18	1.00	63.18	
e	Modifications in IEP meetings	48.00	3,067.55	Psychologist	63.18	2.00	126.36	
f	Modifications outside of IEP meetings	52.50	3,312.47	Psychologist	63.18	0.00	0.00	
5	FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83	Psychologist	63.18	0.00	0.00	
5b	Information gathering	237.00	16,277.50	Psychologist	63.18	0.00	0.00	
5c	Writing FAA	70.50	4,944.41	Psychologist	63.18	0.00	0.00	
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	63.18	0.00	0.00	
b	Attending IEP meetings	127.00	8,553.34	Psychologist	63.18	0.00	0.00	
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	63.18	0.00	0.00	
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	63.18	0.00	0.00	
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	63.18	0.00	0.00	
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	63.18	0.00	0.00	
7	IEP's where PBIP was a component							
	Students with 1 IEP	39		3				
	Students with 2 IEP's	26		0				
	Students with 3 or more IEP's	21		0				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71	0 Psychologist	63.18	0.00	0.00	
				0 RSP	66.33	0.00	0.00	
				0 Teacher	66.33	0.00	0.00	
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06	0 Psychologist	63.18	0.00	0.00	
				0 RSP	66.33	0.00	0.00	
				0 Teacher	66.33	0.00	0.00	
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03	Psychologist	63.18	0.00	0.00	
				RSP	66.33	0.00	0.00	
				Teacher	66.33	0.00	0.00	
11	Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55	Psychologist	63.18	2.00	126.36	
b	One day notification	26.75	1,851.50	Psychologist	63.18	0.00	0.00	
c	Completing report for file	42.00	2,694.49	Psychologist	63.18	0.00	0.00	
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist	63.18	0.00	0.00	
e	IEP meetings with PBIP	65.50	4,562.59	Psychologist	63.18	0.00	0.00	
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist	63.18	0.00	0.00	
TOTALS		3,738.61	237,385.37			25.00	1,579.50	
Completing survey		39.75	2,379.53	Psychologist	63.18	0.50	31.59	
			This line did not includ					

BICM Level- SOUTH COUNTY SD		Chris: Thanks. We missed this I think due to trying to get name and title.		Brian Sewell	Chula Vista		
1a	Number of Students with PBIP			Position	Hourly Rate	# of Hours	Total Costs
	New	77		2			
	Existing	42		2			
		39		0			
3 - FAA Activities							
a	Parent notice and consent	16.08	1,054.76	Psychologist	63.18	0.33	20.85
b	Information gathering & assessment	568.00	37,284.59	Psychologist	63.18	3.00	189.54
c	Writing FAA	259.50	17,167.48	Psychologist	63.18	2.00	126.36
4- Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73	Psychologist	63.18	1.00	63.18
b	Attending IEP meetings	224.50	14,239.43	Psychologist	63.18	5.00	315.90
c	Training/monitoring PBIP	268.00	15,642.08	Psychologist	63.18	1.00	63.18
d	Evaluating PBIP effectiveness	130.50	7,136.53	Psychologist	63.18	0.50	31.59
e	Modifications in IEP meetings	48.00	3,067.55	Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47	Psychologist	63.18	2.00	126.36
5 - FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b	Information gathering	237.00	18,277.50	Psychologist	63.18	0.00	0.00
5c	Writing FAA	70.50	4,944.41	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	63.18	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34	Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
	Students with 1 IEP	39		0			
	Students with 2 IEP's	26		1			
	Students with 3 or more IEP's	21		1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time							
		151.00	9,412.71	5 SDC Teacher	59.51	5.00	297.55
9 - PBIP issues in IEP by non-BICM's when pre-existing							
		243.00	13,295.06	N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's							
		589.50	34,861.03	SDC Aide	32.74	2.00	65.48
				SDC Teacher	59.51	3.50	208.29
11 - Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55	Psychologist	63.18	0.00	0.00
b	One day notification	25.76	1,851.50	Psychologist	63.18	0.50	31.59
c	Completing report for file	42.00	2,694.49	Psychologist	63.18	0.50	31.59
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist	63.18	2.00	126.36
e	IEP meetings with PBIP	65.50	4,562.59	Psychologist	63.18	2.00	126.36
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist	63.18	2.00	126.36
TOTALS		3,738.61	237,385.37			32.33	1,950.53
Completing survey		39.75	2,379.53	Psychologist	63.18	0.53	33.49
			This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris: Thanks. We missed this I think due to trying to get name and title				Gustano Martinez	Chula Vista		
					Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77							
New	42			1				
Existing	39			0				
3 - FAA Activities								
a - Parent notice and consent		16.08	1,054.76		Psychologist	63.18	0.25	15.80
b - Information gathering & assessment		568.00	37,284.59		Psychologist	63.18	1.00	63.18
c - Writing FAA		259.50	17,167.48		Psychologist	63.18	1.00	63.18
4 - Initial PBIP								
a - Preparing draft for IEP		91.00	5,771.73		Psychologist	63.18	0.50	31.59
b - Attending IEP meetings		221.50	14,239.43		Psychologist	63.18	1.50	94.77
c - Training/monitoring PBIP		268.00	15,642.08		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.55		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47		Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP								
5a Parent notice		29.00	2,046.83		Psychologist	63.18	0.00	0.00
5b Information gathering		237.00	16,277.50		Psychologist	63.18	0.00	0.00
5c Writing FAA		70.50	4,944.41		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP								
a - Preparing draft for IEP		49.00	3,443.37		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		209.50	13,181.54		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component								
Students with 1 IEP	39			1				
Students with 2 IEP's	28			0				
Students with 3 or more IEP's	21			0				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	1		1.00	2.00	0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06		N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03		N/A			0.00
11 - Emergency Behavior Interventions								
a - Performing interventions		48.70	3,370.55		Psychologist	63.18	0.00	0.00
b - One day notification		25.76	1,851.50		Psychologist	63.18	0.25	15.80
c - Completing report for file		42.00	2,694.49		Psychologist	63.18	0.50	31.59
d - IEP meetings for no PBIP		34.58	2,080.85		Psychologist	63.18	1.00	63.18
e - IEP meetings with PBIP		65.50	4,562.59		Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52		Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37				8.00	379.08
Completing survey		39.75	2,379.53		Psychologist	63.18	0.25	15.80
			This line did not include					

BICM Level- SOUTH COUNTY SD		Chr/s	Thanks. We missed this I think due to trying to get name and title.			Shannon Baker	Chula Vista		
						Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP		77						
	New		42						
	Existing		39						
3	FAA Activities								
a	Parent notice and consent		16.08		1,054.76	Psychologist	63.18	2.00	126.36
b	Information gathering & assessment		568.00		37,284.59	Psychologist	63.18	15.00	947.70
c	Writing FAA		259.50		17,167.48	Psychologist	63.18	8.00	505.44
4	Initial PBIP								
a	Preparing draft for IEP		91.00		5,771.73	Psychologist	63.18	2.00	126.36
b	Attending IEP meetings		221.50		14,239.43	Psychologist	63.18	8.00	505.44
c	Training/monitoring PBIP		268.00		15,642.08	Psychologist	63.18	1.50	94.77
d	Evaluating PBIP effectiveness		130.50		7,136.53	Psychologist	63.18	1.00	63.18
e	Modifications in IEP meetings		48.00		3,067.55	Psychologist	63.18	1.00	63.18
f	Modifications outside of IEP meetings		52.50		3,312.47	Psychologist	63.18	1.00	63.18
5	FAA activities for pre-existing PBIP								0.00
5a	Parent notice		29.00		2,046.83	Psychologist	63.18	0.00	0.00
5b	Information gathering		237.00		16,277.50	Psychologist	63.18	1.00	63.18
5c	Writing FAA		70.50		4,944.41	Psychologist	63.18	2.00	126.36
6	Review/revision of pre-existing PBIP								0.00
a	Preparing draft for IEP		49.00		3,443.37	Psychologist	63.18	1.00	63.18
b	Attending IEP meetings		127.00		8,553.34	Psychologist	63.18	1.00	63.18
c	Training/monitoring PBIP		209.50		13,181.54	Psychologist	63.18	1.00	63.18
d	Evaluating PBIP effectiveness		61.00		3,574.26	Psychologist	63.18	1.00	63.18
e	Modifications in IEP meetings		36.00		2,504.78	Psychologist	63.18	1.00	63.18
f	Modifications outside of IEP meetings		56.00		4,118.33	Psychologist	63.18	1.00	63.18
7	IEP's where PBIP was a component								
	Students with 1 IEP		39						
	Students with 2 IEP's		26						
	Students with 3 or more IEP's		21						
8	PBIP issues in IEP by non-BICM's when discussed for the first time		151.00		9,412.71	1 SDC Teacher	59.51	2.00	119.02
						1 Principal	85.33	2.00	170.66
9	PBIP issues in IEP by non-BICM's when pre-existing		243.00		13,295.06	4 SDC Teacher	59.51	8.00	478.08
						1 RSP Teacher	66.33	2.00	132.66
						3 Principal	85.33	6.00	511.98
						2 LSH Teacher	66.33	4.00	265.32
						2 Nurse	70.00	4.00	280.00
10	Implementation/monitoring of PBIP's by non-Bicm's		569.50		34,861.03	SDC Teacher	59.51	10.00	595.10
						RSP Teacher	66.33	1.00	66.33
						Aide	32.74	5.00	163.70
						Nurse	70.00	6.00	420.00
						Principal	85.33	4.00	341.32
11	Emergency Behavior Interventions								
a	Performing interventions		48.70		3,370.55	Psychologist	63.18	0.20	12.64
b	One day notification		26.75		1,851.50	Psychologist	63.18	1.00	63.18
c	Completing report for file		42.00		2,694.49	Psychologist	63.18	1.00	63.18
d	IEP meetings for no PBIP		34.58		2,080.95	Psychologist	63.18	1.00	63.18
e	IEP meetings with PBIP		65.50		4,562.59	Psychologist	63.18	4.00	252.72
f	Reporting dat for annual CDE report		28.50		1,935.52	Psychologist	63.18	0.50	31.59
	TOTALS		3,738.61		237,385.37			110.20	7,092.89
	Completing survey		39.75		2,379.53	Psychologist	63.18	1.00	63.18
					This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris: thanks. We missed this I think due to trying to get name and title			Andrew Estrada Position	Chula Vista Hourly Rate	# of Hours
1a Number of Students with PBIP	77			6		
New	42			1		
Existing	39			5		
3 - FAA Activities						
a - Parent notice and consent	16.08	1,054.76		Lead Psychologist	72.86	3.00
b - Information gathering & assessment	568.00	37,284.59		Lead Psychologist	72.86	24.00
c - Writing FAA	259.50	17,167.48		Lead Psychologist	72.86	18.00
4- Initial PBIP						
a - Preparing draft for IEP	91.00	5,771.73		Lead Psychologist	72.86	6.00
b - Attending IEP meetings	221.50	14,239.43		Lead Psychologist	72.86	12.00
c - Training/monitoring PBIP	268.00	15,642.08		Lead Psychologist	72.86	3.00
d - Evaluating PBIP effectiveness	130.50	7,136.53		Lead Psychologist	72.86	3.00
e - Modifications in IEP meetings	48.00	3,067.55		Lead Psychologist	72.86	6.00
f - Modifications outside of IEP meetings	52.50	3,312.47		Lead Psychologist	72.86	6.00
5 - FAA activities for pre-existing PBIP						
5a Parent notice	29.00	2,046.83		Lead Psychologist	72.86	3.00
5b Information gathering	237.00	16,277.50		Lead Psychologist	72.86	24.00
5c Writing FAA	70.50	4,944.41		Lead Psychologist	72.86	18.00
6 - Review/revision of pre-existing PBIP						
a - Preparing draft for IEP	49.00	3,443.37		Lead Psychologist	72.86	6.00
b - Attending IEP meetings	127.00	8,553.34		Lead Psychologist	72.86	12.00
c - Training/monitoring PBIP	209.50	13,181.54		Lead Psychologist	72.86	3.00
d - Evaluating PBIP effectiveness	61.00	3,574.26		Lead Psychologist	72.86	3.00
e - Modifications in IEP meetings	36.00	2,504.78		Lead Psychologist	72.86	6.00
f - Modifications outside of IEP meetings	56.00	4,118.33		Lead Psychologist	72.86	6.00
7 - IEP's where PBIP was a component						
Students with 1 IEP	39			6		
Students with 2 IEP's	26			0		
Students with 3 or more IEP's	21			0		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71		N/A		
9 - PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06		N/A		
10 - Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03		N/A		
11 - Emergency Behavior Interventions						
a - Performing interventions	48.70	3,370.55		Lead Psychologist	72.86	6.00
b - One day notification	25.75	1,851.50		Lead Psychologist	72.86	6.00
c - Completing report for file	42.00	2,694.49		Lead Psychologist	72.86	5.00
d - IEP meetings for no PBIP	34.58	2,080.95		Lead Psychologist	72.86	6.00
e - IEP meetings with PBIP	65.50	4,562.59		Lead Psychologist	72.86	6.00
f - Reporting dat for annual CDE report	28.50	1,935.52		Lead Psychologist	72.86	4.00
TOTALS	3,738.61	237,385.37				195.00
Completing survey	39.75	2,379.53		Lead Psychologist	72.86	0.50
				This line did not includ		

BICM Level- SOUTH COUNTY SD		Chris- thanks. We missed this I think due to trying to get name and title.			Robin Ancona Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77			0			
	New	42			0			
	Existing	39			0			
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76		Psychologist	63.18	0.00	0.00
b	Information gathering & assessment	568.00	37,284.59		Psychologist	63.18	0.00	0.00
c	Writing FAA	259.50	17,167.48		Psychologist	63.18	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73		Psychologist	63.18	0.00	0.00
b	Attending IEP meetings	221.50	14,239.43		Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP	268.00	15,642.08		Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.53		Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings	48.00	3,067.65		Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47		Psychologist	63.18	0.00	0.00
5	FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83		Psychologist	63.18	0.00	0.00
5b	Information gathering	237.00	16,277.50		Psychologist	63.18	0.00	0.00
5c	Writing FAA	70.50	4,944.41		Psychologist	63.18	0.00	0.00
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37		Psychologist	63.18	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34		Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54		Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26		Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78		Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33		Psychologist	63.18	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			0			
	Students with 2 IEP's	28			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71		N/A			0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06		N/A			0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03		N/A			0.00
11	Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55		Psychologist	63.18	0.00	0.00
b	One day notification	25.75	1,651.50		Psychologist	63.18	0.00	0.00
c	Completing report for file	42.00	2,694.49		Psychologist	63.18	0.00	0.00
d	IEP meetings for no PBIP	34.56	2,080.95		Psychologist	63.18	0.00	0.00
e	IEP meetings with PBIP	65.50	4,562.59		Psychologist	63.18	0.00	0.00
f	Reporting dat for annual CDE report	28.50	1,935.52		Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37				0.00	0.00
Completing survey		39.75	2,379.53		Psychologist	63.18	0.17	10.74
			This line did not includ					

Ysenia Barnard	Chula Vista	Position	Hourly Rate	# of Hours	Total Costs	
BICM Level- SOUTH COUNTY SD						
1a	Number of Students with PBIP					
	New	77		0		0
	Existing	42		0		0
		39		0		0
3 - FAA Activities						
a	Parent notice and consent	16.08	1,054.76	Psychologist	63.18	0.00
b	Information gathering & assessment	588.00	37,284.59	Psychologist	63.18	0.00
c	Writing FAA	259.50	17,167.48	Psychologist	63.18	0.00
4- Initial PBIP						
a	Preparing draft for IEP	91.00	5,771.73	Psychologist	63.18	0.00
b	Attending IEP meetings	221.50	14,239.43	Psychologist	63.18	0.00
c	Training/monitoring PBIP	268.00	15,642.08	Psychologist	63.18	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.53	Psychologist	63.18	0.00
e	Modifications in IEP meetings	48.00	3,067.55	Psychologist	63.18	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47	Psychologist	63.18	0.00
5 - FAA activities for pre-existing PBIP						
5a	Parent notice	29.00	2,046.83	Psychologist	63.18	0.00
5b	Information gathering	237.00	18,277.60	Psychologist	63.18	0.00
5c	Writing FAA	70.50	4,944.41	Psychologist	63.18	0.00
6 - Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	63.18	0.00
b	Attending IEP meetings	127.00	8,533.34	Psychologist	63.18	0.00
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	63.18	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	63.18	0.00
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	63.18	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	63.18	0.00
7 - IEP's where PBIP was a component						
	Students with 1 IEP	39		0		0
	Students with 2 IEP's	26		0		0
	Students with 3 or more IEP's	21		0		0
8 - PBIP issues in IEP by non-BICM's when discussed for the first time						
		151.00	9,412.71	N/A		0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing						
		243.00	13,295.06	N/A		0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's						
		589.50	34,861.03	N/A		0.00
11 - Emergency Behavior Interventions						
a	Performing interventions	48.70	3,370.55	Psychologist	63.18	0.00
b	One day notification	25.75	1,851.50	Psychologist	63.18	0.00
c	Completing report for file	42.00	2,694.49	Psychologist	63.18	0.00
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist	63.18	0.00
e	IEP meetings with PBIP	65.50	4,562.59	Psychologist	63.18	0.00
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist	63.18	0.00
TOTALS		3,738.61	237,385.37			0.00
Completing survey		39.75	2,379.53	Psychologist	63.18	0.00
This line did not include						

BICM Level- SOUTH COUNTY SD	Chris: Thanks. We missed this I think due to trying to get name and title.			Dianna Toliver	Chula Vista		
				Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77						
New	42						
Existing	39						
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment		588.00	37,284.59	Psychologist	63.18	0.00	0.00
c - Writing FAA		259.50	17,167.48	Psychologist	63.18	0.00	0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP							0.00
5a Parent notice		29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b Information gathering		237.00	18,277.50	Psychologist	63.18	0.00	0.00
5c Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,148.33	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39						
Students with 2 IEP's	28						
Students with 3 or more IEP's	21						
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	N/A			0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	63.18	0.00	0.00
b - One day notification		25.75	1,851.50	Psychologist	63.18	0.00	0.00
c - Completing report for file		42.00	2,694.49	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	0.00	0.00
f - Reporting dal for annual CDE report		28.50	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37			0.00	0.00
Completing survey		39.75	2,379.53	Psychologist	63.18	0.00	0.00
				(this line did not include)			

BICM Level- SOUTH COUNTY SD	Chris, thanks. We missed this I think due to trying to get name and title.			Virginia Hernandez	Chula Vista		
				Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77			0			
New	42			0			
Existing	39			0			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment		568.00	37,284.59	Psychologist	63.18	0.00	0.00
c - Writing FAA		259.50	17,167.48	Psychologist	63.18	0.00	0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP							0.00
5a Parent notice		29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b Information gathering		237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			0			
Students with 3 or more IEP's	21			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	N/A			0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	63.18	0.00	0.00
b - One day notification		26.75	1,851.50	Psychologist	63.18	0.00	0.00
c - Completing report for file		42.00	2,694.49	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		165.50	4,562.59	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37			0.00	0.00
Completing survey		39.75	2,379.53	Psychologist	63.18	0.03	1.90
			This line did not include				

BICM Level- SOUTH COUNTY SD	Chris: thanks. We missed this I think due to trying to get name and title				Patricia Sanchez Lizardi	Chula Vista	
1a Number of Students with PBIP					Position	Hourly Rate	# of Hours
New	77			0			
Existing	42			0			
	39			0			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76		Psychologist	63.18	0.00
b - Information gathering & assessment		568.00	37,284.59		Psychologist	63.18	0.00
c - Writing FAA		259.50	17,167.48		Psychologist	63.18	0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73		Psychologist	63.18	0.00
b - Attending IEP meetings		221.50	14,239.43		Psychologist	63.18	0.00
c - Training/monitoring PBIP		268.00	15,642.08		Psychologist	63.18	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53		Psychologist	63.18	0.00
e - Modifications in IEP meetings		48.00	3,067.55		Psychologist	63.18	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47		Psychologist	63.18	0.00
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83		Psychologist	63.18	0.00
5b Information gathering		237.00	16,277.50		Psychologist	63.18	0.00
5c Writing FAA		70.50	4,944.41		Psychologist	63.18	0.00
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37		Psychologist	63.18	0.00
b - Attending IEP meetings		127.00	8,553.34		Psychologist	63.18	0.00
c - Training/monitoring PBIP		209.50	13,181.54		Psychologist	63.18	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26		Psychologist	63.18	0.00
e - Modifications in IEP meetings		36.00	2,504.78		Psychologist	63.18	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33		Psychologist	63.18	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	28			0			
Students with 3 or more IEP's	21			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71		N/A		
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06		N/A		
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03		N/A		
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55		Psychologist	63.18	0.00
b - One day notification		25.76	1,851.50		Psychologist	63.18	0.00
c - Completing report for file		42.00	2,694.49		Psychologist	63.18	0.00
d - IEP meetings for no PBIP		34.58	2,080.95		Psychologist	63.18	0.00
e - IEP meetings with PBIP		65.50	4,562.59		Psychologist	63.18	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52		Psychologist	63.18	0.00
TOTALS		3,738.61	237,385.37	0.00			0.00
Completing survey		39.75	2,379.53		Lead Psychologist	72.86	0.05
			This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris, thanks. We missed this I think due to trying to get name and title				Total Costs
1a Number of Students with PBIP	77				
New	42				
Existing	39				
3 - FAA Activities					
a - Parent notice and consent		16.08	1,054.76		0.00
b - Information gathering & assessment		568.00	37,284.59		0.00
c - Writing FAA		259.50	17,167.48		0.00
4- Initial PBIP					
a - Preparing draft for IEP		91.00	5,771.73		0.00
b - Attending IEP meetings		221.50	14,239.43		0.00
c - Training/monitoring PBIP		268.00	15,842.08		0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53		0.00
e - Modifications in IEP meetings		48.00	3,067.55		0.00
f - Modifications outside of IEP meetings		52.50	3,312.47		0.00
5 - FAA activities for pre-existing PBIP					0.00
5a Parent notice		29.00	2,046.83		0.00
5b Information gathering		237.00	16,277.50		0.00
5c Writing FAA		70.50	4,944.41		0.00
6 - Review/revision of pre-existing PBIP					0.00
a - Preparing draft for IEP		49.00	3,443.37		0.00
b - Attending IEP meetings		127.00	8,553.34		0.00
c - Training/monitoring PBIP		209.50	13,181.54		0.00
d - Evaluating PBIP effectiveness		81.00	3,574.26		0.00
e - Modifications in IEP meetings		36.00	2,504.78		0.00
f - Modifications outside of IEP meetings		56.00	4,118.33		0.00
7 - IEP's where PBIP was a component					
Students with 1 IEP	39				
Students with 2 IEP's	26				
Students with 3 or more IEP's	21				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71		0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06		0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03		0.00
11 - Emergency Behavior Interventions					
a - Performing interventions		48.70	3,370.55		0.00
b - One day notification		25.75	1,851.50		0.00
c - Completing report for file		42.00	2,694.49		0.00
d - IEP meetings for no PBIP		34.58	2,080.95		0.00
e - IEP meetings with PBIP		65.50	4,562.59		0.00
f - Reporting dat for annual CDE report		28.50	1,935.52		0.00
TOTALS		3,738.61	237,385.37		0.00
Completing survey		39.75	2,379.53		3.64
			This line did not include		

BICM Level- SOUTH COUNTY SD	Chris: Thanks We missed this I think due to trying to get name and title			Christina Areola Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77						
New	42						
Existing	39						
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment		568.00	37,284.59	Psychologist	63.18	0.00	0.00
c - Writing FAA		259.50	17,167.48	Psychologist	63.18	0.00	0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		268.00	15,842.08	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.56	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b Information gathering		237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		209.50	13,181.34	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39						
Students with 2 IEP's	28						
Students with 3 or more IEP's	21						
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	N/A			0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		48.70	3,370.55	Psychologist	63.18	0.00	0.00
b - One day notification		26.75	1,851.50	Psychologist	63.18	0.00	0.00
c - Completing report for file		42.00	2,694.49	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37			0.00	0.00
Completing survey		39.75	2,379.53	Psychologist	63.18	0.05	3.16
			This line did not include				

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title			Oscar Madera	Chula Vista		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77			0			
	New	42			0			
	Existing	39			0			
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76		Psychologist	63.18	0.00	0.00
b	Information gathering & assessment	568.00	37,284.59		Psychologist	63.18	0.00	0.00
c	Writing FAA	259.50	17,167.48		Psychologist	63.18	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP	94.00	5,771.73		Psychologist	63.18	0.00	0.00
b	Attending IEP meetings	221.50	14,239.43		Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP	268.00	15,642.08		Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.63		Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings	48.00	3,067.55		Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings	52.50	3,312.47		Psychologist	63.18	0.00	0.00
5	FAA activities for pre-existing PBIP							0.00
5a	Parent notice	29.00	2,046.83		Psychologist	63.18	0.00	0.00
5b	Information gathering	237.00	18,277.50		Psychologist	63.18	0.00	0.00
5c	Writing FAA	70.50	4,944.41		Psychologist	63.18	0.00	0.00
6	Review/revision of pre-existing PBIP							0.00
a	Preparing draft for IEP	49.00	3,443.37		Psychologist	63.18	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34		Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54		Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26		Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78		Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33		Psychologist	63.18	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			0			
	Students with 2 IEP's	26			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71		N/A			0.00
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06		N/A			0.00
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03		N/A			0.00
11	Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55		Psychologist	63.18	0.00	0.00
b	One day notification	25.75	1,851.50		Psychologist	63.18	0.00	0.00
c	Completing report for file	42.00	2,694.49		Psychologist	63.18	0.00	0.00
d	IEP meetings for no PBIP	34.58	2,080.95		Psychologist	63.18	0.00	0.00
e	IEP meetings with PBIP	65.50	4,562.59		Psychologist	63.18	0.00	0.00
f	Reporting dat for annual CDE report	28.50	1,935.52		Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37				0.00	0.00
Completing survey		39.75	2,379.53		Psychologist	63.18	0.67	42.33
			This line did not include					

BICM Level- SOUTH COUNTY SD	Chris: thanks. We missed this I think due to trying to get name and title.			Yecenia Covarrubias Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77			0			
New	42			0			
Existing	39			0			
3 - FAA Activities							
a - Parent notice and consent		16.08	1,054.76	Psychologist	63.18	0.00	0.00
b - Information gathering & assessment		588.00	37,284.59	Psychologist	63.18	0.00	0.00
c - Writing FAA		259.50	17,167.48	Psychologist	63.18	0.00	0.00
4- Initial PBIP							
a - Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		130.50	7,136.53	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP							
5a Parent notice		29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b Information gathering		237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	0.00	0.00
b - Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			0			
Students with 3 or more IEP's	21			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	N/A			0.00
11 - Emergency Behavior Interventions							
a - Performing interventions		46.70	3,370.55	Psychologist	63.18	0.00	0.00
b - One day notification		25.75	1,851.50	Psychologist	63.18	0.00	0.00
c - Completing report for file		42.00	2,694.49	Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS		3,738.61	237,385.37			0.00	0.00
Completing survey		39.75	2,379.53	Psychologist	63.18	0.00	0.00
			This line did not includ				

BICM Level- SOUTH COUNTY SD	Chris, thanks. We missed this I think due to trying to get name and title:			Andre Antenoracruz Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	77			0			
New	42			0			
Existing	39			0			
3 - FAA Activities							
a - Parent notice and consent	16.08	1,054.76		Psychologist	63.18	0.00	0.00
b - Information gathering & assessment	568.00	37,284.59		Psychologist	63.18	0.00	0.00
c - Writing FAA	259.50	17,167.48		Psychologist	63.18	0.00	0.00
4- Initial PBIP							
a - Preparing draft for IEP	91.00	5,771.73		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	221.50	14,239.43		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	268.00	15,642.08		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	130.50	7,136.53		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	48.00	3,067.55		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	52.50	3,312.47		Psychologist	63.18	0.00	0.00
5 - FAA activities for pre-existing PBIP							0.00
5a Parent notice	29.00	2,046.83		Psychologist	63.18	0.00	0.00
5b Information gathering	237.00	16,277.50		Psychologist	63.18	0.00	0.00
5c Writing FAA	70.50	4,944.41		Psychologist	63.18	0.00	0.00
6 - Review/revision of pre-existing PBIP							0.00
a - Preparing draft for IEP	49.00	3,443.37		Psychologist	63.18	0.00	0.00
b - Attending IEP meetings	127.00	8,553.34		Psychologist	63.18	0.00	0.00
c - Training/monitoring PBIP	209.50	13,181.54		Psychologist	63.18	0.00	0.00
d - Evaluating PBIP effectiveness	61.00	3,574.26		Psychologist	63.18	0.00	0.00
e - Modifications in IEP meetings	36.00	2,504.78		Psychologist	63.18	0.00	0.00
f - Modifications outside of IEP meetings	56.00	4,118.33		Psychologist	63.18	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	39			0			
Students with 2 IEP's	26			0			
Students with 3 or more IEP's	21			0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71		N/A			0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06		N/A			0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	589.50	34,661.03		N/A			0.00
11 - Emergency Behavior Interventions							
a - Performing interventions	48.70	3,370.55		Psychologist	63.18	0.00	0.00
b - One day notification	25.75	1,851.50		Psychologist	63.18	0.00	0.00
c - Completing report for file	42.00	2,694.49		Psychologist	63.18	0.00	0.00
d - IEP meetings for no PBIP	31.58	2,080.95		Psychologist	63.18	0.00	0.00
e - IEP meetings with PBIP	65.50	4,562.59		Psychologist	63.18	0.00	0.00
f - Reporting dat for annual CDE report	28.50	1,935.52		Psychologist	63.18	0.00	0.00
TOTALS	3,738.61	237,385.37				0.00	0.00
Completing survey	39.75	2,379.53		Psychologist	63.18	0.02	1.26
				This line did not includ			

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title.			Roxana Ware Position	Chula Vista Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77		0				
	New	42		0				
	Existing	39		0				
3	FAA Activities							
a	Parent notice and consent	16.08	1,054.76	Psychologist	63.18	0.00	0.00	
b	Information gathering & assessment	568.00	37,284.59	Psychologist	63.18	0.00	0.00	
c	Writing FAA	259.50	17,167.48	Psychologist	63.18	0.00	0.00	
4	Initial PBIP							
a	Preparing draft for IEP	91.00	5,771.73	Psychologist	63.18	0.00	0.00	
b	Attending IEP meetings	221.50	14,239.43	Psychologist	63.18	0.00	0.00	
c	Training/monitoring PBIP	268.00	15,642.08	Psychologist	63.18	0.00	0.00	
d	Evaluating PBIP effectiveness	130.50	7,136.53	Psychologist	63.18	0.00	0.00	
e	Modifications in IEP meetings	48.00	3,067.55	Psychologist	63.18	0.00	0.00	
f	Modifications outside of IEP meetings	52.50	3,312.47	Psychologist	63.18	0.00	0.00	
5	FAA activities for pre-existing PBIP							
5a	Parent notice	29.00	2,046.83	Psychologist	63.18	0.00	0.00	
5b	Information gathering	237.00	16,277.50	Psychologist	63.18	0.00	0.00	
5c	Writing FAA	70.50	4,944.41	Psychologist	63.18	0.00	0.00	
6	Review/revision of pre-existing PBIP							
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	63.18	0.00	0.00	
b	Attending IEP meetings	127.00	8,553.34	Psychologist	63.18	0.00	0.00	
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	63.18	0.00	0.00	
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	63.18	0.00	0.00	
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	63.18	0.00	0.00	
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	63.18	0.00	0.00	
7	IEP's where PBIP was a component							
	Students with 1 IEP	39		0				
	Students with 2 IEP's	28		0				
	Students with 3 or more IEP's	21		0				
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71	N/A			0.00	
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06	N/A			0.00	
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03	N/A			0.00	
11	Emergency Behavior Interventions							
a	Performing interventions	48.70	3,370.55	Psychologist	63.18	0.00	0.00	
b	One day notification	25.75	1,951.50	Psychologist	63.18	0.00	0.00	
c	Completing report for file	42.00	2,694.49	Psychologist	63.18	0.00	0.00	
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist	63.18	0.00	0.00	
e	IEP meetings with PBIP	65.60	4,562.58	Psychologist	63.18	0.00	0.00	
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist	63.18	0.00	0.00	
TOTALS		3,738.61	237,385.37			0.00	0.00	
Completing survey		39.75	2,379.53	Psychologist	63.18	0.08	5.05	
			This line did not include					

BICM Level- SOUTH COUNTY SD		Chris: Thanks We missed this I think due to trying to get name and title			Tom Simpson	Chula Vista		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77			0			
	New	42			0			
	Existing	39			0			
3	FAA Activities							
a	Parent notice and consent		16.08	1,054.76	Psychologist	63.18	0.00	0.00
b	Information gathering & assessment		568.00	37,264.59	Psychologist	63.18	0.00	0.00
c	Writing FAA		259.50	17,167.48	Psychologist	63.18	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	0.00	0.00
b	Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness		130.50	7,136.63	Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	0.00	0.00
5	FAA activities for pre-existing PBIP							0.00
5a	Parent notice		29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b	Information gathering		237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c	Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6	Review/revision of pre-existing PBIP							0.00
a	Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	0.00	0.00
b	Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			0			
	Students with 2 IEP's	26			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9	PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	N/A			0.00
10	Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	N/A			0.00
11	Emergency Behavior Interventions							
a	Performing interventions		48.70	3,370.55	Psychologist	63.18	0.00	0.00
b	One day notification		25.75	1,851.50	Psychologist	63.18	0.00	0.00
c	Completing report for file		42.00	2,694.49	Psychologist	63.18	0.00	0.00
d	IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	0.00	0.00
e	IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	0.00	0.00
f	Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS			3,738.61	237,385.37			0.00	0.00
Completing survey			39.75	2,379.53	Psychologist	63.18	0.00	0.00
				This line did not include				

BICM Level- SOUTH COUNTY SD		Chris: thanks. We missed this I think due to trying to get name and title			Cynthia Sevilla	Chula Vista		
					Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBiP	77			0			
	New	42			0			
	Existing	39			0			
3	FAA Activities							
a	Parent notice and consent		16.08	1,054.76	Psychologist	63.18	0.00	0.00
b	Information gathering & assessment		568.00	37,284.59	Psychologist	63.18	0.00	0.00
c	Writing FAA		259.50	17,167.48	Psychologist	63.18	0.00	0.00
4	Initial PBIP							
a	Preparing draft for IEP		91.00	5,771.73	Psychologist	63.18	0.00	0.00
b	Attending IEP meetings		221.50	14,239.43	Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP		268.00	15,642.08	Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness		130.50	7,136.63	Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings		48.00	3,067.55	Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings		52.50	3,312.47	Psychologist	63.18	0.00	0.00
5	FAA activities for pre-existing PBIP							0.00
5a	Parent notice		29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b	Information gathering		237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c	Writing FAA		70.50	4,944.41	Psychologist	63.18	0.00	0.00
6	Review/revision of pre-existing PBIP							0.00
a	Preparing draft for IEP		49.00	3,443.37	Psychologist	63.18	0.00	0.00
b	Attending IEP meetings		127.00	8,553.34	Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP		209.50	13,181.54	Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness		61.00	3,574.26	Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings		36.00	2,504.78	Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings		56.00	4,118.33	Psychologist	63.18	0.00	0.00
7	IEP's where PBIP was a component							
	Students with 1 IEP	39			0			
	Students with 2 IEP's	26			0			
	Students with 3 or more IEP's	21			0			
8	PBIP issues in IEP by non-BICM's when discussed for the first time		151.00	9,412.71	N/A			0.00
9	PBIP issues in IEP by non-BICM's when pre-existing		243.00	13,295.06	N/A			0.00
10	Implementation/monitoring of PBIP's by non-Bicm's		569.50	34,861.03	N/A			0.00
11	Emergency Behavior Interventions							
a	Performing interventions		48.70	3,370.55	Psychologist	63.18	0.00	0.00
b	One day notification		25.75	1,851.50	Psychologist	63.18	0.00	0.00
c	Completing report for file		42.00	2,694.49	Psychologist	63.18	0.00	0.00
d	IEP meetings for no PBIP		34.58	2,080.95	Psychologist	63.18	0.00	0.00
e	IEP meetings with PBIP		65.50	4,562.59	Psychologist	63.18	0.00	0.00
f	Reporting dat for annual CDE report		28.50	1,935.52	Psychologist	63.18	0.00	0.00
TOTALS			3,738.61	237,385.37			0.00	0.00
Completing survey			39.75	2,379.53	Psychologist	63.18	0.00	0.00
				This line did not includ				

BICM Level- SOUTH COUNTY SD		Chris - thanks - We missed this I think due to trying to get name and title					
				Monica Togabin	Chula Vista		
				Position	Hourly Rate	# of Hours	Total Costs
1a	Number of Students with PBIP	77		4			
	New	42		1			
	Existing	39		3			
3	FAA Activities						
a	Parent notice and consent	16.08	1,054.76	Psychologist	63.18	1.00	63.18
b	Information gathering & assessment	568.00	37,284.59	Psychologist	63.18	7.00	442.26
c	Writing FAA	259.50	17,167.48	Psychologist	63.18	3.00	189.54
4	Initial PBIP						
a	Preparing draft for IEP	91.00	5,771.73	Psychologist	63.18	4.00	252.72
b	Attending IEP meetings	221.50	14,239.43	Psychologist	63.18	3.00	189.54
c	Training/monitoring PBIP	268.00	15,642.08	Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness	130.50	7,136.53	Psychologist	63.18	2.00	126.36
e	Modifications in IEP meetings	48.00	3,067.55	Psychologist	63.18	1.00	63.18
f	Modifications outside of IEP meetings	52.50	3,312.47	Psychologist	63.18	1.00	63.18
5	FAA activities for pre-existing PBIP						
5a	Parent notice	29.00	2,046.83	Psychologist	63.18	0.00	0.00
5b	Information gathering	237.00	16,277.50	Psychologist	63.18	0.00	0.00
5c	Writing FAA	70.50	4,944.41	Psychologist	63.18	0.00	0.00
6	Review/revision of pre-existing PBIP						
a	Preparing draft for IEP	49.00	3,443.37	Psychologist	63.18	0.00	0.00
b	Attending IEP meetings	127.00	8,553.34	Psychologist	63.18	0.00	0.00
c	Training/monitoring PBIP	209.50	13,181.54	Psychologist	63.18	0.00	0.00
d	Evaluating PBIP effectiveness	61.00	3,574.26	Psychologist	63.18	0.00	0.00
e	Modifications in IEP meetings	36.00	2,504.78	Psychologist	63.18	0.00	0.00
f	Modifications outside of IEP meetings	56.00	4,118.33	Psychologist	63.18	0.00	0.00
7	IEP's where PBIP was a component						
	Students with 1 IEP	39		1			
	Students with 2 IEP's	20		1			
	Students with 3 or more IEP's	21		1			
8	PBIP issues in IEP by non-BICM's when discussed for the first time	151.00	9,412.71	Psychologist	63.18	3.00	189.54
9	PBIP issues in IEP by non-BICM's when pre-existing	243.00	13,295.06	Psychologist	63.18	3.00	189.54
10	Implementation/monitoring of PBIP's by non-Bicm's	569.50	34,861.03	Psychologist	63.18	5.00	315.90
11	Emergency Behavior Interventions						
a	Performing interventions	48.70	3,370.55	Psychologist	63.18	1.00	63.18
b	One day notification	25.75	1,651.50	Psychologist	63.18	0.00	0.00
c	Completing report for file	42.00	2,694.49	Psychologist	63.18	1.00	63.18
d	IEP meetings for no PBIP	34.58	2,080.95	Psychologist	63.18	2.00	126.36
e	IEP meetings with PBIP	65.60	4,562.59	Psychologist	63.18	2.00	126.36
f	Reporting dat for annual CDE report	28.50	1,935.52	Psychologist	63.18	1.00	63.18
TOTALS		3,738.61	237,385.37			40.00	2,527.20
Completing survey		39.75	2,379.53	Psychologist	63.18	0.67	42.33
				This line did not includ			

Tehama

SELPA

SELPA
Number of BICM's in SELPA
Number of BICM surveys returned
Number of LEA's in SELPA
Number of LEA surveys returned

TEHAMA COUNTY
7 Represent 18 Districts
11
18
9 No Response from those not returned

10,471 ADA

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7 - Procedures development	Asst SELPA Director	68.81	40.00		2,752.40	
	Admin Secretary	30.91	80.00		2,472.80	
	Legal Counsel		?			
*8 - Governing Board approval	SELPA Director	69.84	2.00		139.68	
	Admin Secretary	30.91	2.00		61.82	
Training						
*11- Design training for initial BICM certification	Riverside Consultant		24.00		10,000.00	
**12- Update of training for initial BICM certification						
**13- Lead training for initial BICM certification				0.00		
**14- Lead training update for certified BICM's						
*15- Design training for PBIP implementers	Program Specialist	53.97	12.00		647.64	
**16- Update training for PBIP implementers	Aides		110.00	0.00		
	Spec Ed Teachers	39.32	40.00	1,572.80		
**17- Lead training for PBIP implementers	Program Specialist	53.97	20.00	1,079.40		
*18- Design training on Emergency Behavioral Interventions	Asst SELPA Director	68.81	20.00		1,376.20	
**19- Update trainin on Emergency Behavioral Interventions	Asst SELPA Director	68.81	2.00	137.62		
	APE	59.64	2.00	119.28		
	RST	51.28	2.00	102.56		
	Visually Impaired (VI)		2.00	0.00		
**20- Lead training on Emergency Behavioral Interventions	RST	51.28	18.00	923.04		
	Visually Impaired (VI)		18.00	0.00		
	APE	59.64	19.00	1,133.16		
21- Other costs of BICM certification training	Behaviorist			11,000.00		
22- Number of participants in BICM training by position/hours				0.00		
23- Number of participants in PBIP training by position/hours						
24- Number of participants in Emergency Beh Interv training by position/hours				0.00		
25- Other training costs						
Staff Activities						
26- Data collection from BER's for annual report to CDE	SELPA Director	69.84	0.50	34.92		
27- Due process hearings						
SELPA LEVEL TOTALS			413.50	16,102.78	17,450.54	
Time to complete survery	SELPA Director	69.84	10.00		698.40	

NOTES:
one asterisk indicates a one time cost
two asterisks indicates annual or more frequent cost

District

District Level	Tehama County Summary	
1 - # of Reports	31	
	# of Hours	Total Costs
2 Activities		
a - performing emergency interventions	23.00	1,594.75
	20.00	340.80
b - 1 day notification of use of emergency intervention	23.00	1,570.80
c - Completing report	15.50	965.67
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50
e - Scheduling and holding IEP meetings for studetns with PBIP	1.50	103.85
	1.50	116.40
f - Reporting data for annual report to CDE	1.75	121.97
g - Reviewing reports & forwarding to SELPA	2.75	192.02
3 - Informing school personnel	32.00	2,234.32
	54.50	3,096.18
	42.50	2,130.44
	60.50	1,422.30
4 - Number of due process requests filed		
a - Number of written reponses For each response in 4a, there must be answers to 5 -8		
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance	0.00	8,347.90
DISTRICT LEVEL TOTALS	288.50	22,937.90
Time to complete survey	6.50	382.40
Check Totals	288.5	22937.895

District Level	Tehama County Summary		Records moved to High school Corning Union Elem			
1 - # of Reports	31					
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	23.00	1,594.75	Psych	70.05	3	210.15
	20.00	340.80				
b - 1 day notification of use of emergency intervention	23.00	1,570.80	Special Ed Tchr	47.74	1	47.74
c - Completing report	15.50	965.67	Special Ed Tchr	47.75	5	238.75
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50	Psych	70.05	10	700.50
e - Scheduling and holding IEP meetings for studetns with PBIP	1.50	103.85		0.00	0	0.00
	1.50	116.40			0	0.00
f - Reporting data for annual report to CDE	1.75	121.97	Coord	70.05	1	70.05
g - Reviewing reports & forwarding to SELPA	2.75	192.02	Coord	70.05	2	140.10
3 - Informing school personnel	32.00	2,234.32	Psychologists (2)	70.05	24	1,681.20
	54.50	3,096.18	RS Tchr (4)	61.79	48	2,965.92
	42.50	2,130.44	SDC (3)	47.75	36	1,719.00
	60.50	1,422.30	Aides (5)	23.21	60	1,392.60
			Training 12 hrs each			
			n/a			
4 - Number of due process requests filed						
a - Number of written reponses For each response in 4a, there must be answers to 5 -8			0			
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance	0.00	8,347.90				370.20
DISTRICT LEVEL TOTALS	288.50	22,937.90			190	9536.21
Time to complete survey	6.50	382.40	Psych/Coord	70.05	5	350.25
Check Totals	288.5	22937.895				

District Level	Tehama County Summary		Evergreen Union			
1 - # of Reports	31		31			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	23.00	1,594.75	Resource Teacher	69.23	20	1,384.60
	20.00	340.80	Aide	17.04	20	340.80
b - 1 day notification of use of emergency intervention	23.00	1,570.80	Resource Teacher	69.23	22	1,523.06
c - Completing report	15.50	965.67	Resource Teacher	69.23	10.5	726.92
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50				0.00
e - Scheduling and holding IEP meetings for students with PBIP	1.50	103.85	Resource Teacher	69.23	1.5	103.85
	1.50	116.40	Supt	77.60	1.5	116.40
f - Reporting data for annual report to CDE	1.75	121.97	Resource Teacher	69.23	0.75	51.92
g - Reviewing reports & forwarding to SELPA	2.75	192.02	Resource Teacher	69.23	0.75	51.92
3 - Informing school personnel	32.00	2,234.32	Resource Teacher	69.23	6	415.38
	54.50	3,096.18	Aides	17.04	6	102.24
	42.50	2,130.44	Principal	64.30	6	385.80
	60.50	1,422.30				0.00
4 - Number of due process requests filed			n/a			
a - Number of written responses			0			
For each response in 4a, there must be answers to 5-8						
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance	0.00	8,347.90				7,977.70
DISTRICT LEVEL TOTALS	288.50	22,937.90			95	13180.585
Time to complete survey	6.50	382.40	Principal	64.30	0.5	32.15
Check Totals	288.5	22937.895				

District Level	Tehama County Summary		Gerber School District			
1 - # of Reports	31		0			
2 Activities	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	23.00	1,594.75				0.00
	20.00	340.80				
b - 1 day notification of use of emergency intervention	23.00	1,570.80				0.00
c - Completing report	15.50	965.67				0.00
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50				0.00
e - Scheduling and holding IEP meetings for students with PBIP	1.50	103.85				0.00
	1.50	116.40				0.00
f - Reporting data for annual report to CDE	1.75	121.97				0.00
g - Reviewing reports & forwarding to SELPA	2.75	192.02				0.00
3 - Informing school personnel	32.00	2,234.32	Supt	68.87	2	137.74
	54.50	3,096.18	Asst Vice Principal	56.04	0.5	28.02
	42.50	2,130.44	RSP	51.28	0.5	25.64
	60.50	1,422.30	School Psychologist	59.40	0.5	29.70
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 - 8			0			
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance	0.00	8,347.90				
DISTRICT LEVEL TOTALS	288.50	22,937.90			3.5	221.1
Time to complete survey	6.50	382.40			1	0.00
Check Totals	288.5	22937.895				

District Level	Tehama County Summary				
1 - # of Reports	31				
	# of Hours	Total Costs	Kirkwood	Manton	Mineral
2 Activities			NO COSTS	No Survey	NO COSTS
a - performing emergency interventions	23.00	1,594.75	Except 10 mins for completing survey		
	20.00	340.80			
b - 1 day notification of use of emergency intervention	23.00	1,570.80			
c - Completing report	15.50	965.67			
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50			
e - Scheduling and holding IEP meetings for students with PBIP	1.50	103.85			
	1.50	116.40			
f - Reporting data for annual report to CDE	1.75	121.97			
g - Reviewing reports & forwarding to SELPA	2.75	192.02			
3 - Informing school personnel	32.00	2,234.32			
	54.50	3,096.18			
	42.50	2,130.44			
	60.50	1,422.30			
4 - Number of due process requests filed					
a - Number of written responses					
For each response in 4a, there must be answers to 5 -8					
5 - Filing Response					
6 - Resolution Session					
7 - Mediation					
8 - Due Process Hearing					
9 - Outside Assistance	0.00	8,347.90			
DISTRICT LEVEL TOTALS	288.50	22,937.90			
Time to complete survey	6.50	382.40			
Check Totals	288.5	22937.895			

District Level	Tehama County Summary			
1 - # of Reports	31			
	# of Hours	Total Costs	Plum Valley	Red Bluff Elem
2 Activities			NO COSTS	Red Bluff High
a - performing emergency interventions	23.00	1,594.75	Except 10 mins for	Reeds Creek
	20.00	340.80	completing survey	Richfield
b - 1 day notification of use of emergency intervention	23.00	1,570.80		NO SURVEYS
c - Completing report	15.50	965.67		
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50		
e - Scheduling and holding IEP meetings for students with PBIP	1.50	103.85		
	1.50	116.40		
f - Reporting data for annual report to CDE	1.75	121.97		
g - Reviewing reports & forwarding to SELPA	2.75	192.02		
3 - Informing school personnel	32.00	2,234.32		
	54.50	3,096.18		
	42.50	2,130.44		
	60.50	1,422.30		
4 - Number of due process requests filed				
a - Number of written responses				
For each response in 4a, there must be answers to 5 - 8				
5 - Filing Response				
6 - Resolution Session				
7 - Mediation				
8 - Due Process Hearing				
9 - Outside Assistance	0.00	8,347.90		
DISTRICT LEVEL TOTALS	288.50	22,937.90		
Time to complete survey	6.50	382.40		
Check Totals	288.5	22937.895		

District Level	Tehama County Summary		
1 - # of Reports	31		
			Flournoy Union Elem
2 Activities	# of Hours	Total Costs	NO COSTS
a - performing emergency interventions	23.00	1,594.75	
	20.00	340.80	
b - 1 day notification of use of emergency intervention	23.00	1,570.80	
c - Completing report	15.50	965.67	
d - Scheduling and holding IEP meetings for students without PBIP	10.00	700.50	
e - Scheduling and holding IEP meetings for students with PBIP	1.50	103.85	
	1.50	116.40	
f - Reporting data for annual report to CDE	1.75	121.97	
g - Reviewing reports & forwarding to SELPA	2.75	192.02	
3 - Informing school personnel	32.00	2,234.32	
	54.50	3,096.18	
	42.50	2,130.44	
	60.50	1,422.30	
4 - Number of due process requests filed			
a - Number of written responses			
For each response in 4a, there must be answers to 5 - 8			
5 - Filing Response			
6 - Resolution Session			
7 - Mediation			
8 - Due Process Hearing			
9 - Outside Assistance	0.00	8,347.90	
DISTRICT LEVEL TOTALS	288.50	22,937.90	
Time to complete survey	6.50	382.40	
Check Totals	288.5	22937.895	

BICM

BICM Survey Tehama County	Tehama County - Summary	
	# of Hours	Total Costs
1a Number of Students with PBIP	3.00	
New	3.00	
Existing	0.00	
3 - FAA Activities		
a - Parent notice and consent	9.00	477.76
b - Information gathering & assessment	17.00	1009.80
c - Writing FAA	13.00	772.20
4- Initial PBIP		
a - Preparing draft for IEP	8.00	475.20
b - Attending IEP meetings	10.50	583.10
c - Training/monitoring PBIP	3.00	178.20
d - Evaluating PBIP effectiveness	8.50	504.90
e - Modifications in IEP meetings	2.00	118.80
f - Modifications outside of IEP meetings	3.50	207.90
5 - FAA activities for pre-existing PBIP		
5a Parent notice		
5b Information gathering		
5c Writing FAA		
6 - Review/revision of pre-existing PBIP		
a - Preparing draft for IEP		
b - Attending IEP meetings		
c - Training/monitoring PBIP		
d - Evaluating PBIP effectiveness		
e - Modifications in IEP meetings		
f - Modifications outside of IEP meetings		
7 - IEP's where PBIP was a component		
Students with 1 IEP	1.00	
Students with 2 IEP's	0.00	
Students with 3 or more IEP's	2.00	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	17.50	1002.57
9 - PBIP issues in IEP by non-BICM's when pre-existing		
10 - Implementation/monitoring of PBIP's by non-Bicm's	746.00	20336.12
11 - Emergency Behavior Interventions		
a - Performing interventions	5.00	344.93
b - One day notification	4.25	295.05
c - Completing report for file	3.00	204.83
d - IEP meetings for no PBIP	5.00	339.60
e - IEP meetings with PBIP	1.00	59.40
f - Reporting dat for annual CDE report	2.50	164.48
BICM LEVEL TOTALS	858.75	27074.82
Completing survey	5.83	378.25
Check Totals	858.75	27074.82

BICM Survey Tehama County

	Position	Tehama County		Total Costs
		Hourly Rate	# of Hours	
1a Number of Students with PBIP	1			
New	1			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	59.4	2.00	118.8
b - Information gathering & assessment	Psychologist	59.4	10.00	594
c - Writing FAA	Psychologist	59.4	10.00	594
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	59.4	5.00	297
b - Attending IEP meetings	Psychologist	59.4	3.00	178.2
c - Training/monitoring PBIP	Psychologist	59.4	1.00	59.4
d - Evaluating PBIP effectiveness	Psychologist	59.4	3.00	178.2
e - Modifications in IEP meetings	Psychologist	59.4	2.00	118.8
f - Modifications outside of IEP meetings	Psychologist	59.4	2.00	118.8
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP	1			
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	2 Psychologist	59.4	6.00	356.4
	6hrs vs 4hrs?			0
				0
				0
9 - PBIP issues in IEP by non-BICM's when pre-existing				0
10 - Implementation/monitoring of PBIP's by non-Bicm's	Psychologist	59.4	140.00	8316
	140 hrs vs 5 hrs?			
11 - Emergency Behavior Interventions				
a - Performing interventions	Psychologist	59.4	0.50	29.7
b - One day notification	Psychologist	59.4	0.25	14.85
c - Completing report for file	Psychologist	59.4	0.50	29.7
d - IEP meetings for no PBIP	Psychologist	59.4	1.00	59.4
e - IEP meetings with PBIP	Psychologist	59.4	1.00	59.4
f - Reporting dat for annual CDE report	Psychologist	59.4	1.00	59.4
BICM LEVEL TOTALS			188.25	11182.05
Completing survey	Psychologist	59.4	0.33	19.602

Check Totals

BICM Survey Tehama County	Antelope - Corning HS			
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	1			
New	1			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Psychologist	59.4	0.00	0
b - Information gathering & assessment	Psychologist	59.4	7.00	415.8
c - Writing FAA	Psychologist	59.4	3.00	178.2
4- Initial PBIP				
a - Preparing draft for IEP	Psychologist	59.4	3.00	178.2
b - Attending IEP meetings	Psychologist	59.4	2.50	148.5
c - Training/monitoring PBIP	Psychologist	59.4	2.00	118.8
d - Evaluating PBIP effectiveness	Psychologist	59.4	4.50	267.3
e - Modifications in IEP meetings	Psychologist	59.4	0.00	0
f - Modifications outside of IEP meetings	Psychologist	59.4	1.50	89.1
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's	1			
8 - PBIP issues in IEP by non-BICM's				
when discussed for the first time	1 Antelope RSP	48.02	1.50	72.03
	1 Antelope S&L	48.02	1.50	72.03
				0
				0
				0
9 - PBIP issues in IEP by non-BICM's				0
when pre-existing				
10 - Implementation/monitoring of PBIP's				
by non-Bicm's	Antelope RSP	48.02	12.00	576.24
	Antelope RSP Aide	18.97	9.00	170.73
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			47.50	2286.93
Completing survey	Psychologist	59.4	1.00	59.4

Check Totals

BICM Survey Tehama County

	Corning Union Elem			
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent				0
b - Information gathering & assessment				0
c - Writing FAA				0
4- Initial PBIP				
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's	0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	1 SDC Teacher	47.75	1.50	71.625
	1 Reg Teacher	53.03	1.50	79.545
	1 Admin	64.95	1.50	97.425
				0
				0
9 - PBIP issues in IEP by non-BICM's when pre-existing				
10 - Implementation/monitoring of PBIP's by non-Bicm's				0
11 - Emergency Behavior Interventions				
a - Performing interventions	Psych/Coordinator	70.05	0.50	35.025
	Psych	70.05	4.00	280.2
b - One day notification	Psych/Coordinator	70.05	3.00	210.15
	Psych	70.05	1.00	70.05
c - Completing report for file	Psych/Coordinator	70.05	1.00	70.05
	Psych	70.05	1.50	105.075
d - IEP meetings for no PBIP	Psych/Coordinator	70.05	2.00	140.1
	Psych	70.05	2.00	140.1
e - IEP meetings with PBIP	Psych/Coordinator	70.05	0.00	0
	Psych	70.05	0.00	0
f - Reporting dat for annual CDE report	Psych/Coordinator	70.05	0.50	35.025
	Psych	70.05	1.00	70.05
BICM LEVEL TOTALS			21.00	1404.42
Completing survey	Psych/Coordinator	70.05	3.00	210.15
	Psych	70.05	2.00	140.1

Check Totals

BICM Survey Tehama County

	Position	Evergreen Union Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	1			
New	1			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent				0
b - Information gathering & assessment				0
c - Writing FAA				0
4- Initial PBIP				
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness	Psychologist	59.4	1.00	59.4
e - Modifications in IEP meetings				
f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP				
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP	1			
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	1 Evergreen/Supt	77.6	1.00	77.6
	1 Evergreen/RSP	69.23	1.00	69.23
	1 Evergreen/Tchr	54.78	1.00	54.78
	1 Evergreen/Pvt Consult	51.9	1.00	51.9
				0
9 - PBIP issues in IEP by non-BICM's when pre-existing				
10 - Implementation/monitoring of PBIP's by non-Bicm's	Evergreen/RSP	69.23	25.00	1730.75
	Evergreen/Paraprof	17.04	560.00	9542.4
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			590.00	11586.06
Completing survey	Psychologist	59.4	1.50	89.1
Check Totals				
Assumptions				
Salary		57868		
Benefits		16083		
Employee of Cottonwood School District				
Assume 190 days				
Same as County			7.5 hrs	

BICM Survey Tehama County

	Position	Kirkwood		Total Costs
		Hourly Rate	# of Hours	
1a Number of Students with PBIP	0			
New	0			
Existing	0			
3 - FAA Activities				
a - Parent notice and consent	Resource Specialist	51.28	7.00	358.96
b - Information gathering & assessment				0
c - Writing FAA				0
4- Initial PBIP				
a - Preparing draft for IEP				0
b - Attending IEP meetings	Resource Specialist	51.28	5.00	256.4
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				0 0 0 0 0
9 - PBIP issues in IEP by non-BICM's when pre-existing				0 0
10 - Implementation/monitoring of PBIP's by non-Bicm's				0 0 0
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			12.00	615.36
Completing survey	Resource Specialist		0.34	0
Check Totals				

BICM Survey Tehama County

	Los Molinos Unified			
	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	0 NO Costs Except			
New	0 filling out the Survey			
Existing	0 see below			
3 - FAA Activities				
a - Parent notice and consent				0
b - Information gathering & assessment				0
c - Writing FAA				0
4- Initial PBIP				
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
5 - FAA activities for pre-existing PBIP				0
5a Parent notice				0
5b Information gathering				0
5c Writing FAA				0
6 - Review/revision of pre-existing PBIP				0
a - Preparing draft for IEP				0
b - Attending IEP meetings				0
c - Training/monitoring PBIP				0
d - Evaluating PBIP effectiveness				0
e - Modifications in IEP meetings				0
f - Modifications outside of IEP meetings				0
7 - IEP's where PBIP was a component				
Students with 1 IEP				
Students with 2 IEP's				
Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's				0
when discussed for the first time				0
				0
				0
				0
				0
9 - PBIP issues in IEP by non-BICM's				0
when pre-existing				0
10 - Implementation/monitoring of PBIP's				0
by non-Bicm's				0
				0
11 - Emergency Behavior Interventions				
a - Performing interventions				0
b - One day notification				0
c - Completing report for file				0
d - IEP meetings for no PBIP				0
e - IEP meetings with PBIP				0
f - Reporting dat for annual CDE report				0
BICM LEVEL TOTALS			0.00	0
Completing survey	Psychologist	57.6	2.50	144
Check Totals				

BICM Survey Tehama County	Manton	Mineral	Plum Valley	
1a Number of Students with PBIP New Existing	No Survey	NO COSTS	NO COSTS Except 10 mins for completing survey	Red Bluff Elem Red Bluff High Reeds Creek Richfield
3 - FAA Activities a - Parent notice and consent b - Information gathering & assessment c - Writing FAA				NO SURVEYS
4- Initial PBIP a - Preparing draft for IEP b - Attending IEP meetings c - Training/monitoring PBIP d - Evaluating PBIP effectiveness e - Modifications in IEP meetings f - Modifications outside of IEP meetings				
5 - FAA activities for pre-existing PBIP 5a Parent notice 5b Information gathering 5c Writing FAA				
6 - Review/revision of pre-existing PBIP a - Preparing draft for IEP b - Attending IEP meetings c - Training/monitoring PBIP d - Evaluating PBIP effectiveness e - Modifications in IEP meetings f - Modifications outside of IEP meetings				
7 - IEP's where PBIP was a component Students with 1 IEP Students with 2 IEP's Students with 3 or more IEP's				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time				
9 - PBIP issues in IEP by non-BICM's when pre-existing				
10 - Implementation/monitoring of PBIP's by non-Bicm's				
11 - Emergency Behavior Interventions a - Performing interventions b - One day notification c - Completing report for file d - IEP meetings for no PBIP e - IEP meetings with PBIP f - Reporting dat for annual CDE report				
BICM LEVEL TOTALS				
Completing survey				
Check Totals				

BICM Survey Tehama County	Lassen View	Flournoy Unino Elem	Gerber
1a Number of Students with PBIP New Existing	NO COSTS	NO COSTS	NO COSTS Except 15 min to fill out the survey
3 - FAA Activities a - Parent notice and consent b - Information gathering & assessment c - Writing FAA			
4- Initial PBIP a - Preparing draft for IEP b - Attending IEP meetings c - Training/monitoring PBIP d - Evaluating PBIP effectiveness e - Modifications in IEP meetings f - Modifications outside of IEP meetings			
5 - FAA activities for pre-existing PBIP 5a Parent notice 5b Information gathering 5c Writing FAA			
6 - Review/revision of pre-existing PBIP a - Preparing draft for IEP b - Attending IEP meetings c - Training/monitoring PBIP d - Evaluating PBIP effectiveness e - Modifications in IEP meetings f - Modifications outside of IEP meetings			
7 - IEP's where PBIP was a component Students with 1 IEP Students with 2 IEP's Students with 3 or more IEP's			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time			
9 - PBIP issues in IEP by non-BICM's when pre-existing			
10 - Implementation/monitoring of PBIP's by non-Bicm's			
11 - Emergency Behavior Interventions a - Performing interventions b - One day notification c - Completing report for file d - IEP meetings for no PBIP e - IEP meetings with PBIP f - Reporting dat for annual CDE report			
BICM LEVEL TOTALS			

Completing survey

Check Totals

Tri-City

SELPA

SELPA Level
Number of BICM's in SELPA 8
Number of BICM surveys returned 0 No BICM surveys submitted
Number of LEA's in SELPA 3
Number of LEA surveys returned 2

Tri-City

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
*7- Procedures development	Prog Coord	67.55	30.00		2,026.50	
	Teacher	60.16	30.00		1,804.80	
	Director-LEA	74.68	30.00		2,240.40	
	Psychologist	64.62	30.00		1,938.60	
*8- Governing Board approval	Director	74.68	6.00		448.08	
	Secretary		4.00		0.00	
Training						
*11- Design training for initial BICM certification	Psychologist	64.62	150.00		9,693.00	
**12- Update of training for initial BICM certification	Psychologist	64.62	216.00	13,957.92		Annually
**13- Lead training for initial BICM certification	Psychologist	64.62	16.00	1,033.92		Annually
**14- Lead training update for certified BICM's	n/a					N/A
*15- Design training for PBIP implementers	Psychologist	64.62	9.00		581.58	
	Prog Special	67.55	3.00		202.65	
**16- Update training for PBIP implementers	Psychologist	64.62	2.00	129.24		As needed
**17- Lead training for PBIP implementers	Psychologist	64.62	3.00	193.86		District handles
*18- Design training on Emergency Behavioral Interventions	n/a					
**19- Update training on Emergency Behavioral Interventions	n/a					N/A
**20- Lead training on Emergency Behavioral Interventions	n/a					N/A
21- Other costs of BICM certification training						
22- Number of participants in BICM training by position/hours	Psychologist	64.62	320.00	20,678.40		
23- Number of participants in PBIP training by position/hours	n/a					
24- Number of participants in Emergency Beh Interv training by position/hours	n/a					
25- Other training costs					117.36	
Staff Activities						
26- Data collection from BER's for annual report to CDE	Director	74.68	3.00	224.04		
27- Due process hearings						
TOTAL			852.00	36,217.38	19,052.97	
Time to complete survey	Dir, Pupil Svs	75.42	3.00	226.26		

NOTES:
one asterick indicates one-time cost
two astericks indicates annual or more frequent costs

District

District Level	Tri - City SELPA District Level Summary Totals	
1 - # of Reports	9.00	
2 Activities		
a - performing emergency interventions	630.00	40,905.90
b - 1 day notification of use of emergency intervention	8.20	529.56
c - Completing report	2.70	174.37
d - Scheduling and holding IEP meetings for students without PBIP	27.00	1,743.66
e - Scheduling and holding IEP meetings for students with PBIP	12.00	774.96
f - Reporting data for annual report to CDE	1.90	122.70
g - Reviewing reports & forwarding to SELPA	1.90	122.70
3 - Informing school personnel	2.70	174.37
4 - Number of due process requests filed		
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0.00	
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance		
DISTRICT LEVEL TOTALS	686.40	44,548.21
Time to complete survey	0.00	0.00

District Level

Tri - City SELPA
 District Level Summary Totals

	9.00		9.00			
			Culver City Unified			
			Position	Hourly Rate	# of Hours	Total Costs
1 - # of Reports						
2 Activities						
a - performing emergency interventions	630.00	40,905.90	Teachers	64.93	630.00	40,905.90
b - 1 day notification of use of emergency intervention	8.20	529.56	Psychologist	64.58	8.20	529.56
c - Completing report	2.70	174.37	Psychologist	64.58	2.70	174.37
d - Scheduling and holding IEP meetings for students without PBIP	27.00	1,743.66	Psychologist	64.58	27.00	1,743.66
e - Scheduling and holding IEP meetings for students with PBIP	12.00	774.96	Psychologist	64.58	12.00	774.96
f - Reporting data for annual report to CDE	1.90	122.70	Psychologist	64.58	1.90	122.70
g - Reviewing reports & forwarding to SELPA	1.90	122.70	Psychologist	64.58	1.90	122.70
3 - Informing school personnel	2.70	174.37	Psychologist	64.58	2.70	174.37
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0.00	0.00				
5 - Filing Response			n/a			0.00
6 - Resolution Session			n/a			0.00
7 - Mediation			n/a			0.00
8 - Due Process Hearing			n/a			0.00
9 - Outside Assistance			n/a			0.00
DISTRICT LEVEL TOTALS	686.40	44,548.21			686.40	44,548.21
Time to complete survey	0.00	0.00			0.00	0.00

District Level

Tri - City SELPA
 District Level Summary Totals

	9.00	0.00				
			Position	Hourly Rate	# of Hours	Total Costs
1 - # of Reports	9.00	0.00				
2 Activities						
a - performing emergency interventions	630.00	40,905.90				
b - 1 day notification of use of emergency intervention	8.20	529.56				
c - Completing report	2.70	174.37				
d - Scheduling and holding IEP meetings for students without PBIP	27.00	1,743.66				
e - Scheduling and holding IEP meetings for students with PBIP	12.00	774.96				
f - Reporting data for annual report to CDE	1.90	122.70				
g - Reviewing reports & forwarding to SELPA	1.90	122.70				
3 - Informing school personnel	2.70	174.37			0.00	0.00
4 - Number of due process requests filed						
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0.00					
5 - Filing Response						
6 - Resolution Session						
7 - Mediation						
8 - Due Process Hearing						
9 - Outside Assistance						
DISTRICT LEVEL TOTALS	686.40	44,548.21			0.00	0.00
Time to complete survey	0.00	0.00	0.00	0.00	0.00	0.00

Toulumne County

SELPA

SELPA Level	TUOLUMNE COUNTY	6994 ADA
Number of BICM's in SELPA	2	
Number of BICM surveys returned	2	
Number of LEA's in SELPA	12	
Number of LEA surveys returned	0 County SELPA provides all BICM services	

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Costs	Notes:
Local Plan						
* 7- Procedures development	SELPA Director	72.01	5.00		360.05	
	Principal	67.88	5.00		339.40	
	School Psychs	61	3.00		183.00	
*8- Governing Board approval	SELPA Director	72.01	2.00		144.02	
Training						
*11- Design training for initial BICM certification	None				0.00	
**12- Update of training for initial BICM certification	School Psych	61	24.00	1,464.00		
	School Psych	61	24.00	1,464.00		
**13- Lead training for initial BICM certification	None			0.00		
**14- Lead training update for certified BICM's	None			0.00		
*15- Design training for PBIP implementers	School Psych	61	5.00		305.00	
	School Psych	61	5.00		305.00	
**16- Update training for PBIP implementers	School Psych	61	3.00	183.00		
	School Psych	61	3.00	183.00		
**17- Lead training for PBIP implementers	School Psych	61	3.00	183.00		
	School Psych	61	3.00	183.00		
*18- Design training on Emergency Behavioral Interventions	None				0.00	
**19- Update training on Emergency Behavioral Interventions	School Psych	61	24.00	1,464.00		
	Teachers	54.44	24.00	1,306.56		
	Aides	13.73	24.00	329.52		
**20- Lead training on Emergency Behavioral Interventions	Teacher	54.44	28.00	1,524.32		
21- Other costs of BICM certification training	N/A					
22- Number of participants in BICM training by position/hours	N/A					
23- Number of participants in PBIP training by position/hours	N/A					
24- Number of participants in Emergency Beh Interv training by position/hours	N/A					
25- Other training costs				1,500.00	0.00	
Staff Activities						
26- Data collection from BER's for annual report to CDE	Admin Asst	32.99	4.00	131.96		
	Principal	67.88	10.00	678.80		
27- Due process hearings	None					
SELPA LEVEL TOTAL			199.00	10,595.16	1,636.47	

Time to complete survey | Director | 72.01 | 2.00 | 144.02 |

NOTES:
one asterisk indicates a one time cost
two asterisks indicates annual or more frequent costs

BICM

BICM Level - Tuolumne County

BICM Summary

	Total	Total # of Hours	Total Costs
1a Number of Students with PBIP	11		
New	4		
Existing	7		
2 PBIP's with AB 3632 services	2		
3 - FAA Activities			
a - Parent notice and consent		0.50	30.50
b - Information gathering & assessment		31.00	1891.00
c - Writing FAA		2.00	122.00
4 - Initial PBIP			
a - Preparing draft for IEP		2.00	122.00
b - Attending IEP meetings		15.00	915.00
c - Training/monitoring PBIP		54.00	3294.00
d - Evaluating PBIP effectiveness		7.00	427.00
e - Modifications in IEP meetings		4.00	244.00
f - Modifications outside of IEP meetings		8.00	488.00
5 - FAA activities for pre-existing PBIP			30000.00
a - Preparing draft for IEP			
b - Attending IEP meetings		20.00	1220.00
c - Training/monitoring PBIP		24.00	1464.00
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP		0.00	0.00
b - Attending IEP meetings		7.00	427.00
c - Training/monitoring PBIP		44.00	2684.00
d - Evaluating PBIP effectiveness		15.00	915.00
e - Modifications in IEP meetings		5.00	305.00
f - Modifications outside of IEP meetings		3.00	183.00
7 - IEP's where PBIP was a component			
Students with 1 IEP	0		
Students with 2 IEP's	2		
Students with 3 or more IEP's	9		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		36.00	1858.30
9 - PBIP issues in IEP by non-BICM's when pre-existing		44.00	2303.59
10 - Implementation/monitoring of PBIP's by non-Bicm's		208.00	9267.08
11- Emergency Behavior Interventions			
a - Performing interventions		14.00	854.00
b - One day notification		0.00	0.00
c - Completing report for file		0.00	0.00
d - IEP meetings for no PBIP		2.00	122.00
e - IEP meetings with PBIP		1.00	61.00
f - Reporting data for annual CDE report		0.00	0.00
BICM LEVEL TOTALS		546.50	59,197.47
Completing survey		4.50	274.50
Check Totals		546.50	59,197.47

BICM Level - Tuolumne County

	BICM Summary			Wendy Pound Position	SELPA Psych Hourly Rate	# of Hours	Total Costs
	Total	Total # of Hours	Total Costs				
1a Number of Students with PBIP	11			8			
New	4			3			
Existing	7			5			
2 PBIP's with AB 3632 services	2						
3 - FAA Activities							
a - Parent notice and consent		0.50	30.50				0.00
b - Information gathering & assessment		31.00	1891.00	Psych	61.00	21.00	1,281.00
c - Writing FAA		2.00	122.00				0.00
4- Initial PBIP							
a - Preparing draft for IEP		2.00	122.00	Psych	61.00	0.00	0.00
b - Attending IEP meetings		15.00	915.00	Psych	61.00	11.00	671.00
c - Training/monitoring PBIP		54.00	3294.00	Psych	61.00	30.00	1,830.00
d - Evaluating PBIP effectiveness		7.00	427.00	Psych	61.00	3.00	183.00
e - Modifications in IEP meetings		4.00	244.00	Psych	61.00	0.00	0.00
f - Modifications outside of IEP meetings		8.00	488.00	Psych	61.00	0.00	0.00
5 - FAA activities for pre-existing PBIP			30000.00	Contracted BICM (For work as a BICM but not allocated to a specific question)			30,000.00
a - Preparing draft for IEP		20.00	1220.00	Psych	61.00	15.00	915.00
b - Attending IEP meetings		24.00	1464.00				
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		0.00	0.00				0.00
b - Attending IEP meetings		7.00	427.00	Psych	61.00	5.00	305.00
c - Training/monitoring PBIP		44.00	2684.00	Psych	61.00	30.00	1,830.00
d - Evaluating PBIP effectiveness		15.00	915.00	Psych	61.00	5.00	305.00
e - Modifications in IEP meetings		5.00	305.00	Psych	61.00	1.00	61.00
f - Modifications outside of IEP meetings		3.00	183.00	Psych	61.00	0.00	0.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	0			0			
Students with 2 IEP's	2			0			
Students with 3 or more IEP's	9			8			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		36.00	1858.30	5 Teacher - SELPA	54.44	8.00	435.52
				2 SAI - SES	54.05	4.00	216.20
				1 SAI - TH	54.05	2.00	108.10
				0 SAI - JES	54.05	0.00	0.00
				2 Admin - SES	45.45	4.00	181.80
				1 Admin - TH	48.30	2.00	96.60
9 - PBIP issues in IEP by non-BICM's when pre-existing		44.00	2303.59	5 Teacher - SELPA	54.44	10.00	544.40
				0 SAI - SES	54.05	0.00	0.00
				0 SAI - TH	54.05	0.00	0.00
				6 SAI - JES	54.05	9.00	486.45
				0 Admin - SES	45.45	0.00	0.00
				0 Admin - TH	48.30	0.00	0.00
				6 Admin - JES	48.30	9.00	434.70
10 - Implementation/monitoring of PBIP's by non-Bicm's		208.00	9267.08	2 SES - SAI	54.05	4.00	216.20
				2 SES - Admin	45.45	4.00	181.80
				1 TH - SAI	54.05	2.00	108.10
				1 TH - Admin	48.30	2.00	96.60
				6 JES - SAI	54.05	9.00	486.45
				6 JES - Admin	48.30	9.00	434.70
				10 Sp Ed Tchr SELPA	54.44	18.00	979.92
11- Emergency Behavior Interventions							
a - Performing interventions		14.00	854.00	Psych	61.00	1.00	61.00
b - One day notification		0.00	0.00				0.00
c - Completing report for file		0.00	0.00				0.00
d - IEP meetings for no PBIP		2.00	122.00				0.00
e - IEP meetings with PBIP		1.00	61.00	Psych	61.00	1.00	61.00
f - Reporting data for annual CDE report		0.00	0.00				0.00
BICM LEVEL TOTALS		546.50	59,197.47			219.00	42,510.54
Completing survey		4.50	274.50	Psych	61.00	1.50	91.50
Check Totals		546.50	59,197.47				

Assumption Calc	Salary Information from SELPA	
SAI - SES	70,000.00	54.05
SAI - TH	70,000.00	54.05
SAI - JES	70,000.00	54.05
Admin - SES	80,000.00	45.45
Admin - TH	85,000.00	48.30
Admin - JES	85,000.00	48.30
SELPA Paraeducator (30000 @.6)	50,000.00	38.61
Coord SELPA	90,000.00	51.14
Prog Spec - SELPA	85,000.00	48.30
Senora Hi Prin	90,000.00	51.14

BICM Level - Tuolumne County	BICM Summary			Casey Donahue Position	SELPA Psych		
	Total	Total # of Hours	Total Costs		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	11			3			
New	4			1			
Existing	7			2			
2 PBIP's with AB 3632 services	2			2			
3 - FAA Activities							
a - Parent notice and consent		0.50	30.50	Psych	61.00	0.50	30.50
b - Information gathering & assessment		31.00	1891.00	Psych	61.00	10.00	610.00
c - Writing FAA		2.00	122.00	Psych	61.00	2.00	122.00
4- Initial PBIP							0.00
a - Preparing draft for IEP		2.00	122.00	Psych	61.00	2.00	122.00
b - Attending IEP meetings		15.00	915.00	Psych	61.00	4.00	244.00
c - Training/monitoring PBIP		54.00	3294.00	Psych	61.00	24.00	1,464.00
d - Evaluating PBIP effectiveness		7.00	427.00	Psych	61.00	4.00	244.00
e - Modifications in IEP meetings		4.00	244.00	Psych	61.00	4.00	244.00
f - Modifications outside of IEP meetings		8.00	488.00	Psych	61.00	8.00	488.00
5 - FAA activities for pre-existing PBIP			3000.00				
a - Preparing draft for IEP							
b - Attending IEP meetings		20.00	1220.00	Psych	61.00	5.00	305.00
c - Training/monitoring PBIP		24.00	1464.00	Psych	61.00	24.00	1,464.00
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		0.00	0.00				0.00
b - Attending IEP meetings		7.00	427.00	Psych	61.00	2.00	122.00
c - Training/monitoring PBIP		44.00	2684.00	Psych	61.00	14.00	854.00
d - Evaluating PBIP effectiveness		15.00	915.00	Psych	61.00	10.00	610.00
e - Modifications in IEP meetings		5.00	305.00	Psych	61.00	4.00	244.00
f - Modifications outside of IEP meetings		3.00	183.00	Psych	61.00	3.00	183.00
7 - IEP's where PBIP was a component							
Students with 1 IEP	0						
Students with 2 IEP's	2			2			
Students with 3 or more IEP's	9			1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		36.00	1858.30	1 Teacher - SELPA	54.44	4.00	217.76
				1 Coord - SELPA	51.14	4.00	204.56
				1 Prog Spec - SELPA	43.30	4.00	193.20
				1 Senora Hi Prin	51.14	4.00	204.56
9 - PBIP issues in IEP by non-BICM's when pre-existing		44.00	2303.59	3 Teacher - SELPA	54.44	6.00	326.64
				3 Coord - SELPA	51.14	6.00	306.84
				3 Senora Hi Prin	51.14	4.00	204.56
10 - Implementation/monitoring of PBIP's by non-Bicm's		208.00	9267.08	SELPA Teacher	54.44	37.00	2,014.28
				SELPA Paraeducator	38.61	49.00	1,891.89
				SELPA Paraeducator	38.61	32.00	1,235.52
				SELPA Paraeducator	38.61	25.00	965.25
				SELPA Paraeducator	38.61	17.00	656.37
							0.00
11- Emergency Behavior Interventions							
a - Performing interventions		14.00	854.00	Psych	61.00	13.00	793.00
b - One day notification		0.00	0.00				0.00
c - Completing report for file		0.00	0.00				0.00
d - IEP meetings for no PBIP		2.00	122.00	Psych	61.00	2.00	122.00
e - IEP meetings with PBIP		1.00	61.00				0.00
f - Reporting data for annual CDE report		0.00	0.00				0.00
BICM LEVEL TOTALS		546.50	59,197.47			327.50	16,686.93
Completing survey		4.50	274.50	Psych	61.00	3.00	183.00
Check Totals		546.50	59,197.47				

West Orange

SELPA

SELPA WEST ORANGE CCSE SELPA 46,304 ADA
 Number of BICM's in SELPA 16
 Number of BICM surveys returned 13
 Number of LEA's in SELPA 5
 Number of LEA surveys returned 5

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One-Time Cost	Notes
Local Plan						
* 7 - Procedures development	SELPA Director BICM's District Directors	97.76 73.53 87.68	24.00 6.00 2.00		2,346.24 441.18 175.36	I changed the rates back Hourly rate changed School Psychologist Hourly rate changed per
* 8 - Governing Board approval	SELPA Director	97.76	2.00		195.52	Hourly rate changed
Training						
* 11 - Design training for initial BICM certification	(OCED)					Note: I checked with them and the Huntington Beach Union High School District Hourly rates apply, on their sheet they omitted the Salary related benefits which are 12.7% for STRS, medicare, etc. - below from their sheet
** 12 - Update of training for initial BICM certification						Days Hours Hourly Rate SELPA Exec Dir 160692 20,408 247 7.5 97.76 SELPA Program Dir 112924 14,304 237 7.5 71.41 Prog Specialist 96798 12,285 194 7.5 74.83 BICM/Psychologist 84934 12,057 194 7.5 73.53 Teacher 78237 9,682 187 7.5 61.26 Principal 138159 17,548 247 7.5 84.05 Asst Principal 113852 14,459 210 7.5 61.37 Sp Ed Director 144120 18,303 247 7.5 87.68
** 13 - Lead training for initial BICM certification						
** 14 - Lead training update for certified BICM's						
* 15 - Design training for PBIP implementers	Conducted by OCDE					
** 16 - Update training for PBIP implementers	SELPA Program Director SELPA Program Specialist District Directors Secretary	71.41 74.93 87.68 24.05	65.00 55.00 6.00 4.00	4,641.66 4,121.15 449.58 96.20		As often as new research & information necessitates
** 17 - Lead training for PBIP implementers	SELPA Program Director SELPA Program Specialist	71.41 74.93	108.00 108.00	7,712.28 8,092.44		Hourly rate changed p
* 18 - Design training on Emergency Behavioral Interventions						
** 19 - Update training on Emergency Behavioral Interventions	SELPA Program Director SELPA Program Specialist	71.41 74.93	30.00 30.00	2,142.30 2,247.90		As often as new research & information necessitates
** 20 - Lead training on Emergency Behavioral Interventions	Directors SELPA Program Director SELPA Program Specialist	87.68 71.41 74.93	5.00 38.00 38.00	438.40 2,713.58 2,847.34		6 times a year
21 - Other costs of BICM certification training	Registration 5 Psychologists in BICM training paid at daily rate			1,500.00	5 @ \$300 per	
22 - Number of participants in BICM training by position/hours	Principal Asst Principal Instructional Aide Teacher Psychologist	84.05 81.47 26.05 61.26 73.53	10.00 10.00 100.00 120.00 30.00	840.50 814.70 2,605.00 7,351.20 2,205.90		
23 - Number of participants in PBIP training by position/hours	District Lead					
24 - Number of participants in Emergency Beh Interv training by position/hours	Principal Asst Principal Instructional Aide Teacher Psychologist	84.05 81.47 26.05 61.26 73.53	6.00 6.00 60.00 72.00 18.00	504.30 488.82 1,563.00 4,410.72 1,323.54		
25 - Other training costs	Daily rate for 3 days					
Staff Activities						
26 - Data collection from BER's for annual report to CDE	Director	97.76	2.00		195.52	
27 - Due process hearings	NONE					
SELPA LEVEL TOTALS			955.00	59,306.02	3,158.30	

Time to complete survey Executive Director 97.76 13.00 1,270.88

NOTES:
 one asterisk indicates a one time cost
 two asterisks indicates annual or more frequent costs

District

District - Level Behavioral Emergency Reports	WEST ORANGE	SUMMARY
1 - # of Reports	44	
2 Activities		
a - performing emergency interventions	155.85	8,934.55
b - 1 day notification of use of emergency intervention	19.00	1,410.27
c - Completing report	72.00 Agree	4,614.94
d - Scheduling and holding IEP meetings for students without PBIP	197.00	14,252.82
e - Scheduling and holding IEP meetings for students with PBIP		
f - Reporting data for annual report to CDE	11.00	896.12
g - Reviewing reports & forwarding to SELPA	17.00	1,458.42
3 - Informing school personnel	32.00	2,192.41
4 - Number of due process requests filed		
a - Number of written responses For each response in 4a, there must be answers to 5-8		
5 - Filing Response		
6 - Resolution Session		
7 - Mediation		
8 - Due Process Hearing		
9 - Outside Assistance		44,500.00
DISTRICT LEVEL TOTALS	503.85	78,259.51
Time to complete survey	6.50	519.13
Check Totals	503.85	78,259.51

District - Level Behavioral Emergency Reports	WEST ORANGE	SUMMARY	Huntington Beach Union HS			
1 - # of Reports	44	5	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	155.85	8,934.55	Teacher	61.26	4.00	245.04
			Aide	26.05	11.00	286.55
			Administrator (Prin)	84.05	2.50	210.13
			Psychologist	73.53	4.00	294.12
b - 1 day notification of use of emergency intervention	19.00	1,410.27	Administrator	84.05	1.00	84.05
			Teacher	61.26	1.00	61.26
			Psychologist	73.53	3.00	220.59
c - Completing report	72.00	4,614.94	Administrator	84.05	5.00	420.25
	Agree		Teacher	61.26	5.00	306.30
			Psychologist	73.53	5.00	367.65
d - Scheduling and holding IEP meetings for students without PBIP	197.00	14,252.82	Administrator	84.05	4.00	336.20
			Teacher	61.26	2.00	122.52
			Psychologist	73.53	6.00	441.18
			G. E. Teacher	61.26	2.00	122.52
e - Scheduling and holding IEP meetings for students with PBIP			Administrator	84.05	6.00	504.30
			Teacher	61.26	6.00	367.56
			Psychologist	73.53	9.00	661.77
			G. E. Teacher	61.26	3.00	183.78
f - Reporting data for annual report to CDE	11.00	896.12	Site Admin	84.05	5.00	420.25
g - Reviewing reports & forwarding to SELPA	17.00	1,458.42	Director	87.68	2.00	175.36
3 - Informing school personnel	32.00	2,192.41	Director	87.68	5.00	438.40
			Psychologist	73.53	3.00	220.59
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8			0			
5 - Filing Response			n/a			
6 - Resolution Session			n/a			
7 - Mediation			n/a			
8 - Due Process Hearing			NOTE			
9 - Outside Assistance		44,500.00	Outside services provided to various districts but included here			
			Behavior consult	130.00		35,200.00
			BIP Monitoring	56.00		7,300.00
			Pro-Act Cert	80.00		2,000.00
DISTRICT LEVEL TOTALS	503.85	78,259.51			94.50	50,990.37
Time to complete survey	6.50	519.13	Spec Ed Director	87.68	1.50	131.52
Check Totals	503.85	78,259.51				

District - Level Behavioral Emergency Reports	WEST ORANGE	SUMMARY				
1 - # of Reports	44		9			
				Huntington Beach City (Elem?)		
2 Activities			Position	Hourly Rate	# of Hours	Total Costs
a - performing emergency interventions	155.85	8,934.55	Dir Student Services	92.49	5.10	471.70
b - 1 day notification of use of emergency intervention	19.00	1,410.27	Dir Student Services	92.49	4.50	416.21
c - Completing report	72.00 Agree	4,614.94	Dir Student Services	92.49	4.50 Agree	416.21
d - Scheduling and holding IEP meetings for students without PBIP	197.00	14,252.82	Dir Student Services	92.49	18.00	1,664.82
e - Scheduling and holding IEP meetings for students with PBIP			Dir Student Services	92.49	18.00	1,664.82
f - Reporting data for annual report to CDE	11.00	896.12	Dir Student Services	92.49	2.50	0.00 231.23
g - Reviewing reports & forwarding to SELPA	17.00	1,458.42	Dir Student Services	92.49	9.00	832.41
3 - Informing school personnel	32.00	2,192.41				0.00 0.00
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8			0			
5 - Filing Response			n/a			
6 - Resolution Session			n/a			
7 - Mediation			n/a			
8 - Due Process Hearing			n/a			
9 - Outside Assistance		44,500.00				
DISTRICT LEVEL TOTALS	503.85	78,259.51			61.60	5,697.38
Time to complete survey	6.50	519.13	Spec Ed Director	92.49	1.50	138.74
Check Totals	503.85	78,259.51				

District - Level Behavioral Emergency Reports	WEST ORANGE	SUMMARY	Ocean View			
1 - # of Reports	44		20			
			Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	155.85	8,934.55	Teacher	51.21	0.75	38.41
			Aide	21.00	0.75	15.75
			Psychologist	63.28	0.75	47.46
b - 1 day notification of use of emergency intervention	19.00	1,410.27	Psychologist	63.28	0.50	31.64
c - Completing report	72.00	4,614.94	Site Administrator	76.13	0.50	38.07
	Agree		Teacher	51.21	1.00	51.21
			Psychologist	63.28	0.50	31.64
d - Scheduling and holding IEP meetings for students without PBIP	197.00	14,252.82	District Administrator	79.25	2.50	198.13
			Teacher	51.21	5.00	256.05
			Psychologist	63.28	2.50	158.20
			Site Admin	61.26	2.50	153.15
e - Scheduling and holding IEP meetings for students with PBIP			District Administrator	79.25	2.50	198.13
			Teacher	51.21	5.00	256.05
			Psychologist	63.28	2.50	158.20
			Site Admin	76.13	2.50	190.33
f - Reporting data for annual report to CDE	11.00	896.12	Site Admin	76.13	0.25	19.03
			Psychologist	63.28	0.25	15.82
g - Reviewing reports & forwarding to SELPA	17.00	1,458.42	Dist Admin	79.25	1.00	79.25
3 - Informing school personnel	32.00	2,192.41	BICM	65.00	3.00	195.00
			Instr Aide	21.00	3.00	63.00
			Site Admin	76.13	3.00	228.39
			Dir Spec Ed	79.25	3.00	237.75
4 - Number of due process requests filed			n/a			
a - Number of written responses			0			
For each response in 4a, there must be answers to 5-8						
5 - Filing Response			n/a			
6 - Resolution Session			n/a			
7 - Mediation			n/a			
8 - Due Process Hearing			n/a			
9 - Outside Assistance		44,500.00	n/a			
DISTRICT LEVEL TOTALS	503.85	78,259.51			43.25	2,660.64
Time to complete survey	6.50	519.13	Spec Ed Director	79.25	1.50	118.88
Check Totals	503.85	78,259.51				

District - Level Behavioral Emergency Reports	WEST ORANGE	SUMMARY	Westminster SD			
1 - # of Reports	44		Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	155.85	8,934.55	Prin	67.71	14.25	964.87
			Spec Ed Teacher	56.27	14.25	801.85
			Psychologist	62.94	14.25	896.90
			Aide	21.00	14.25	299.25
b - 1 day notification of use of emergency intervention	19.00	1,410.27	Principal	67.71	3.00	203.13
			Spec Ed Teacher	56.27	3.00	168.81
c - Completing report	72.00	4,614.94	Spec Ed Teacher	56.27	3.50	196.95
	Agree		Aide	21.00	3.50	73.50
			Psychologist	62.94	3.50	220.29
d - Scheduling and holding IEP meetings for students without PBIP	197.00	14,252.82	Principal	67.71	4.00	270.84
			Spec Ed Teacher	56.27	4.00	225.08
			Psychologist	62.94	4.00	251.76
			G. E. Teacher	58.00	4.00	232.00
			Principal	67.71	6.00	406.26
			Spec Ed Teacher	56.27	6.00	337.62
			Psychologist	62.94	6.00	377.64
e - Scheduling and holding IEP meetings for students with PBIP						
f - Reporting data for annual report to CDE	11.00	896.12	Spec Ed Director	65.00	1.50	97.50
g - Reviewing reports & forwarding to SELPA	17.00	1,458.42	Spec Ed Director	65.00	1.00	65.00
3 - Informing school personnel	32.00	2,192.41	BICM	66.00	3.00	198.00
			Psychologist	62.94	3.00	188.82
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 - 8			0			
5 - Filing Response			n/a			
6 - Resolution Session			n/a			
7 - Mediation			n/a			
8 - Due Process Hearing			n/a			
9 - Outside Assistance		44,500.00	n/a			
DISTRICT LEVEL TOTALS	503.85	78,259.51			116.00	6,476.06
Time to complete survey	6.50	519.13	Admin, Spec Ed	65.00	2.00	130.00
Check Totals	503.85	78,259.51				

District - Level Behavioral Emergency Reports	WEST ORANGE	SUMMARY	Fountain Valley			
1 - # of Reports	44	4	Position	Hourly Rate	# of Hours	Total Costs
2 Activities						
a - performing emergency interventions	155.85	8,934.55	Principal	74.86	14.00	1,048.04
			Aide	18.67	14.00	261.38
			Spec Ed Teacher	71.13	14.00	995.82
			Psychologist	75.82	14.00	1,061.48
			G. E. Teacher	71.13	14.00	995.82
b - 1 day notification of use of emergency intervention	19.00	1,410.27	Principal	74.86	3.00	224.58
c - Completing report	72.00	4,614.94	Principal	74.86	8.00	598.88
	Agree		Aide	18.67	8.00	149.36
			Spec Ed Teacher	71.13	8.00	569.04
			Psychologist	75.82	8.00	606.56
			Reg Teacher	71.13	8.00	569.04
d - Scheduling and holding IEP meetings for students without PBIP	197.00	14,252.82	G. E. Teacher	71.13	8.00	569.04
			Principal	74.86	8.00	598.88
			Spec Ed Teacher	71.13	8.00	569.04
			BICM	65.00	8.00	520.00
e - Scheduling and holding IEP meetings for students with PBIP			Principal	74.86	8.00	598.88
			G. E. Teacher	71.13	8.00	569.04
			Spec Ed Teacher	71.13	8.00	569.04
			BICM	65.00	8.00	520.00
f - Reporting data for annual report to CDE	11.00	896.12	Principal	74.86	1.50	112.29
g - Reviewing reports & forwarding to SELPA	17.00	1,458.42	Director	76.60	4.00	306.40
3 - Informing school personnel	32.00	2,192.41	BICM	65.00	3.00	195.00
			Psychologist	75.82	3.00	227.46
4 - Number of due process requests filed			n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8			0			
5 - Filing Response			n/a			
6 - Resolution Session			n/a			
7 - Mediation			n/a			
8 - Due Process Hearing			n/a			
9 - Outside Assistance		44,500.00				
DISTRICT LEVEL TOTALS	503.85	78,259.51			188.50	12,435.07
Time to complete survey	6.50	519.13	Director Support Serv			0.00
Check Totals	503.85	78,259.51				

BICM

BICM - WEST ORANGE CCSE		SUMMARY	
	# of Hours	Total Costs	
1a - Number of Students with PBIP	38		
New	18		
Existing	20		
2 - # of students also received AB 3632	19		
3 - FAA Activities			
a - Parent notice and consent	14.50	1,068.53	
b - Information gathering & assessment	158.00	11,654.88	
c - Writing FAA	144.00	10,596.42	
4 - Initial PBIP			
a - Preparing draft for IEP	114.00	7,916.42	
		Note: the above formula was deleted and restored.	
b - Attending IEP meetings	54.00	3,870.08	
c - Training/monitoring PBIP	1,274.50	80,799.76	
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	
e - Modifications in IEP meetings	30.50	2,128.77	
f - Modifications outside of IEP meetings	19.50	1,345.12	
5 - FAA activities for pre-existing PBIP			
5a Parent notice	6.00	397.47	
5b Information gathering	37.00	2,558.85	
5c Writing FAA	25.00	1,691.85	
6 - Review/revision of pre-existing PBIP			
a - Preparing draft for IEP	12.00	797.64	
b - Attending IEP meetings	44.00	3,132.72	
c - Training/monitoring PBIP	1,285.00	81,565.05	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	
e - Modifications in IEP meetings	30.00	2,096.10	
f - Modifications outside of IEP meetings	17.00	1,166.79	
7 - IEP's where PBIP was a component			
Students with 1 IEP	8		
Students with 2 IEP's	4		
Students with 3 or more IEP's	25		
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	
11 - Emergency Behavior Interventions			
a - Performing interventions	80.00	5,643.41	
b - One day notification	44.00	3,031.00	
c - Completing report for file	45.50	3,198.50	
d - IEP meetings for no PBIP	59.50	4,170.51	
e - IEP meetings with PBIP	37.00	2,492.61	
f - Reporting dat for annual CDE report	37.75	2,733.97	
BICM LEVEL TOTALS	31,784.25	1,394,220.70	
Completing survey	19.75	1,377.11	
Check Totals	31,790.25	1,394,568.70	

NOTES
West Orange County Consortium
In some cases the position we need an hourly rate for may have the same salary as another position so please clarify in those cases.
On the SELPA survey should we use the HBUHSD hourly rates for positions that match?
Is HBUHSD the admin agency?
For directors should we use the HBUHSD Spec Ed director rate or ?
For Hunting Beach Union HS need hourly rates for Admin Autism specialist, OT, SLP and APE
Also need question #10 on BICM survey clarified it listed 1080 in the meeting column, is this right?
All other hourly rates were contained on the hourly rate worksheets
For Fountain Valley just need the hourly rate for the BICM and Speech Lang Therapist plus the time to fill out the BER survey
All other hourly rates were contained on the hourly rate worksheets (Good work)
On Ocean View need hourly rates. They provided some salary schedules but can not compute without health benefits and % driven benefits (e.g. STRS)
Need salaries/hourly rate for Aides, BICM, Autism specialist, Speech specialist, SLP, Prog SP/AT, Inclusion Specialist
Is there a special salary for a 1:1 Aide?
On Frank's BICM question #10 has hours and meetings but no positions, so need the positions. Also need the time it took to complete the survey.
Can we assume SDC Teacher is the same salary as Gen Ed?
For Westminster need hourly rate for Spec Ed Admin, BICM, Gen Ed Teacher, Aide (and 1:1 if different than reg aide) and SLP, Dir Spec Ed, Prog SP/AT, Prog Sp, Dtt and OT
The Salary Benefits look low (\$3,000) maybe did not include STRS?
For Principal need annual work days
Also need number of BERs
For Hunting Beach City just need hourly rate for Speech Therapist and Aide (1:1)

BICM - WEST ORANGE CCSE		SUMMARY		Fountain Valley SD		
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	38		2			
New	18		2			
Existing	20		0			
2 - # of students also received AB 3632	19		1			
3 - FAA Activities						
a - Parent notice and consent	14.50	1,068.53	Psychologist	75.82	1.00	75.82
b - Information gathering & assessment	158.00	11,654.88	Psychologist	75.82	16.00	1,213.12
c - Writing FAA	144.00	10,596.42	Psychologist	75.82	20.00	1,516.40
4 - Initial PBIP						
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	75.82	4.00	303.28
b - Attending IEP meetings	54.00	3,870.08	Psychologist	75.82	4.00	303.28
c - Training/monitoring PBIP	1,274.50	80,789.76	Psychologist	75.82	3.00	227.46
d - Evaluating PBIP effectiveness	1,236.50	78,132.21				0.00
e - Modifications in IEP meetings	30.50	2,128.77			0.00	0.00
f - Modifications outside of IEP meetings	19.50	1,345.12			0.00	0.00
5 - FAA activities for pre-existing PBIP						
5a Parent notice	6.00	397.47				0.00
5b information gathering	37.00	2,558.85				0.00
5c Writing FAA	25.00	1,691.85				0.00
6 - Review/revision of pre-existing PBIP						
a - Preparing draft for IEP	12.00	797.84				0.00
b - Attending IEP meetings	44.00	3,192.72				0.00
c - Training/monitoring PBIP	1,285.00	81,565.06				0.00
d - Evaluating PBIP effectiveness	1,233.00	77,887.05				0.00
e - Modifications in IEP meetings	30.00	2,096.10				0.00
f - Modifications outside of IEP meetings	17.00	1,166.79				0.00
7 - IEP's where PBIP was a component						
Students with 1 IEP	8		1.00			
Students with 2 IEP's	4		1.00			
Students with 3 or more IEP's	25		0.00			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	1.00 Gen Ed Teacher	71.13	4.00	284.52
			1.00 Sped Ed Teacher	71.13	4.00	284.52
			1.00 Principal	74.86	4.00	299.44
			1.00 SLT	66.00	4.00	264.00
			1.00 Psychologist	75.82	4.00	303.28
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61				0.00
						0.00
						0.00
						0.00
						0.00
						0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	Sped Ed Teacher	71.13	70.00	4,979.10
			Teacher Asst #1	18.67	20.00	373.40
			Teacher Asst #2	18.67	20.00	373.40
			Teacher Asst #3	18.67	20.00	373.40
11 - Emergency Behavior Interventions						
a - Performing interventions	80.00	5,643.41	Psychologist	75.82	2.00	151.64
b - One day notification	44.00	3,031.00	Psychologist	75.82	1.00	75.82
c - Completing report for file	45.50	3,198.50	Psychologist	75.82	0.50	37.91
d - IEP meetings for no PBIP	59.50	4,170.51	Psychologist	75.82	1.00	75.82
e - IEP meetings with PBIP	37.00	2,492.61				0.00
f - Reporting dat for annual CDE report	37.75	2,733.97	Psychologist	75.82	0.25	18.96
BICM LEVEL TOTALS	31,784.25	1,394,220.70			202.75	11,534.57
Completing survey	19.75	1,377.11	Psychologist	75.82	0.75	56.87
Check Totals	31,790.25	1,394,568.70				

BICM - WEST ORANGE CCSE			Huntington Beach City SD			
SUMMARY			Position	Hourly Rate	# of Hours	Total Costs
	# of Hours	Total Costs				
1a Number of Students with PBIP	38		2			
New	18		1			
Existing	20		1			
2 - # of students also received AB 3632	19		1			
3 - FAA Activities						
a - Parent notice and consent	14.50	1,068.53	Psychologist	70.83	0.50	35.42
b - Information gathering & assessment	158.00	11,654.88	Psychologist	70.83	5.00	354.15
c - Writing FAA	144.00	10,596.42	Psychologist	70.83	15.00	1,062.45
4 - Initial PBIP						
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	70.83	6.00	424.98
		Note: the above formula was deleted & restored.				
b - Attending IEP meetings	54.00	3,870.08	Psychologist	70.83	4.00	283.32
c - Training/monitoring PBIP	1,274.50	80,799.76	Psychologist	70.83	1.00	70.83
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	Psychologist	70.83	7.00	495.81
e - Modifications in IEP meetings	30.50	2,128.77	Psychologist	70.83	4.00	283.32
f - Modifications outside of IEP meetings	19.50	1,345.12	Psychologist	70.83	2.00	141.66
5 - FAA activities for pre-existing PBIP						
5a Parent notice	6.00	397.47	Psychologist	70.83	0.50	35.42
5b Information gathering	37.00	2,558.85	Psychologist	70.83	5.00	354.15
5c Writing FAA	25.00	1,691.85	Psychologist	70.83	15.00	1,062.45
6 - Review/revision of pre-existing PBIP						
a - Preparing draft for IEP	12.00	797.64	Psychologist	70.83	0.00	0.00
b - Attending IEP meetings	44.00	3,132.72	Psychologist	70.83	5.00	354.15
c - Training/monitoring PBIP	1,285.00	81,565.05	Psychologist	70.83	2.00	141.66
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	Psychologist	70.83	3.00	212.49
e - Modifications in IEP meetings	30.00	2,096.10	Psychologist	70.83	3.00	212.49
f - Modifications outside of IEP meetings	17.00	1,166.79	Psychologist	70.83	1.00	70.83
7 - IEP's where PBIP was a component						
Students with 1 IEP	8		0.00			
Students with 2 IEP's	4		0.00			
Students with 3 or more IEP's	25		2.00			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	3.00 Gen Ed Teacher	78.85	6.00	473.10
			3.00 Sped Ed Teacher	78.85	6.00	473.10
			3.00 Principal	82.50	6.00	495.00
			3.00 Speech Therapist	61.00	6.00	368.00
						0.00
						0.00
						0.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	3.00 Gen Ed Teacher	78.85	6.00	473.10
			3.00 Sped Ed Teacher	78.85	6.00	473.10
			3.00 Principal	82.50	6.00	495.00
			3.00 Speech Therapist	61.00	6.00	368.00
						0.00
						0.00
						0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	1 to 1 Aide	21.00	900.00	18,900.00
			Gen Ed Teacher	78.85	180.00	14,193.00
			Sped Ed Teacher	78.85	720.00	56,772.00
						0.00
						0.00
11 - Emergency Behavior Interventions						
a - Performing interventions	80.00	5,643.41				0.00
b - One day notification	44.00	3,031.00	Psychologist	70.83	2.00	141.66
c - Completing report for file	45.50	3,198.50				0.00
d - IEP meetings for no PBIP	59.50	4,170.51	Psychologist	70.83	6.00	424.98
e - IEP meetings with PBIP	37.00	2,492.61	Psychologist	70.83	6.00	424.98
f - Reporting dat for annual CDE report	37.75	2,733.97				0.00
BICM LEVEL TOTALS	31,784.25	1,394,220.70			1,941.00	100,066.59
Completing survey	19.75	1,377.11	Psychologist	70.83	1.00	70.83
Check Totals	31,790.25	1,394,568.70				

BICM - WEST ORANGE CCSE			Huntington Beach UHSD			
SUMMARY			Position	Hourly Rate	# of Hours	Total Costs
	# of Hours	Total Costs				
1a Number of Students with PBIP	38		7 Nancy			
New	18		1			
Existing	20		6			
2 # of students also received AB 3632	19		5			
3 - FAA Activities						
a - Parent notice and consent		14.50	Program Specialist	74.93	1.00	74.93
b - Information gathering & assessment		158.00	Program Specialist	74.93	10.00	749.30
c - Writing FAA		144.00	Program Specialist	74.93	2.00	149.86
4 - Initial PBIP						
a - Preparing draft for IEP		114.00	Program Specialist	74.93	5.00	374.65
b - Attending IEP meetings		54.00	Program Specialist	74.93	5.00	374.65
c - Training/monitoring PBIP		1,274.50	Program Specialist	74.93	1.00	74.93
d - Evaluating PBIP effectiveness		1,236.50	Program Specialist	74.93	2.00	149.86
e - Modifications in IEP meetings		30.50	Program Specialist	74.93	2.00	149.86
f - Modifications outside of IEP meetings		19.50	Program Specialist	74.93	1.00	74.93
5 - FAA activities for pre-existing PBIP						
5a Parent notice		6.00				0.00
5b Information gathering		37.00				0.00
5c Writing FAA		25.00				0.00
6 - Review/revision of pre-existing PBIP						
a - Preparing draft for IEP		12.00			0.00	0.00
b - Attending IEP meetings		44.00	Program Specialist	74.93	12.00	899.16
c - Training/monitoring PBIP		1,285.00	Program Specialist	74.93	3.00	224.79
d - Evaluating PBIP effectiveness		1,233.00	Program Specialist	74.93	3.00	224.79
e - Modifications in IEP meetings		30.00	Program Specialist	74.93	3.00	224.79
f - Modifications outside of IEP meetings		17.00	Program Specialist	74.93	3.00	224.79
7 - IEP's where PBIP was a component						
Students with 1 IEP	8					0.00
Students with 2 IEP's	4					0.00
Students with 3 or more IEP's	25					7.00
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		484.50	3.00 Admin/Director	87.68	7.00	613.76
			3.00 Gen Ed Teacher	61.26	7.00	428.82
			3.00 Sped Ed Teacher	51.26	3.00	163.78
			3.00 OT	71.00	7.00	497.00
			3.00 Autism Spec	61.00	7.00	427.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		412.50	3.00 Admin/Director	87.68	7.00	613.76
			18.00 Gen Ed Teacher	61.26	30.00	1,837.80
			18.00 Sped Ed Teacher	61.26	9.00	551.34
			18.00 Psychologist	73.53	23.00	1,691.19
			3.00 SLP	61.00	7.00	427.00
			3.00 APE	61.00	7.00	427.00
10 - Implementation/monitoring of PBIP's by non-Bicm's		24,849.00	Instruct. Asst	26.05	180.00	4,689.00
			Sped Ed Teacher	61.26	180.00	11,026.80
			Autism Spec	61.00	100.00	6,100.00
			Instruct. Asst	26.05	360.00	9,378.00
11 - Emergency Behavior Interventions						
a - Performing interventions		80.00				0.00
b - One day notification		44.00				0.00
c - Completing report for file		45.50				0.00
d - IEP meetings for no PBIP		59.50				0.00
e - IEP meetings with PBIP		37.00				0.00
f - Reporting dat for annual CDE report		37.75				0.00
BICM LEVEL TOTALS	31,784.25	1,394,220.70			987.00	42,863.54
Completing survey	19.75	1,377.11	Program Specialist	74.93		0.00
Check Totals	31,790.25	1,394,568.70				

BICM - WEST ORANGE CCSE		SUMMARY		Ocean View SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	38		2 Susan				
New	18		1				
Existing	20		0				
2 # of students also received AB 3632	19						
3 - FAA Activities							
a - Parent notice and consent		14.50	Psychologist	73.53	0.50	36.77	
b - Information gathering & assessment		158.00	Psychologist	73.53	10.00	735.30	
c - Writing FAA		144.00	Psychologist	73.53	15.00	1,102.95	
4 - Initial PBIP							
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	73.53	2.00	147.06	
b - Attending IEP meetings	54.00	3,870.08	Psychologist	73.53	2.00	147.06	
c - Training/monitoring PBIP	1,274.50	80,799.76	Psychologist	73.53	2.00	147.06	
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	Psychologist	73.53	2.00	147.06	
e - Modifications in IEP meetings	30.50	2,128.77			0.00	0.00	
f - Modifications outside of IEP meetings	19.50	1,345.12			0.00	0.00	
5 - FAA activities for pre-existing PBIP							
5a Parent notice	6.00	397.47				0.00	
5b Information gathering	37.00	2,558.85				0.00	
5c Writing FAA	25.00	1,691.85				0.00	
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP	12.00	797.64				0.00	
b - Attending IEP meetings	44.00	3,132.72				0.00	
c - Training/monitoring PBIP	1,285.00	81,565.05				0.00	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05				0.00	
e - Modifications in IEP meetings	30.00	2,096.10				0.00	
f - Modifications outside of IEP meetings	17.00	1,166.79				0.00	
7 - IEP's where PBIP was a component							
Students with 1 IEP	8					0.00	
Students with 2 IEP's	4					1.00	
Students with 3 or more IEP's	25					0.00	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	1.00 Psychologist	73.53	10.00	735.30	
			1.00 Gen Ed Teacher	61.26	10.00	612.60	
			1.00 Sped Ed Teacher	61.26	10.00	612.60	
			1.00 Principal	84.05	10.00	840.50	
			1.00 School Counselor (used tchr for Counselor)	61.26	10.00	612.60	
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61				0.00	
						0.00	
						0.00	
						0.00	
						0.00	
						0.00	
						0.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	1.00 Sped Ed Teacher	61.26	900.00	55,134.00	
11 - Emergency Behavior Interventions							
a - Performing interventions	80.00	5,843.41	Psychologist	73.53	4.00	294.12	
b - One day notification	44.00	3,031.00	Psychologist	73.53	0.50	36.77	
c - Completing report for file	45.50	3,198.50	Psychologist	73.53	2.00	147.06	
d - IEP meetings for no PBIP	59.50	4,170.51	Psychologist	73.53	1.50	110.30	
e - IEP meetings with PBIP	37.00	2,492.61				0.00	
f - Reporting dat for annual CDE report	37.75	2,733.97	Psychologist	73.53	25.00	1,838.25	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			1,016.50	63,437.35	
Completing survey	19.75	1,377.11	Psychologist	73.53	4.00	294.12	
Check Totals	31,790.25	1,394,568.70					

BICM - WEST ORANGE CCSE		SUMMARY		Ocean View SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a - Number of Students with PBIP	38		0 Frank				
New	18		0				
Existing	20		0				
2 - # of students also received AB 3632	19		0				
3 - FAA Activities							
a - Parent notice and consent		14.50	Psychologist	73.53	0.50	36.77	
b - Information gathering & assessment		158.00	Psychologist	73.53	8.00	588.24	
c - Writing FAA		144.00	Psychologist	73.53	8.00	588.24	
4 - Initial PBIP							
a - Preparing draft for IEP		114.00	Psychologist	73.53	3.00	220.59	
b - Attending IEP meetings		54.00	Psychologist	73.53	2.00	147.06	
c - Training/monitoring PBIP		1,274.50	Psychologist	73.53	1.00	73.53	
d - Evaluating PBIP effectiveness		1,236.50	Psychologist	73.53	0.50	36.77	
e - Modifications in IEP meetings		30.50	Psychologist	73.53	0.50	36.77	
f - Modifications outside of IEP meetings		19.50	Psychologist	73.53	0.50	36.77	
5 - FAA activities for pre-existing PBIP							
5a Parent notice	6.00	397.47				0.00	
5b Information gathering	37.00	2,558.85				0.00	
5c Writing FAA	25.00	1,691.85				0.00	
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP	12.00	797.64				0.00	
b - Attending IEP meetings	44.00	3,132.72				0.00	
c - Training/monitoring PBIP	1,265.00	81,565.05				0.00	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05				0.00	
e - Modifications in IEP meetings	30.00	2,096.10				0.00	
f - Modifications outside of IEP meetings	17.00	1,168.79				0.00	
7 - IEP's where PBIP was a component							
Students with 1 IEP	8						
Students with 2 IEP's	4						
Students with 3 or more IEP's	25						
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		484.50				30,595.60	
9 - PBIP issues in IEP by non-BICM's when pre-existing		412.50	2.00 SDC	61.26	1.50	91.89	
			2.00 Gen Ed Teacher	61.26	1.50	91.89	
			2.00 Admin	84.05	1.50	126.08	
			2.00 Speech Lang	58.00	1.50	87.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	2.00 SDC	61.26	22.50	1,378.35	
			2.00 Gen Ed Teacher	61.26	22.50	1,378.35	
			2.00 Admin	84.05	22.50	1,891.13	
			2.00 Speech Lang	58.00	22.50	1,305.00	
11 - Emergency Behavior Interventions							
a - Performing interventions	80.00	5,643.41				0.00	
b - One day notification	44.00	3,031.00				0.00	
c - Completing report for file	45.50	3,198.50				0.00	
d - IEP meetings for no PBIP	59.50	4,170.51				0.00	
e - IEP meetings with PBIP	37.00	2,492.61				0.00	
f - Reporting dat for annual CDE report	37.75	2,733.97				0.00	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			120.00	8,114.40	
Completing survey	19.75	1,377.11	Psychologist	73.53	4.00	294.12	
Check Totals	31,790.25	1,394,568.70					

BICM - WEST ORANGE CCSE		SUMMARY		Ocean View SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	38		2 Jamie				
New	18		1				
Existing	20		1				
2 # of students also received AB 3632	19		0				
3 - FAA Activities							
a - Parent notice and consent	14.50	1,068.53	Psychologist	73.53	0.50	36.77	
b - Information gathering & assessment	158.00	11,654.88	Psychologist	73.53	5.00	367.65	
c - Writing FAA	144.00	10,596.42	Psychologist	73.53	15.00	1,102.95	
4 - Initial PBIP							
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	73.53	2.00	147.06	
b - Attending IEP meetings	54.00	3,870.08	Psychologist	73.53	2.00	147.06	
c - Training/monitoring PBIP	1,274.50	80,789.76	Psychologist	73.53	2.00	147.06	
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	Psychologist	73.53	2.00	147.06	
e - Modifications in IEP meetings	30.50	2,128.77	Psychologist	73.53	2.00	147.06	
f - Modifications outside of IEP meetings	19.50	1,345.12	Psychologist	73.53	2.00	147.06	
5 - FAA activities for pre-existing PBIP							
5a Parent notice	6.00	397.47				0.00	
5b Information gathering	37.00	2,558.85				0.00	
5c Writing FAA	25.00	1,691.85				0.00	
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP	12.00	797.64	Psychologist	73.53	3.00	220.59	
b - Attending IEP meetings	44.00	3,132.72	Psychologist	73.53	3.00	220.59	
c - Training/monitoring PBIP	1,285.00	81,565.05	Psychologist	73.53	6.00	441.18	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	Psychologist	73.53	3.00	220.59	
e - Modifications in IEP meetings	30.00	2,096.10	Psychologist	73.53	1.00	73.53	
f - Modifications outside of IEP meetings	17.00	1,166.79	Psychologist	73.53	1.00	73.53	
7 - IEP's where PBIP was a component							
Students with 1 IEP	8	0.00				0.00	
Students with 2 IEP's	4	0.00				0.00	
Students with 3 or more IEP's	25	2.00				0.00	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	Gen Ed teacher	61.26	10.00	612.60	
			Admin (Prin)	84.05	10.00	840.50	
			Spec Ed teacher	61.26	10.00	612.60	
			Speech Therapist	58.00	10.00	580.00	
			Psychologist	73.53	10.00	735.30	
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	Gen Ed teacher	61.26	8.00	490.08	
			Admin (Prin)	84.05	8.00	672.40	
			Spec Ed teacher	61.26	8.00	490.08	
			Speech Therapist	58.00	8.00	464.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	1 to 1 Aide	21.00	2,700.00	56,700.00	
			SDC Teacher	61.26	2,700.00	165,402.00	
						0.00	
						0.00	
						0.00	
11 - Emergency Behavior Interventions							
a - Performing interventions	80.00	5,643.41				0.00	
b - One day notification	44.00	3,031.00				0.00	
c - Completing report for file	45.50	3,198.50				0.00	
d - IEP meetings for no PBIP	59.50	4,170.51				0.00	
e - IEP meetings with PBIP	37.00	2,492.61				0.00	
f - Reporting dat for annual CDE report	37.75	2,733.97				0.00	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			5,531.50	231,239.30	
Completing survey	19.75	1,377.11	Psychologist	73.53	1.00	73.53	
Check Totals	31,790.25	1,394,568.70					

BICM - WEST ORANGE CCSE		SUMMARY		Ocean View SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	38		4 Robyn				
New	18		1				
Existing	20		3				
2.# of students also received AB 3632	19		1				
3 - FAA Activities							
a - Parent notice and consent		14.50	Psychologist	73.53	0.50	36.77	
b - Information gathering & assessment		158.00	Psychologist	73.53	5.00	367.65	
c - Writing FAA		144.00	Psychologist	73.53	3.00	220.59	
4- Initial PBIP							
a - Preparing draft for IEP		114.00	Psychologist	73.53	1.00	73.53	
b - Attending IEP meetings		54.00	Psychologist	73.53	2.00	147.06	
c - Training/monitoring PBIP		1,274.50	Psychologist	73.53	1.50	110.30	
d - Evaluating PBIP effectiveness		1,236.50	Psychologist	73.53	1.00	73.53	
e - Modifications in IEP meetings		30.50	Psychologist	73.53	0.00	0.00	
f - Modifications outside of IEP meetings		19.50	Psychologist	73.53	0.00	0.00	
5 - FAA activities for pre-existing PBIP							
5a Parent notice		6.00				0.00	
5b Information gathering		37.00				0.00	
5c Writing FAA		25.00				0.00	
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP		12.00				0.00	
b - Attending IEP meetings		44.00				0.00	
c - Training/monitoring PBIP		1,285.00	Psychologist	73.53	20.00	1,470.60	
d - Evaluating PBIP effectiveness		1,233.00	Psychologist	73.53	6.00	441.18	
e - Modifications in IEP meetings		30.00	Psychologist	73.53	4.00	294.12	
f - Modifications outside of IEP meetings		17.00				0.00	
7 - IEP's where PBIP was a component							
Students with 1 IEP	8		1.00				
Students with 2 IEP's	4		1.00				
Students with 3 or more IEP's	25		2.00				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		484.50	2.00 School Counselor	65.00	4.00	260.00	
			2.00 Principal	84.05	4.00	336.20	
			2.00 Speech Therapist	58.00	4.00	232.00	
			1.00 RSP Teacher	61.26	2.00	122.52	
			2.00 Psych Intern	Unpaid	4.00		
			1.00 SELPA Director	97.76	2.00	195.52	
			1.00 District director	71.41	2.00	142.82	
			2.00 Teacher	61.26	4.00	245.04	
			2.00 Teacher (Gen Ed)	61.26	2.00	122.52	
9 - PBIP issues in IEP by non-BICM's when pre-existing		412.50	7.00 SDC Teacher	61.26	14.00	857.64	
			7.00 Principal	84.05	14.00	1,176.70	
			6.00 Speech Therapist	58.00	8.00	464.00	
			2.00 RSP Teacher	61.26	3.00	183.78	
			7.00 Gen Ed Teacher	61.26	7.00	428.82	
			5.00 Psych Intern	Unpaid	10.00		
			4.00 District Director	71.41	8.00	571.28	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.62	Aides	21.00	2,100.00	44,100.00	
			SDC Teachers	61.26	144.00	8,821.44	
			Psych	73.53	75.00	5,514.75	
						0.00	
						0.00	
11 - Emergency Behavior Interventions							
a - Performing interventions		80.00				0.00	
b - One day notification		44.00	Psychologist	73.53	2.00	147.06	
c - Completing report for file		45.50	Psychologist	73.53	2.00	147.06	
d - IEP meetings for no PBIP		59.50	Psychologist	73.53	2.00	147.06	
e - IEP meetings with PBIP		37.00	Psychologist	73.53	3.00	220.59	
f - Reporting dat for annual CDE report		37.75	Psychologist	73.53	0.50	36.77	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			2,464.50	67,708.89	
Completing survey	19.75	1,377.11	Psychologist	73.53		0.00	
Check Totals	31,790.25	1,394,568.70					

BICM - WEST ORANGE CCSE		SUMMARY		Ocean View SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	38		3 Holly				
New	18		2				
Existing	20		1				
2 # of students also received AB 3632	19		2				
3 - FAA Activities							
a - Parent notice and consent	14.50	1,068.53	Psychologist	73.53	2.00	147.06	
b - Information gathering & assessment	158.00	11,654.88	Psychologist	73.53	11.00	808.83	
c - Writing FAA	144.00	10,596.42	Psychologist	73.53	5.00	367.65	
4. Initial PBIP							
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	73.53	4.00	294.12	
b - Attending IEP meetings	54.00	3,870.08	Psychologist	73.53	8.00	588.24	
c - Training/monitoring PBIP	1,274.50	80,799.76	Psychologist	73.53	4.00	294.12	
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	Psychologist	73.53	5.00	367.65	
e - Modifications in IEP meetings	30.50	2,128.77	Psychologist	73.53	6.00	441.18	
f - Modifications outside of IEP meetings	19.50	1,345.12	Psychologist	73.53	0.00	0.00	
5 - FAA activities for pre-existing PBIP							
5a Parent notice	6.00	397.47				0.00	
5b Information gathering	37.00	2,558.85				0.00	
5c Writing FAA	25.00	1,691.85				0.00	
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP	12.00	797.64				0.00	
b - Attending IEP meetings	44.00	3,132.72				0.00	
c - Training/monitoring PBIP	1,285.00	81,565.05	Psychologist	73.53	3.00	220.59	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	Psychologist	73.53	3.00	220.59	
e - Modifications in IEP meetings	30.00	2,096.10	Psychologist	73.53	3.00	220.59	
f - Modifications outside of IEP meetings	17.00	1,166.78					
7 - IEP's where PBIP was a component							
Students with 1 IEP	8						
Students with 2 IEP's	4						
Students with 3 or more IEP's	25						
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	3.00				
			7.00 Psych Intern	Unpaid	18.00		
			4.00 School counselor	65.00	8.00	520.00	
			7.00 SDC Teacher	61.26	18.00	1,102.68	
			4.00 Autism specialist	58.00	12.00	696.00	
			3.00 RSP Teacher	61.26	5.00	306.30	
			7.00 Gen Ed Teacher	61.26	10.00	612.60	
			7.00 District Director	71.41	18.00	1,285.38	
						0.00	
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	3.00 Psych Intern	Unpaid	6.00		
			3.00 School counselor	65.00	6.00	390.00	
			3.00 SDC Teacher	61.26	6.00	367.56	
			3.00 Gen Ed Teacher	61.26	2.00	122.52	
						0.00	
						0.00	
						0.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	Aides	21.00	1,400.00	29,400.00	
			Psych Intern	Unpaid	90.00		
			SDC Teachers	61.26	180.00	11,026.80	
						0.00	
						0.00	
11 - Emergency Behavior Interventions							
a - Performing interventions	80.00	5,643.41	Psychologist	73.53	7.00	514.71	
b - One day notification	44.00	3,031.00	Psychologist	73.53	2.00	147.06	
c - Completing report for file	45.50	3,198.50	Psychologist	73.53	4.00	294.12	
d - IEP meetings for no PBIP	59.50	4,170.51	Psychologist	73.53	8.00	588.24	
e - IEP meetings with PBIP	37.00	2,492.61	Psychologist	73.53	2.00	147.06	
f - Reporting dat for annual CDE report	37.75	2,733.97	Psychologist	73.53	2.00	147.06	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			1,858.00	51,638.71	
Completing survey	19.75	1,377.11	Psychologist	73.53		0.00	
Check Totals	31,790.25	1,394,568.70					

BICM - WEST ORANGE CCSE		SUMMARY		Westminster SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	38		3 Lorrie				
New	18		2				
Existing	20		1				
2 # of students also received AB 3632	19		3				
3 - FAA Activities							
a - Parent notice and consent	14.50	1,068.53	Psychologist	73.53	2.00	147.06	
b - Information gathering & assessment	158.00	11,654.88	Psychologist	73.53	8.00	588.24	
c - Writing FAA	144.00	10,596.42	Psychologist	73.53	8.00	588.24	
4 - Initial PBIP							
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	62.94	4.00	251.76	
b - Attending IEP meetings	54.00	3,870.08	Psychologist	62.94	4.00	251.76	
c - Training/monitoring PBIP	1,274.50	80,799.76	Psychologist	62.94	1,200.00	75,528.00	
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	Psychologist	62.94	1,200.00	75,528.00	
e - Modifications in IEP meetings	30.50	2,128.77	Psychologist	62.94	6.00	377.64	
f - Modifications outside of IEP meetings	19.50	1,345.12	Psychologist	62.94	6.00	377.64	
5 - FAA activities for pre-existing PBIP							
5a Parent notice	6.00	397.47	Psychologist	62.94	2.00	125.88	
5b Information gathering	37.00	2,558.85	Psychologist	62.94	8.00	503.52	
5c Writing FAA	25.00	1,691.85	Psychologist	62.94	8.00	503.52	
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP	12.00	797.64	Psychologist	62.94	4.00	251.76	
b - Attending IEP meetings	44.00	3,132.72	Psychologist	62.94	4.00	251.76	
c - Training/monitoring PBIP	1,285.00	81,565.05	Psychologist	62.94	1,200.00	75,528.00	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	Psychologist	62.94	1,200.00	75,528.00	
e - Modifications in IEP meetings	30.00	2,096.10	Psychologist	62.94	6.00	377.64	
f - Modifications outside of IEP meetings	17.00	1,166.79	Psychologist	62.94	6.00	377.64	
7 - IEP's where PBIP was a component							
Students with 1 IEP	8	0.00					
Students with 2 IEP's	4	0.00					
Students with 3 or more IEP's	25	3.00					
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	3.00 SDC Teacher	56.27	6.00	337.62	
			3.00 Gen Ed Teacher	58.00	6.00	348.00	
			3.00 Instruct asst	21.00	6.00	126.00	
			3.00 Instruct asst	21.00	6.00	126.00	
			3.00 Psychologist	73.53	6.00	441.18	
			3.00 Nurse	58.00	6.00	348.00	
			7.00 District Director	65.00	18.00	1,170.00	
						0.00	
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	9.00 SDC Teacher	56.27	27.00	1,519.29	
			9.00 Instruct asst	21.00	27.00	567.00	
			9.00 Instruct asst	21.00	27.00	567.00	
			9.00 Psychologist	62.94	27.00	1,699.38	
						0.00	
						0.00	
						0.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	948,634.82	9.00 SDC Teacher	56.27	1,200.00	67,524.00	
			9.00 Instruct asst	21.00	1,200.00	25,200.00	
			9.00 Instruct asst	21.00	1,200.00	25,200.00	
			9.00 Psychologist	62.94	1,200.00	75,528.00	
						0.00	
11 - Emergency Behavior Interventions							
a - Performing interventions	80.00	5,643.41	Psychologist	62.94	18.00	1,132.92	
b - One day notification	44.00	3,031.00	Psychologist	62.94	18.00	1,132.92	
c - Completing report for file	45.50	3,198.50	Psychologist	62.94	4.00	251.76	
d - IEP meetings for no PBIP	59.50	4,170.51	Psychologist	62.94	16.00	1,007.04	
e - IEP meetings with PBIP	37.00	2,492.61	Psychologist	62.94	16.00	1,007.04	
f - Reporting dat for annual CDE report	37.75	2,733.97	Psychologist	62.94	3.00	188.82	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			9,913.00	512,508.03	
Completing survey	19.75	1,377.11	Psychologist	62.94	3.00	188.82	
Check Totals	31,790.25	1,394,568.70					

BICM - WEST ORANGE CCSE		SUMMARY		Westminster SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	38		2 Mike				
New	18		1				
Existing	20		1				
2.# of students also received AB 3832	19		0				
3 - FAA Activities							
a - Parent notice and consent	14.50	1,068.53	Psychologist	73.53	0.50	36.77	
b - Information gathering & assessment	158.00	11,654.88	Psychologist	73.53	20.00	1,470.60	
c - Writing FAA	144.00	10,596.42	Psychologist	73.53	4.00	294.12	
4 - Initial PBIP							
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	62.94	40.00	2,517.60	
b - Attending IEP meetings	54.00	3,870.08	Psychologist	62.94	6.00	377.64	
c - Training/monitoring PBIP	1,274.50	80,799.76	Psychologist	62.94	20.00	1,258.80	
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	Psychologist	62.94	6.00	377.64	
e - Modifications in IEP meetings	30.50	2,128.77	Psychologist	62.94	4.00	251.76	
f - Modifications outside of IEP meetings	19.50	1,345.12	Psychologist	62.94	2.00	125.88	
5 - FAA activities for pre-existing PBIP							
5a Parent notice	6.00	397.47	Psychologist	62.94	2.00	125.88	
5b Information gathering	37.00	2,558.85	Psychologist	62.94	6.00	377.64	
5c Writing FAA	25.00	1,891.85	Psychologist	62.94	2.00	125.88	
6 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP	12.00	797.64	Psychologist	62.94	4.00	251.76	
b - Attending IEP meetings	44.00	3,132.72	Psychologist	62.94	6.00	377.64	
c - Training/monitoring PBIP	1,285.00	81,565.05	Psychologist	62.94	20.00	1,258.80	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	Psychologist	62.94	6.00	377.64	
e - Modifications in IEP meetings	30.00	2,096.10	Psychologist	62.94	4.00	251.76	
f - Modifications outside of IEP meetings	17.00	1,166.79	Psychologist	62.94	2.00	125.88	
7 - IEP's where PBIP was a component							
Students with 1 IEP	8		2.00				
Students with 2 IEP's	4		0.00				
Students with 3 or more IEP's	25		0.00				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	2.00 Gen Ed Teacher	58.00	4.00	232.00	
			2.00 Principal	67.71	4.00	270.84	
			2.00 SDC Teacher	56.27	12.00	675.24	
			2.00 SLP	74.00	8.00	592.00	
			2.00 Dir Spec Ed	97.76	12.00	1,173.12	
			2.00 Prog SP/AT	74.00	12.00	888.00	
			2.00 Aide (1:1)	21.00	6.00	126.00	
						0.00	
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	2.00 Gen Ed Teacher	58.00	4.00	232.00	
			2.00 Principal	67.71	4.00	270.84	
			2.00 SDC Teacher	56.27	12.00	675.24	
			2.00 SLP	74.00	8.00	592.00	
			2.00 Dir Spec Ed	97.76	8.00	782.08	
			2.00 Prog SP/AT	74.00	8.00	592.00	
			2.00 Aide (1:1)	21.00	4.00	84.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	Spec Ed Teacher	56.27	1,080.00	60,771.60	
			Prog Sp	65.00	40.00	2,600.00	
			DTT	21.00	360.00	7,560.00	
			Aide 1:1	21.00	1,080.00	22,680.00	
			OT	71.00	80.00	5,680.00	
11 - Emergency Behavior Interventions							
a - Performing interventions	80.00	5,643.41	Psychologist	62.94	5.00	314.70	
b - One day notification	44.00	3,031.00	Psychologist	62.94	1.00	62.94	
c - Completing report for file	45.50	3,198.50	Psychologist	62.94	10.00	629.40	
d - IEP meetings for no PBIP	59.50	4,170.51	Psychologist	62.94	2.00	125.88	
e - IEP meetings with PBIP	37.00	2,492.61	Psychologist	62.94	4.00	251.76	
f - Reporting dat for annual CDE report	37.75	2,733.97	Psychologist	62.94	1.00	62.94	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			2,923.50	117,908.27	
Completing survey	19.75	1,377.11	Psychologist	62.94	4.00	251.76	
Check Totals	31,790.25	1,394,568.70					

BICM - WEST ORANGE CCSE	SUMMARY		Ocean View SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	38		6 Margaret			
New	18		3			
Existing	20		3			
2 # of students also received AB 3632	19		5			
3 - FAA Activities						
a - Parent notice and consent	14.50	1,068.53	Psychologist	73.53	3.00	220.59
b - Information gathering & assessment	158.00	11,654.88	Psychologist	73.53	30.00	2,205.90
c - Writing FAA	144.00	10,596.42	Psychologist	73.53	5.00	367.65
4- Initial PBIP						
a - Preparing draft for IEP	114.00	7,916.42	Psychologist	73.53	5.00	367.65
b - Attending IEP meetings	54.00	3,870.08	Psychologist	73.53	6.00	441.18
c - Training/monitoring PBIP	1,274.50	80,799.76	Psychologist	73.53	31.00	2,279.43
d - Evaluating PBIP effectiveness	1,236.50	78,132.21	Psychologist	73.53	3.00	220.59
e - Modifications in IEP meetings	30.50	2,128.77	Psychologist	73.53	1.00	73.53
f - Modifications outside of IEP meetings	19.50	1,345.12	Psychologist	73.53	1.00	73.53
5 - FAA activities for pre-existing PBIP						
5a Parent notice	6.00	397.47	Psychologist	73.53	1.50	110.30
5b Information gathering	37.00	2,558.85	Psychologist	73.53	18.00	1,323.54
5c Writing FAA	25.00	1,691.85	Psychologist	73.53	0.00	0.00
5 - Renewal/revision of pre-existing PBIP						
a - Preparing draft for IEP	12.00	797.64	Psychologist	73.53	1.00	73.53
b - Attending IEP meetings	44.00	3,132.72	Psychologist	73.53	14.00	1,029.42
c - Training/monitoring PBIP	1,285.00	81,565.05	Psychologist	73.53	31.00	2,279.43
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	Psychologist	73.53	3.00	220.59
e - Modifications in IEP meetings	30.00	2,096.10	Psychologist	73.53	1.00	73.53
f - Modifications outside of IEP meetings	17.00	1,166.79	Psychologist	73.53	1.00	73.53
7 - IEP's where PBIP was a component						
Students with 1 IEP	8		1.00			
Students with 2 IEP's	4		0.00			
Students with 3 or more IEP's	25		5.00			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	11.00 Gen Ed Teacher	61.26	5.50	336.93
			11.00 Admin (Prin)	84.05	16.00	1,344.80
			11.00 SDC Teacher	61.26	16.00	980.16
			2.00 Speech Teacher	58.00	4.00	232.00
			2.00 OT	58.00	4.00	232.00
			1.00 Nurse	58.00	2.00	116.00
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	7.00 Gen Ed Teacher	61.26	3.50	214.41
			7.00 Admin (Prin)	84.05	8.00	672.40
			7.00 SDC Teacher	61.26	8.00	490.08
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,848.00	949,634.82	Aides	21.00	108.00	2,268.00
			Admin (Prin)	84.05	54.00	4,538.70
			SDC Teachers	61.26	108.00	6,616.08
			Speech Therapist	58.00	18.00	1,044.00
			Nurse	58.00	1.00	58.00
11 - Emergency Behavior Interventions						
a - Performing interventions	80.00	5,643.41	Psychologist	73.53	44.00	3,235.32
b - One day notification	44.00	3,031.00	Psychologist	73.53	17.50	1,286.78
c - Completing report for file	45.50	3,198.50	Psychologist	73.53	23.00	1,691.19
d - IEP meetings for no PBIP	58.50	4,170.51	Psychologist	73.53	23.00	1,691.19
e - IEP meetings with PBIP	37.00	2,492.61	Psychologist	73.53	6.00	441.18
f - Reporting dat for annual CDE report	37.75	2,733.97	Psychologist	73.53	6.00	441.18
BICM LEVEL TOTALS	31,784.25	1,394,220.70			631.00	39,364.31
Completing survey	19.75	1,377.11	Psychologist	73.53		0.00
Check Totals	31,790.25	1,394,568.70				

BICM - WEST ORANGE CCSE		SUMMARY		Ocean View SD			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs	
1a Number of Students with PBIP	38		5 Janet H				
New	18		3				
Existing	20		2				
2 # of students also received AB 3632	19		1				
3 - FAA Activities							
a - Parent notice and consent		14.50	Psychologist	73.53	2.00	147.06	
b - Information gathering & assessment		158.00	Psychologist	73.53	24.00	1,764.72	
c - Writing FAA		144.00	Psychologist	73.53	30.00	2,205.90	
4- Initial PBIP							
a - Preparing draft for IEP		114.00	Psychologist	73.53	38.00	2,647.08	
b - Attending IEP meetings		54.00	Psychologist	73.53	7.00	514.71	
c - Training/monitoring PBIP		1,274.50	Psychologist	73.53	6.00	441.18	
d - Evaluating PBIP effectiveness		1,236.50	Psychologist	73.53	6.00	441.18	
e - Modifications in IEP meetings		30.50	Psychologist	73.53	3.00	220.59	
f - Modifications outside of IEP meetings		19.50	Psychologist	73.53	3.00	220.59	
5 - FAA activities for pre-existing PBIP							
5a Parent notice	6.00	397.47				0.00	
5b Information gathering	37.00	2,558.85				0.00	
5c Writing FAA	25.00	1,691.85				0.00	
5 - Review/revision of pre-existing PBIP							
a - Preparing draft for IEP	12.00	797.64			0.00	0.00	
b - Attending IEP meetings	44.00	3,132.72			0.00	0.00	
c - Training/monitoring PBIP	1,285.00	81,565.05	Psychologist		0.00	0.00	
d - Evaluating PBIP effectiveness	1,233.00	77,887.05	Psychologist	73.53	6.00	441.18	
e - Modifications in IEP meetings	30.00	2,096.10	Psychologist	73.53	5.00	367.65	
f - Modifications outside of IEP meetings	17.00	1,166.79	Psychologist	73.53	3.00	220.59	
7 - IEP's where PBIP was a component							
Students with 1 IEP	8		3.00				
Students with 2 IEP's	4		1.00				
Students with 3 or more IEP's	25		1.00				
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	484.50	30,595.60	3.00 Prin	84.05	7.00	588.35	
			3.00 Spec Ed Teacher	61.26	7.00	428.82	
			3.00 Gen Ed Teacher	61.26	4.00	245.04	
			2.00 Speech Teacher	58.00	6.00	348.00	
			2.00 Autism Specialist	58.00	6.00	348.00	
			1.00 Inclusion Specialist	58.00	3.00	174.00	
			1.00 OT	58.00	3.00	174.00	
			1.00 APE	58.00	3.00	174.00	
9 - PBIP issues in IEP by non-BICM's when pre-existing	412.50	23,914.61	2.00 Prin	84.05	2.00	168.10	
			2.00 Spec Ed Teacher	61.26	2.00	122.52	
			2.00 Gen Ed Teacher	61.26	1.00	61.26	
			2.00 Speech Teacher	58.00	2.00	116.00	
			1.00 Autism Specialist	58.00	1.00	58.00	
10 - Implementation/monitoring of PBIP's by non-Bicm's	24,849.00	949,634.82	Spec Ed Teacher	61.26	730.00	44,719.80	
			Instruct Asst	21.00	2,728.00	57,288.00	
			Autism Specialist	58.00	457.00	26,506.00	
			Inclusion Specialist	58.00	4.00	232.00	
			Gen Ed Teacher	61.26	72.00	4,410.72	
11 - Emergency Behavior Interventions							
a - Performing interventions	80.00	5,643.41				0.00	
b - One day notification	44.00	3,031.00				0.00	
c - Completing report for file	45.50	3,198.50				0.00	
d - IEP meetings for no PBIP	59.50	4,170.51				0.00	
e - IEP meetings with PBIP	37.00	2,492.61				0.00	
f - Reporting dat for annual CDE report	37.75	2,733.97				0.00	
BICM LEVEL TOTALS	31,784.25	1,394,220.70			4,169.00	145,795.04	
Completing survey	19.75	1,377.11	Psychologist	73.53	2.00	147.06	
Check Totals	31,790.25	1,394,568.70					

Yolo

SELPA

SELPA Level
 Number of BICM's in SELPA 44
 Number of BICM surveys returned 6
 Number of LEA's in SELPA 6
 Number of LEA surveys returned 5

Yolo County

Question	Position	Hourly Rate	# of Hours	06-07 Costs	One Time Costs	Notes:
Local Plan						
* 7- Procedures development	BICM/ Prog Spec	61.93	60.00		3,715.80	
* 8- Governing Board approval	SELPA Dir	74.24	2.00		148.48	
Training						
*11- Design training for initial BICM certification	Prog Spec	61.93	6.00		371.58	
**12- Update of training for initial BICM certification	Prog Spec	61.93	18.00	1,114.74		Annually
**13- Lead training for initial BICM certification	Prog Spec	61.93	24.00	1,486.32		Annually
**14- Lead training update for certified BICM's	Prog Spec	61.93	40.00	2,477.20		Annually
*15- Design training for PBIP implementers	BICM/ Prog Spec	61.93	16.00		990.88	
**16- Update training for PBIP implementers	BICM/ Prog Spec	61.93	16.00	990.88		Annually
**17- Lead training for PBIP implementers	BICM/ Prog Spec	61.93	32.00	1,981.76		Annually
*18- Design training on Emergency Behavioral Interventions	Prog Spec	61.93	20.00		1,238.60	
**19- Update training on Emergency Behavioral Interventions	Prog Spec	61.93	20.00	1,238.60		Training calendar
**20- Lead training on Emergency Behavioral Interventions	Prog Spec	61.93	20.00	1,238.60		Annually
21 - Other costs of BICM certification training	N/A					
22- Number of participants in BICM training by position/hours	N/A					
23- Number of participants in PBIP training by position/hours	N/A					
24- Number of participants in Emergency Beh Interv training by position/hours	N/A					
25- Other training costs					1,200.00	
Staff Activities						
26- Data collection from BER's for annual report to CDE	SELPA Dir	74.24	2.00	148.48		
27 - Due process hearings	N/A					
SELPA LEVEL TOTALS			276.00	10,676.58	7,665.34	
Time to complete survey	SELPA Dir	74.24	4.00	296.96		

NOTES:
 one asterick indicates one-time cost
 two astericks indicates annual or more frequent costs

District

District Level

Yolo County SELPA

1 - # of Reports

31

	Davis Joint Unified			Total Costs
	Position	Hourly Rate	# of Hours	
2 Activities				
a - performing emergency interventions	Teacher	58.84	53.00	3,118.52
	Para-educator	37.78	34.00	1,284.52
b - 1 day notification of use of emergency intervention	Teacher	58.84	31.00	1,824.04
c - Completing report	Teacher	58.84	40.00	2,353.60
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	58.84	8.00	470.72
	Behaviorist	57.11	4.00	228.44
	Psychologist	70.80	3.00	212.40
e - Scheduling and holding IEP meetings for students with PBIP	Teacher	58.84	12.00	706.08
	Psychologist	70.80	4.00	283.20
f - Reporting data for annual report to CDE	Teacher	58.84	15.00	882.60
g - Reviewing reports & forwarding to SELPA	Director	72.61	10.00	726.10
3 - Informing school personnel	Principal	72.89	2.00	145.78
	Behaviorist	57.11	5.00	285.55
	Teacher	58.84	5.00	294.20
4 - Number of due process requests filed	n/a			
a - Number of written responses	0			
For each response in 4a, there must be answers to 5-8				
5 - Filing Response	n/a			0.00
6 - Resolution Session	n/a			0.00
7 - Mediation	n/a			0.00
8 - Due Process Hearing	n/a			0.00
9 - Outside Assistance	n/a			0.00
DISTRICT LEVEL TOTALS		226.00	12,815.75	
Time to complete survey	Director	72.61	2.50	181.53

District Level	Yolo County SELPA				Yolo County SELPA			
1 - # of Reports	31				0			
	Davis Joint Unified				Esparto Unified			
	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities								
a - performing emergency interventions	Teacher	58.84	53.00	3,118.52	n/a			
	Para-educator	37.78	34.00	1,284.52				
b - 1 day notification of use of emergency intervention	Teacher	58.84	31.00	1,824.04				
c - Completing report	Teacher	58.84	40.00	2,353.60				
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	58.84	8.00	470.72				
	Behaviorist	57.11	4.00	228.44				
	Psychologist	70.80	3.00	212.40				
e - Scheduling and holding IEP meetings for students with PBIP	Teacher	58.84	12.00	706.08				
	Psychologist	70.80	4.00	283.20				
f - Reporting data for annual report to CDE	Teacher	58.84	15.00	882.60				
g - Reviewing reports & forwarding to SELPA	Director	72.61	10.00	726.10				
3 - Informing school personnel	Principal	72.89	2.00	145.78	n/a			
	Behaviorist	57.11	5.00	285.55				
	Teacher	58.84	5.00	294.20				
4 - Number of due process requests filed	n/a				n/a			
a - Number of written responses For each response in 4a, there must be answers to 5 -8	0				0			
5 - Filing Response	n/a			0.00	n/a			0.00
6 - Resolution Session	n/a			0.00	n/a			0.00
7 - Mediation	n/a			0.00	n/a			0.00
8 - Due Process Hearing	n/a			0.00	n/a			0.00
9 - Outside Assistance	n/a			0.00	n/a			0.00
DISTRICT LEVEL TOTALS			226.00	12,815.75			0.00	0.00
Time to complete survey	Director	72.61	2.50	181.53	Coordinator	50.00	0.17	8.50

District Level	Yolo County SELPA				Yolo County SELPA			
	31				0			
1 - # of Reports	Davis Joint Unified				Winters JUSD			
	Position	Hourly Rate	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
2 Activities					n/a			
a - performing emergency interventions	Teacher	58.84	53.00	3,118.52				
	Para-educator	37.78	34.00	1,284.52				
b - 1 day notification of use of emergency intervention	Teacher	58.84	31.00	1,824.04				
c - Completing report	Teacher	58.84	40.00	2,353.60				
d - Scheduling and holding IEP meetings for students without PBIP	Teacher	58.84	8.00	470.72				
	Behaviorist	57.11	4.00	228.44				
	Psychologist	70.80	3.00	212.40				
e - Scheduling and holding IEP meetings for students with PBIP	Teacher	58.84	12.00	706.08				
	Psychologist	70.80	4.00	283.20				
f - Reporting data for annual report to CDE	Teacher	58.84	15.00	882.60				
g - Reviewing reports & forwarding to SELPA	Director	72.61	10.00	726.10				
3 - Informing school personnel	Principal	72.89	2.00	145.78	n/a			
	Behaviorist	57.11	5.00	285.55				
	Teacher	58.84	5.00	294.20				
4 - Number of due process requests filed	n/a				n/a			
a - Number of written responses For each response in 4a, there must be answers to 5-8	0				0			
5 - Filing Response	n/a			0.00	n/a			0.00
6 - Resolution Session	n/a			0.00	n/a			0.00
7 - Mediation	n/a			0.00	n/a			0.00
8 - Due Process Hearing	n/a			0.00	n/a			0.00
9 - Outside Assistance	n/a			0.00	n/a			0.00
DISTRICT LEVEL TOTALS			226.00	12,815.75			0.00	0.00
Time to complete survey	Director	72.61	2.50	181.53	Director	33.93	0.08	2.71

BICM

BICM Level - Yolo	BICM Summary	
	# of Hours	Total Costs
1a Number of Students with PBIP		
New	6	
Existing	3	
3 - FAA Activities		
a - Parent notice and consent	3.75	204.97
b - Information gathering & assessment	114.00	5,824.56
c - Writing FAA	33.00	1,562.24
4- Initial PBIP		
a - Preparing draft for IEP	27.00	1,363.62
b - Attending IEP meetings	25.50	1,298.20
c - Training/monitoring PBIP	155.00	8,805.75
d - Evaluating PBIP effectiveness	24.00	1,301.81
e - Modifications in IEP meetings	2.00	123.36
f - Modifications outside of IEP meetings	11.00	493.44
5 - FAA activities for pre-existing PBIP	89.50	5096.13
6 - Review/revision of pre-existing PBIP	455.00	25907.70
7 - IEP's where PBIP was a component		
Students with 1 IEP	1	
Students with 2 IEP's	6	
Students with 3 or more IEP's	2	
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	87.00	5,174.10
9 - PBIP issues in IEP by non-BICM's when pre-existing	15.00	939.84
10 - Implementation/monitoring of PBIP's by non-Bicm's	6051.00	280,816.42
Emergency Behavior Interventions		
a - Performing interventions	26.00	1,712.06
b - One day notification	3.50	222.61
c - Completing report for file	11.00	662.29
d - IEP meetings for no PBIP		
e - IEP meetings with PBIP	1.50	85.67
f - Reporting dat for annual CDE report	0.50	28.56
BICM LEVEL TOTALS	7135.25	341,623.30
Completing survey	13.50	626.40
Check	7135.25	341623.30

BICM Level - Yolo	BICM Summary		Davis Joint Unified			
	# of Hours	Total Costs	Position	Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP						
New	6		2			
Existing	3		0			
3 - FAA Activities						
a - Parent notice and consent	3.75	204.97	Inclusion Sp	68.47	1.00	68.47
			Behavior Sp	57.11	0.50	28.56
b - Information gathering & assessment	114.00	5,824.56	Inclusion Sp	68.47	12.00	821.64
			Behavior Sp	57.11	12.00	685.32
c - Writing FAA	33.00	1,562.24	Inclusion Sp	68.47	5.00	342.35
			Behavior Sp	57.11	3.00	171.33
4- Initial PBIP						
a - Preparing draft for IEP	27.00	1,363.62	Inclusion Sp	68.47	3.00	205.41
			Behavior Sp	57.11	3.00	171.33
b - Attending IEP meetings	25.50	1,298.20	Inclusion Sp	68.47	8.00	547.76
			Behavior Sp	57.11	4.50	257.00
c - Training/monitoring PBIP	155.00	8,805.75	Inclusion Sp	68.47	12.00	821.64
			Behavior Sp	57.11	21.00	1,199.31
d - Evaluating PBIP effectiveness	24.00	1,301.81	Inclusion Sp	68.47	5.00	342.35
			Behavior Sp	57.11	6.00	342.66
e - Modifications in IEP meetings	2.00	123.36	Inclusion Sp	68.47	0.00	0.00
f - Modifications outside of IEP meetings	11.00	493.44	Inclusion Sp	68.47	0.00	0.00
5 - FAA activities for pre-existing PBIP	89.50	5096.13	n/a			
6 - Review/revision of pre-existing PBIP	455.00	25907.70	n/a			
7 - IEP's where PBIP was a component						
Students with 1 IEP	1		0			
Students with 2 IEP's	6		1			
Students with 3 or more IEP's	2		1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time	87.00	5,174.10	2 Teacher	58.84	4.00	235.36
			2 Para-educator	37.78	8.00	302.24
			2 SLP	58.84	4.00	235.36
			2 OT	58.84	4.00	235.36
			2 Psychologist	70.80	4.00	283.20
			3 Inclusion Sp	68.47	4.50	308.12
			3 Para-Educator	37.78	4.50	170.01
			3 Teacher	58.84	4.50	264.78
			3 SLP	58.84	4.50	264.78
			3 OT	58.84	4.50	264.78
			3 Psychologist	70.80	4.50	318.60
9 - PBIP issues in IEP by non-BICM's when pre-existing	15.00	939.84	n/a			0.00
						0.00
						0.00
						0.00
						0.00
10 - Implementation/monitoring of PBIP's by non-Bicm's	6051.00	280,816.42	Teacher	58.84	10.00	588.40
			Para-Educator	37.78	120.00	4,533.60
			Administrator	72.89	5.00	364.45
			Inclusion Sp	68.47	10.00	684.70
			Para Educator	37.78	10.00	377.80
			Teacher	58.84	1.00	58.84
Emergency Behavior Interventions						
a - Performing interventions	26.00	1,712.06	Inclusion Sp	68.47	20.00	1,369.40
			Behavior Sp	57.11	6.00	342.66
b - One day notification	3.50	222.61	Inclusion Sp	68.47	2.00	136.94
			Behavior Sp	57.11	1.50	85.67
c - Completing report for file	11.00	662.29	Inclusion Sp	68.47	3.00	205.41
			Behavior Sp	57.11	8.00	456.88
d - IEP meetings for no PBIP			n/a			
e - IEP meetings with PBIP	1.50	85.67	Behavior Sp	57.11	1.50	85.67
f - Reporting dat for annual CDE report	0.50	28.56	Behavior Sp	57.11	0.50	28.56
BICM LEVEL TOTALS	7135.25	341,623.30			345.50	18,206.67
Completing survey	13.50	626.40	n/a Behavior Sp	57.11	0.50	28.56
Check	7135.25	341623.30				

Used assumption

BICM Level - Yolo

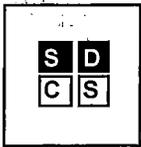
	BICM Summary		Position	Woodland Joint Unified		
	# of Hours	Total Costs		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	6		0			
New						
Existing	3		3			
3 - FAA Activities						
a - Parent notice and consent		3.75 204.97	n/a			
b - Information gathering & assessment		114.00 5,824.56	n/a			
c - Writing FAA		33.00 1,562.24	n/a			
4- Initial PBIP						
a - Preparing draft for IEP		27.00 1,363.62	n/a			
b - Attending IEP meetings		25.50 1,298.20	n/a			
c - Training/monitoring PBIP		155.00 8,805.75	n/a			
d - Evaluating PBIP effectiveness		24.00 1,301.81	n/a			
e - Modifications in IEP meetings		2.00 123.36	n/a			
f - Modifications outside of IEP meetings		11.00 493.44	n/a			
5 - FAA activities for pre-existing PBIP		89.50 5096.13	Behavior Analyst	56.94	89.50	5,096.13
6 - Review/revision of pre-existing PBIP		455.00 25907.70	Behavior Analyst	56.94	455.00	25,907.70
7 - IEP's where PBIP was a component						
Students with 1 IEP	1		0			
Students with 2 IEP's	6		3			
Students with 3 or more IEP's	2		0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		87.00 5,174.10	n/a n/a n/a n/a n/a			
9 - PBIP issues in IEP by non-BICM's when pre-existing		15.00 939.84	2 - Administrator 2 - Psychologist 2 - SDC 2 - SLP 2 - Teacher	59.43 56.97 62.13 72.62 62.13	3.00 3.00 3.00 3.00 3.00	178.29 170.91 186.39 217.86 186.39
10 - Implementation/monitoring of PBIP's by non-Bicm's		6051.00 280,816.42	Para-Profes Teacher	45.84 62.13	1600.00 500.00	73,344.00 31,065.00
Emergency Behavior Interventions						
a - Performing interventions		26.00 1,712.06	n/a			
b - One day notification		3.50 222.61	n/a			
c - Completing report for file		11.00 662.29	n/a			
d - IEP meetings for no PBIP			n/a			
e - IEP meetings with PBIP		1.50 85.67	n/a			
f - Reporting dat for annual CDE report		0.50 28.56	n/a			
BICM LEVEL TOTALS		7135.25 341,623.30			2659.50	136352.67
Completing survey		13.50 626.40	Behavior Analyst	56.94	4.00	227.76
Check		7135.25 341623.30				

BICM Level - Yolo

	BICM Summary		Position	Winters Joint Unified		
	# of Hours	Total Costs		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	6		1			
New						
Existing	3		0			
3 - FAA Activities						
a - Parent notice and consent		3.75	Behavior Analyst	Free	0.50	
b - Information gathering & assessment		114.00	Behavior Analyst	Free	20.00	
c - Writing FAA		33.00	Behavior Analyst	Free	8.00	
4- Initial PBIP						
a - Preparing draft for IEP		27.00	Behavior Analyst	Free	5.00	
b - Attending IEP meetings		25.50	Behavior Analyst	Free	5.00	
c - Training/monitoring PBIP		155.00	Behavior Analyst	Free	12.00	
d - Evaluating PBIP effectiveness		24.00	Behavior Analyst	Free	3.00	
e - Modifications in IEP meetings		2.00	Behavior Analyst	Free	0.00	
f - Modifications outside of IEP meetings		11.00	Behavior Analyst	Free	3.00	
5 - FAA activities for pre-existing PBIP		89.50	n/a			
6 - Review/revision of pre-existing PBIP		455.00	n/a			
7 - IEP's where PBIP was a component						
Students with 1 IEP	1		0			
Students with 2 IEP's	6		1			
Students with 3 or more IEP's	2		0			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		87.00	2 Principal	61.17	1.00	61.17
			2 SDC	46.97	2.00	93.94
			2 Psychologist	48.46	2.00	96.92
			2 APE	46.97	1.00	46.97
			2 SLP	45.59	2.00	91.18
			2 Sp Ed Director	33.93	2.00	67.86
			2 OT	74.21	2.00	148.42
			2 Para-Educator	19.35	2.00	38.70
			2 Teacher	46.97	2.00	93.94
9 - PBIP issues in IEP by non-BICM's when pre-existing		15.00	n/a			
			n/a			
			n/a			
			n/a			
			n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's		6051.00	Para-Educator	19.35	504.00	9,752.40
			SLP	45.59	12.00	547.08
			Teacher	46.97	105.00	4,931.85
			Psychologist	48.46	6.00	290.76
			OT	74.21	6.00	445.26
Emergency Behavior Interventions						
a - Performing interventions		26.00	n/a			
b - One day notification		3.50	n/a			
c - Completing report for file		11.00	n/a			
d - IEP meetings for no PBIP			n/a			
e - IEP meetings with PBIP		1.50	n/a			
f - Reporting dat for annual CDE report		0.50	n/a			
BICM LEVEL TOTALS		7135.25			705.50	16706.45
Completing survey		13.50	Behavior Analyst	Free	3.00	
Check		7135.25				341623.30

BICM Level - Yolo	BICM Summary		Position	Washington Unified		
	# of Hours	Total Costs		Hourly Rate	# of Hours	Total Costs
1a Number of Students with PBIP	6		3			
New						
Existing	3		0			
3 - FAA Activities						
a - Parent notice and consent		3.75 204.97	Psychologist	61.68	1.75	107.94
b - Information gathering & assessment		114.00 5,824.56	Psychologist	61.68	70.00	4,317.60
c - Writing FAA		33.00 1,562.24	Psychologist	61.68	17.00	1,048.56
4- Initial PBIP						
a - Preparing draft for IEP		27.00 1,363.62	Psychologist	61.68	16.00	986.88
b - Attending IEP meetings		25.50 1,298.20	Psychologist	61.68	8.00	493.44
c - Training/monitoring PBIP		155.00 8,805.75	Psychologist	61.68	110.00	6,784.80
d - Evaluating PBIP effectiveness		24.00 1,301.81	Psychologist	61.68	10.00	616.80
e - Modifications in IEP meetings		2.00 123.36	Psychologist	61.68	2.00	123.36
f - Modifications outside of IEP meetings		11.00 493.44	Psychologist	61.68	8.00	493.44
5 - FAA activities for pre-existing PBIP		89.50 5096.13	n/a			
6 - Review/revision of pre-existing PBIP		455.00 25907.70	n/a			
7 - IEP's where PBIP was a component						
Students with 1 IEP	1		1			
Students with 2 IEP's	6		1			
Students with 3 or more IEP's	2		1			
8 - PBIP issues in IEP by non-BICM's when discussed for the first time		87.00 5,174.10	1 Psychologist	61.68	1.00	61.68
			4 SLP	73.75	7.00	516.25
			4 SDC Teacher	73.75	7.00	516.25
			1 RN	78.23	1.00	78.23
			2 OT	95.00	4.00	380.00
9 - PBIP issues in IEP by non-BICM's when pre-existing		15.00 939.84	n/a			
10 - Implementation/monitoring of PBIP's by non-Bicm's		6051.00 280,816.42	SDC Teacher	73.75	1330.00	98,087.50
			Behavior Spec	61.68	8.00	493.44
			Para-Educator	29.02	1770.00	51,365.40
			Psychologist	61.68	8.00	493.44
			SLP Therapist	73.75	46.00	3,392.50
Emergency Behavior Interventions						
a - Performing interventions		26.00 1,712.06	n/a			
b - One day notification		3.50 222.61	n/a			
c - Completing report for file		11.00 662.29	n/a			
d - IEP meetings for no PBIP			n/a			
e - IEP meetings with PBIP		1.50 85.67	n/a			
f - Reporting dat for annual CDE report		0.50 28.56	n/a			
BICM LEVEL TOTALS		7135.25 341,623.30			3424.75	170357.51
Completing survey		13.50 626.40	Psychologist	61.68	6.00	370.08
Check		7135.25 341623.30				

Used assumption



SAN DIEGO CITY SCHOOLS

EDUCATION CENTER • 4100 Normal Street, San Diego, CA 92103-2682

(619) 293-8205
Fax (619) 293-8474

**FINANCIAL ACCOUNTING DEPARTMENT
MANDATED COST UNIT, ROOM 3159**

RECEIVED
OCT 26 2000
**COMMISSION ON
STATE MANDATES**

October 24, 2000

Ms. Paula Higashi, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, California 95814

Re: *Behavioral Intervention Plans*– Proposed Parameters and Guidelines
CSM 4464

Dear Ms. Higashi:

I am enclosing an original and seven copies of the proposed Parameters and Guidelines for the Behavioral Intervention Plans mandate.

Please me with any questions.

Sincerely,


James A. Cunningham
Legislative Mandate Specialist

Enclosure

cc: Dr. Carol Berg, w/enclosure
Keith Petersen, w/enclosure

CSM 4464
PROPOSED PARAMETERS AND GUIDELINES

Chapter 959, Statutes of 1990
Education Code section 56523
Title 5, California Code of Regulations sections 3001 and 3052

Behavioral Intervention Plans

RECEIVED
OCT 26 2000
COMMISSION ON
STATE MANDATES

I. SUMMARY OF THE MANDATE

On September 28, 2000, the Commission on State Mandates ("Commission") adopted its Statement of Decision finding that Education Code section 56523, as added by Chapter 959, Statutes of 1990, and regulations in title 5, California Code of Regulations section 3001 and 3052 imposed a reimbursable state-mandated new program on school districts. Education Code section 56523 and the implementing regulations require school districts to develop and implement behavioral intervention plans for pupils who exhibit serious behavior problems that interfere with their education.

II. ELIGIBLE CLAIMANTS

Any school district, as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement.

III. PERIOD OF REIMBURSEMENT

Section 17557 of the Government Code states that a test claim must be submitted on or before December 31 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on September 28, 1994. Therefore, costs incurred on or after July 1, 1993 are eligible for reimbursement, pursuant to these Parameters and Guidelines.

Actual costs for one fiscal year should be included in each reimbursement claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Section 17561(d)(1) of the Government Code, all claims for reimbursement of initial years' costs shall be submitted within 120 days of issuance of the claiming instructions by the State Controller.

If the total costs for a given fiscal year do not exceed \$200, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. REIMBURSABLE COMPONENTS AND DESCRIPTION OF ACTIVITIES

The direct and indirect costs of labor, materials and supplies, contracted services, equipment and other capital assets, travel, and training incurred for the following mandate components are eligible for reimbursement on an on-going basis:

A. Preparing and Providing Procedures Regarding Behavioral Interventions.

Preparing procedures for the SELPA local plan regarding the systematic use of behavioral interventions, for the training of behavioral intervention case managers and personnel involved with implementing behavioral intervention plans, for special training for emergency interventions, and for identification of approved behavioral emergency procedures. Providing copies of these procedures to staff members and parents whenever a behavioral intervention plan is proposed.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Component A. The uniform allowances are in lieu of payment of actual direct costs incurred for this Component. Claims shall be reimbursed based upon a uniform time allowance of 24 hours per year for preparing procedures and identification of approved behavioral emergency procedures. Reimbursement is determined by multiplying the uniform time allowance times the hourly salary and benefit rate for the employee or employees who perform the activities. If more than one employee performs the activities, the uniform time allowance shall be prorated equitably between or among the employees who perform this activity. The uniform cost allowance for Fiscal Year 1993-94 for providing copies of the procedures is \$10.00 per set of copies. This uniform cost allowance shall be adjusted each subsequent fiscal year by the Implicit Price Deflator referenced in Government Code section 17523.

B. Training.

Providing and obtaining training in behavior analysis and the use of positive behavioral interventions. Time spent by personnel who conduct the training and time spent by behavioral intervention case managers and personnel involved with implementing behavioral intervention plans, conducting functional analysis assessments, or implementing emergency interventions who receive training is reimbursable under this component.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Components B and H. The uniform allowances are in lieu of payment of actual direct costs incurred for this Component. Claims for receiving training shall be reimbursed based upon a uniform time allowance of 30 hours per year for each behavioral intervention case manager or other employee involved with implementing behavioral intervention plans. Claims for personnel who conduct training shall be reimbursed based upon a uniform time allowance of 10 hours per 6 hour training session (adjusted pro-rata for training sessions of less than 6 hours). Reimbursement is determined by multiplying the uniform time allowance times the

hourly salary and benefit rate for the employee or employees who perform the activity. The uniform cost allowance for Fiscal Year 1993-94 for training expenses, including travel and tuition or registration fees is \$250.00 for each employee who attended training. This uniform cost allowance shall be adjusted each subsequent fiscal year by the Implicit Price Deflator referenced in Government Code section 17523.

C. Conducting Functional Analysis Assessments.

Providing notice to and obtaining written consent from parents to conduct functional analysis assessments; conducting functional analysis assessments; preparing written reports of assessment results; providing copies of assessment result reports to parents and the IEP Team; conducting an IEP Team meetings to review assessment results.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Component D. The uniform allowances are in lieu of payment of actual direct costs incurred for this Component. Claims shall be reimbursed based upon a uniform time allowance of 24 hours for each functional analysis assessment. Reimbursement is determined by multiplying the uniform time allowance times the hourly salary and benefit rate for the employee or employees who perform the activity. If more than one employee performs the activities, the uniform time allowance shall be prorated equitably between or among the employees who perform this activity.

D. Developing and Evaluating Behavioral Intervention Plans.

Participating in IEP Team meetings in which behavioral intervention plans are developed, evaluated, or modified, or in which functional analysis assessment results are reviewed; preparing behavioral intervention plans; evaluating the effectiveness of the behavioral intervention plan; and developing contingency plans for altering the procedures or the frequency or duration of the procedures.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Component C. The uniform allowances are in lieu of payment of actual direct costs incurred for this Component. Claims shall be reimbursed based upon a uniform time allowance of 12 hours per year for each behavioral intervention plan. Reimbursement is determined by multiplying the uniform time allowance times the hourly salary and benefit rate for each employee or employees who perform these activities. If more than one employee performs the activities, the uniform time allowance shall be prorated equitably between or among the employees who perform this activity.

E. Implementing Behavioral Intervention Plans.

Implementing and supervising the implementation of behavioral intervention plans; measuring and documenting the frequency, duration, and intensity of targeted behavior and effectiveness of the behavioral intervention plan. Costs of employing personnel with

documented training in behavioral analysis including positive behavioral interventions (whether such personnel are new staff or existing staff) to serve as behavioral intervention case managers is reimbursable under this component.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Component C. The uniform allowances are in lieu of payment of actual direct costs incurred for this Component. Claims shall be reimbursed based upon a uniform time allowance of 94 hours per year for each behavioral intervention plan. Reimbursement is determined by multiplying the uniform time allowance times the hourly salary and benefit rate for each employee or employees who perform these activities. If more than one employee performs the activities, the uniform time allowance shall be prorated equitably between or among the employees who perform this activity.

F. Modifications to Behavioral Intervention Plans.

Providing notice to parents or parent representatives of the need to make minor modifications to the behavioral intervention plans, meeting with parents to review existing program evaluation data; and developing minor modifications to behavioral intervention plans with parents or parent representatives.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Component E. The uniform allowance is in lieu of payment of actual costs direct incurred for this Component. Claims shall be reimbursed based upon a uniform time allowance of 1.5 hours for each minor modification made to a behavioral intervention plan. Reimbursement is determined by multiplying the uniform time allowance times the hourly salary and benefit rate for the employee or employees who perform the activity. If more than one employee performs the activities, the uniform time allowance shall be prorated equitably between or among the employees who perform this activity.

G. Emergency Interventions.

Developing approved list of emergency intervention methods and procedures; employing emergency interventions; notifying parents and residential care providers after an emergency intervention is used; preparing and maintaining a Behavioral Emergency Report following the use of an emergency intervention; administrative review of Behavioral Emergency Reports; scheduling and conducting an IEP Team Meeting to review Behavioral Emergency Report and the need for a functional analysis assessment, interim behavioral intervention plan, or modification to an existing behavioral intervention plan; and preparing reports on the number of Behavioral Emergency Reports to the California Department of Education and Advisory Committee on Special Education.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Component F. The uniform

allowances are in lieu of payment of actual direct costs incurred for this Component. Claims shall be reimbursed based upon a uniform time allowance of one hour per Behavioral Emergency Report. If more than one employee performs the activities, the uniform time allowance shall be prorated equitably between or among the employees who perform this activity.

H. Prohibited Interventions.

Training appropriate staff regarding the types of interventions that are prohibited under title 5, California Code of Regulations section 3052, subdivision (l).

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Components B and G. The uniform allowance is in lieu of payment of actual direct costs incurred for this Component. The uniform allowance in Component B includes reimbursement for the direct costs of performing the activities in Component H.

I. Due Process Hearings.

Preparing for, attending, and documenting and informing appropriate staff concerning the results of any mediation or due process hearing related to functional analysis assessments or the development or implementation of behavioral intervention plans.

Pursuant to Government Code section 17557, the Commission on State Mandates has adopted uniform allowances for reimbursement of Component F. The uniform time allowances are in lieu of payment of actual costs incurred for this Component. Claims for preparation for a mediation or due process hearing shall be reimbursed based upon a uniform time allowance of 80 hours for the lead employee, 8 hours for each additional employee who will attend the due process hearing, and 40 hours for clerical staff. Claims for attending a mediation or due process hearing shall be reimbursed based upon a uniform time allowance of 28 hours for the lead employee and 8 hours for each additional employee who attends the due process hearing. Claims for documenting and informing appropriate staff of the results of a mediation or due process hearing shall be reimbursed based upon a uniform time allowance of 12 hours for the lead employee, 2 hours for each employee who is informed of the results of the due process hearing, and 8 hours for clerical staff. Reimbursement is determined by multiplying the uniform time allowance times the hourly salary and benefit rate for the employee or employees who perform the activity.

V. CLAIM PREPARATION

Each claim for reimbursement pursuant to this mandate must be timely filed and set forth a listing of each item for which reimbursement is claimed under this mandate. Pursuant to Government Code section 17561, subdivision (d)(1), all claims for reimbursement of the initial year's costs shall be submitted within 120 days of the issuance of the State Controller's Office claiming instructions. If the total costs for a given fiscal year do not exceed \$200, no

reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

A. Reporting by Components.

Claimed costs must be allocated according to the components of reimbursable activity described in Section IV.

B. Supporting Documentation.

Claimed costs should be supported by the following information:

1. Employee Salaries and Benefits

Identify the employee(s) and their job classification, describe the mandated activities performed, and specify the uniform time or actual number of hours devoted to each function, the productive hourly rate, and the related benefits. If the activities are performed by several employees with the same job classification, claims may list the job classification and number of employees performing the activities in lieu of listing the names of all employees and may use an average productive hourly rate for salaries and benefits using approved budgets, salary schedules, or other source data.

2. Materials and Supplies

Reimbursement for material and supplies costs is included in uniform cost allowances, but is not included in uniform time allowances. Only the expenditures which can be identified as a direct cost of the mandate and which are not included in a uniform cost allowance can be claimed. For materials and supply costs which are not included in a uniform cost allowance, list cost/prices of printing, materials, supplies which have been consumed or expended specifically for the purpose of this mandate.

3. Travel Expenses

Reimbursement for travel expenses is included in uniform cost allowances, but is not included in uniform time allowances. For travel expenses which are not included in a uniform cost allowance, mileage, per-diem, lodging, public carrier charges, and other employee travel costs are reimbursable in accordance with the rules of the local jurisdiction. Retain records of the name, method of transportation, travel dates, destinations, and costs.

4. Contracted Services

Provide a copy of the contract or provide the name(s) of the contractor(s) who performed the service(s). Describe the activities performed by the contractor,

show the inclusive dates when services were performed, and itemize all costs for those services. For fixed price contracts, list only the activities performed, the dates services were performed and the contract price. If a contractor performed activities that are reimbursable under a uniform time basis, list the contractor's hourly contract price for such activities and the applicable uniform time.

5. Equipment and Capital Outlays

Describe and list the cost of fixed assets that have been acquired (purchased, leased, or rented) for the purpose of this mandate. If the fixed asset is used for purposes that are not directly related to the mandated program, only the pro-rata portion of the asset used for purposes of the mandated program is reimbursable. Reimbursement will be based on the actual cash disbursement made for the fiscal year of the claim and not the annual depreciated value of the asset.

6. Indirect Costs

School districts must use the J-380 (previous and/or subsequent replacement) non-restrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (previous and/or subsequent replacement) non-restrictive indirect cost rate provisionally approved by the California Department of Education.

C. Cost Accounting Statistics.

The State Controller is directed to include in its claiming instructions each year the requirement that claimants report to the State Controller the appropriate statistics for the purpose of establishing a database for potential future reimbursement based on prospective rates.

VI. SUPPORTING DATA

For auditing purposes, all costs claimed must be traceable to source documents and/or worksheets that show evidence of the validity of costs. Pursuant to Government Code section 17558.5, these documents must be kept on file by the agency submitting the claim for a period of no less than two years after the later of (1) the end of the calendar year in which the reimbursement claim was filed or (2) if no funds are appropriated for the fiscal year for which the claim is made, the date of the initial payment of the claim. These documents must be made available to the State Controller's Office on request.

For initial reimbursement claims, claimants may determine the job classification of the persons who perform the reimbursable activities and compute a productive hourly rate for salaries and benefits for such positions using approved budgets, salary schedules, or other source data.

VII. DATA FOR DEVELOPMENT OF THE STATEWIDE COST ESTIMATE

The State Controller's claiming instructions shall include a request for claimants to send an additional copy of the completed test claim specific form for each of the initial years' reimbursement claims by mail or facsimile to the Commission on State Mandates, 980 Ninth Street, Suite 300, Sacramento, CA 95814, Facsimile Number: (916) 445-0278. Although providing this information to the Commission on State Mandates is not a condition of reimbursement, claimants are encouraged to provide this information to enable the Commission to develop a statewide cost estimate.

VIII. OFFSETTING SAVINGS AND OTHER REIMBURSEMENTS

Any offsetting savings that the claimant experiences as a direct result of this mandate must be deducted from the costs claimed. In addition, any additional revenue from any source that was specifically intended to fund the costs of this mandate, and any service charges, fees or assessments received by the claimant that were authorized to pay the costs of this mandate shall be identified and deducted from this claim.

IX. REQUIRED CERTIFICATION

An authorized representative of the claimant will be required to provide a certification of claim, as specified in the State Controller's claiming instructions, for those cost mandated by the state contained herein.



JOHN CHIANG
California State Controller
Division of Accounting and Reporting

December 20, 2012

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Draft Staff Analysis and Proposed Parameters and Guidelines
Behavioral Intervention Plans, CSM-4464
Title 5, California Code of Regulations,
Sections 3001 and 3052 (Register 93, No. 17; Register 96, No. 8; Register 96, No. 32.)
Butte County Office of Education, San Joaquin County Office of Education, and
San Diego Unified School District, Claimants

Dear Ms. Halsey:

We have reviewed the two proposed parameters and guidelines (P's & G's) drafted by your office. Our comments are for the two options because we want to ensure that necessary corrections will be made on the P's & G's that will be adopted. Below are our comments and recommendations. Proposed additions are underlined and deletions are indicated with strikethrough as follows:

OPTION A – To Approve the Proposed RRM

I. Summary of the Mandate

Page 1

On September 28, 2000, the Commission on State Mandates (Commission) adopted its statement of decision finding that regulations in Title 5, California Code of Regulations, sections 3001 and 3052, which implement Education Code section 56523, impose a reimbursable state-mandated new program on school districts and eligible special education local plan areas (SELPA)s within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514...

- ~~Special education local plan area (SELPA)~~ SELPA plan requirements. (Cal. Code of Regs., tit . 5, §§ 3001 and 3052, subd. (j).)

COMMENT: Please add the SELPAs because the statute imposes a reimbursable state-mandated new program on both the school districts and special SELPAs.

Ms. Heather Halsey
December 20, 2012
Page 2

III. Period of Reimbursement

Page 1

Government Code section 17557(e), states that a test claim shall be submitted on or before *June 30* following a given fiscal year to establish eligibility for that fiscal year. The claimants filed the test claim on September 28, 1994, establishing eligibility for reimbursement ~~on or after July 1, 1993~~ for the 1993-1994 fiscal year. Therefore, costs incurred pursuant to Code of Regulations, Title 5, sections 3001 and 3052, on or after July 1, 1993, are eligible for reimbursement under these parameters and guidelines.

COMMENT: This is to clearly establish the initial fiscal year of the program.

Page 2

- Pursuant to Government Code section 17560(a), a ~~school district~~ claimant may, by February 15 following the fiscal year in which costs were incurred, file an annual reimbursement claim for that fiscal year based on the RRM's.
- If revised claiming instructions are issued by the State Controller pursuant to Government Code section 17558(c), between November 15 and February 15, a ~~school district~~ claimant filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instruction to file a claim. (Government Code section 17560(b).)

COMMENT: Please replace "school district" with "claimant" because the latter includes both school districts and special SELPAs. This would also be consistent with the other sections of this document.

IV. Reimbursable Activities

Page 4

6. Prohibited Interventions.

~~Training appropriate staff~~ Informing school district personnel regarding the types of interventions that are prohibited of the restrictions under Title 5, California Code of Regulations section 3052(l).

COMMENT: We recommend using the language found in the original SOD adopted on 09/28/2000, page 8, under Prohibited Behavioral Intervention Plans, second paragraph. "Informing" and "Training" have different connotations.

V. Claim Preparation and Submission

Page 4

COMMENT: Please add "and Submission" for consistency.

In lieu of filing... for all *direct* and *indirect* costs of the ~~mandated reimbursable~~ activities for the Behavioral Intervention Plans program identified in Section IV, Reimbursable Activities, of this document as authorized by Government Code sections 17557(b) and 17518.5. Additionally, each reimbursement claim must be filed in a timely manner.

COMMENT: Please add the underlined words for consistency.

Ms. Heather Halsey
December 20, 2012
Page 3

Pages 4 and 5

- A. RRM for One-time Activities – SELPA Only.
- B. RRM for On-going Activities – SELPA Only – Training
- C. RRM for On-going Activities – School Districts and COEs

COMMENT: On all of the three activities above, please add the following phrase after the last sentence for consistency: The State Controller's Office will provide the correct unit cost rate for each fiscal year with each year's claiming instructions.

VI. Record Retention

Page 5

Pursuant to Government Code section 17558.5(a), a reimbursement claim for costs filed by a school district claimant pursuant to this chapter... Pursuant to Government code section 17561(d)(2)(A)(ii), the State Controller has the authority to audit the application of reasonable reimbursement methodology...

COMMENT: Please replace "school district" with "claimant" because the latter includes both school districts and special SELPAs and add (A)(ii) for specific reference.

VII. Offsetting Savings Revenues and Other Reimbursements.

COMMENT: Please replace "Savings" with "Revenues" and remove "Other" for consistency.

OPTION B – To Deny the Proposed RRM

I. Summary of the Mandate

Page 1

On September 28, 2000, the Commission on State Mandates (Commission) adopted its statement of decision finding that regulations in Title 5, California Code of Regulations, sections 3001 and 3052, which implement Education Code section 56523, impose a reimbursable state-mandated new program on school districts and eligible special education local plan areas (SELPAs) within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514...

- ~~Special education local plan area (SELPA)~~ SELPA plan requirements. (Cal. Code of Regs., tit . 5, §§ 3001 and 3052, subd. (j).)

COMMENT: Please add the SELPAs because the statute imposes a reimbursable state-mandated new program on both the school districts and special SELPAs.

III. Period of Reimbursement

Page 1

Government Code section 17557(e), states that a test claim shall be submitted on or before *June 30* following a given fiscal year to establish eligibility for that fiscal year. The claimants filed the test claim on September 28, 1994, establishing eligibility for reimbursement ~~on or after July 1, 1993~~ for the 1993-1994 fiscal year. Therefore, costs incurred pursuant to Code of

Ms. Heather Halsey
December 20, 2012
Page 4

Regulations, Title 5, sections 3001 and 3052, on or after July 1, 1993, are eligible for reimbursement under these parameters and guidelines.

COMMENT: This is to clearly establish the initial fiscal year of the program.

Page 2

- Pursuant to Government Code section 17560(a), a ~~school district~~ claimant may, by February 15 following the fiscal year in which costs were incurred, file an annual reimbursement claim that details the costs actually incurred for that fiscal year.
- If revised claiming instructions are issued by the State Controller pursuant to Government Code section 17558(c), between November 15 and February 15, a ~~school district~~ claimant filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instruction to file a claim. (Government Code section 17560(b).)

COMMENT: Please replace “school district” with “claimant” because the latter includes both school districts and special SELPAs. This is also consistent with the other sections of this document.

IV. Reimbursable Activities

Page 4

6. Prohibited Interventions.

~~Training appropriate staff~~ Informing school district personnel regarding the types of interventions that are prohibited of the restrictions under Title 5, California Code of Regulations section 3052(l).

COMMENT: We recommend using the language found in the original SOD adopted on 09/28/2000, page 8, under Prohibited Behavioral Intervention Plans, second paragraph. “Informing” and “Training” have different connotations.

V. Claim Preparation and Submission

Page 4

COMMENT: Please add “and Submission” for consistency.

Page 5

3. Contracted Services

Report the name of the contractor...report the dates when services were performed and itemize all costs for those services. If the contract services are also used for purposes other than the reimbursable activities, only the pro-rata portion of the services used to implement the reimbursable activities can be claimed. Submit contract consultant and attorney invoices with the claim and a description of the contract scope of services.

COMMENT: Please add the above language for consistency.

Ms. Heather Halsey
December 20, 2012
Page 5

VI. Record Retention

Page 6

Pursuant to Government Code section 17558.5(a), a reimbursement claim for costs filed by a ~~school district~~ claimant pursuant to this chapter...

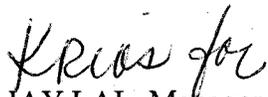
COMMENT: Please replace "school district" with "claimant" because the latter includes both school districts and special SELPAs. This is also consistent with the other sections of this document.

VII. Offsetting ~~Savings~~ Revenues and ~~Other~~ Reimbursements.

COMMENT: Please replace "Savings" with "Revenues" and remove "Other" for consistency.

Should you have any questions regarding the above, please contact Marieta Delfin at (916) 322-4320, or e-mail to mdelfin@sco.ca.gov.

Sincerely,



JAY LAL, Manager

Local Reimbursements Section

Received
December 28, 2012
Commission on
State Mandates



DEPARTMENT OF
FINANCE

EDMUND G. BROWN JR. ■ GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

December 27, 2012

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Dear Ms. Halsey:

The Department of Finance (Finance) has reviewed the Commission on State Mandate's (Commission) draft staff analysis for the *Behavioral Intervention Plans* (BIPs) program (CSM-4464) and respectfully submit the following comments.

Finance does not support the staff recommendation for the Commission to adopt Option A, the proposed statement of decision on the parameters and guidelines approving the reasonable reimbursement methodologies (RRMs). Furthermore, we believe that it is premature to adopt any parameters and guidelines for the BIPs program at this time. Assembly Bill 1476 (Committee on Budget), as amended on August 24, 2012, included provisions that would have significantly altered the underlying statute and regulations pertaining to the BIPs program. While Assembly Bill 1476 was not passed by the Legislature, the Administration continues to engage in negotiations with the Legislature and stakeholders on similar statutory changes and will introduce a related proposal as part of the 2013-14 Governor's Budget on January 10, 2013. If these changes are adopted by the Legislature, they will have significant implications on the proposed parameters and guidelines currently available for review and comment. Therefore, we respectfully urge the Commission to postpone taking any action on the BIPs program until after the 2013-14 budget bill and accompanying trailer bills are passed by the Legislature and signed by the Governor.

However, if the Commission elects to hear this matter as currently scheduled for January 25, 2013, we would reiterate that, as outlined in the draft staff analysis and comments previously submitted on August 9, 2011, Finance does not believe the proposed RRM meets the statutory requirements for establishing an RRM contained in subdivisions (b) and (f) in Government Code section 17557 and subdivisions (b) and (c) of Government Code section 17518.5. Therefore, we recommend that the Commission adopt Option B, the proposed statement of decision on the parameters and guidelines denying the RRM and requiring that reimbursement claims be filed based on actual costs incurred because there is a wide range of actual costs among claimants such that some will receive reimbursement in excess of their costs and others will not receive full reimbursement for their costs in any given year.

The proposed RRM does not consider the variation of costs among school districts to implement the mandate in a cost-efficient manner.

Finance agrees with Commission staff that as stated in Option B, the proposed RRM's do not reasonably represent the costs mandated by the state to comply with the BIP's program. The unit cost per average daily attendance (ADA) for a BIP derived from the survey ranged from \$1.31 to \$81.91 and averaged \$10.17 per ADA. The number of BIP's reported by the special education local plan areas (SELPA's) ranged from 0 to 87. This wide range of actual costs as well as the number of BIP's reported by SELPA's will create a reimbursement system in which some SELPA's will receive reimbursement in excess of their costs in a given year and others will not receive full reimbursement for their costs. As Finance stated in earlier comments, if the proposed RRM's were applied to the 21 survey participants, only three SELPA's would receive reimbursement within a range of 20 percent above or below their reported costs. The remainder would receive reimbursement more than 20 percent in excess or more than 20 percent below their reported costs. Therefore Finance maintains that a per-pupil allocation for the BIP's program is not appropriate. Finance agrees with the staff analysis referring to Option B that "the variation in costs is too great for an RRM based on ADA, a relatively stable figure, to be appropriate and constitutionally representative of the actual costs in this case."

The proposed RRM's would not provide reimbursement based on cost information from a representative sample of eligible claimants.

Though the staff analysis finds that a RRM based on cost information from a representative sample of eligible claimants is not a statutory requirement, this significant shortcoming makes it inappropriate for the data to be considered representative of the actual costs and thus an inappropriate and unreasonable method of determining a reimbursement methodology. As Finance has expressed in earlier comments, the survey data are collected from only 21 of 120 SELPA's statewide in 2006-07 and only represents 11.3 percent of total ADA. The sample does not include ten of the largest SELPA's in the state constituting 32 percent of total ADA in 2006-07. Finance believes that Southern California is not adequately represented as it constitutes 63 percent of the state's ADA but contributed only 20 percent of the survey results. Based on these shortcomings, the sample suffers from significant bias and the survey results cannot be extrapolated to the entire state and should not be used as an RRM to cover costs incurred going back to 1993 as well as into the future.

If you have any questions regarding this letter, please contact, Lenin Del Castillo, Principal Program Budget Analyst at (916) 445-0328.

Sincerely,



NICOLAS SCHWEIZER
Program Budget Manager

Enclosure

Enclosure A

DECLARATION OF
DEPARTMENT OF FINANCE
CLAIM NO. CSM-4464

1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.
2. We concur that the sections relevant to this claim are accurately quoted in the test claim submitted by claimants and, therefore, we do not restate them in this declaration.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

12/24/12

at Sacramento, CA

LENIN DEL CASTILLO




Fagen Friedman & Fulfrosts LLP

Received
December 24, 2012
Commission on
State Mandates

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December 24, 2012

Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Comments to December 4, 2012 Draft Staff Analysis and
Proposed Parameters and Guidelines Behavioral Intervention Plans (CSM 4464)

Dear Ms. Halsey:

Behavioral Intervention Plans (CSM 4464) (hereafter, "BIP") Claimants San Diego Unified School District, San Joaquin County Office of Education, and Butte County Office of Education (collectively, "BIP Claimants") hereby submit comments to the Commission on State Mandates' December 4, 2012 draft staff analysis and proposed parameters and guidelines (hereafter, "DSA") regarding BIP.

BIP Claimants appreciate the careful analysis of the RRM set out in the DSA. BIP Claimants support the Commission's adoption of the DSA's Option A with the exception of the "offsetting revenues" portion found in Paragraph VII. BIP Claimants oppose the adoption of Option B. BIP Claimants believe the proposed offsetting revenues language runs afoul of the constitutional requirement that local agencies be reimbursed for state mandates.

1. California Law Requires Offsetting Savings or Additional Revenue Specifically Intended to Fund the Cost of the Mandate.

The California Constitution requires that "Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the State shall provide a subvention of funds to reimburse that local government for the costs of the program or increased level of service . . ." (Cal. Const., art XIII B, § 6.) The California Supreme Court has explained:

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Its purpose is to preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are 'ill equipped' to assume increased financial responsibilities because of the taxing and spending limitations that articles XIII A and XIII B impose. (*County of Fresno, supra*, 53 Cal.3d at p.487; *County of Los Angeles, supra*, 43 Cal.3d at p.61.) With certain exceptions, section 6 '[e]ssentially' requires the state 'to pay for any new governmental programs, or for higher levels of service under existing programs, that it imposes upon local governmental agencies. [Citation.]' (*Hayes v. Commission on State Mandates* (1992) 11 Cal.App.4th 1564, 1577 [15 Cal.Rptr.2d 547].) *County of San Diego v. State* (1997) 15 Cal.4th 68 at p.81.

The California Legislature has developed two tests for determining whether a cost is mandated by the state. Under Section 17556, subdivision (e) of the Government Code, the Commission shall find that there are no costs mandated by the state if a "statute, executive order, or an appropriation in a Budget Act or other bill provides for *offsetting savings* to local agencies or school districts that result in no net costs to the local agencies or school districts, or includes *additional revenue that was specifically intended* to fund the costs of the state mandate in an amount sufficient to fund the cost of the state mandate." (Gov. Code, § 17556(e), *emphasis added*.)

2. The BIP Statement of Decision Found No Offsetting Revenues.

The Commission, in the BIP statement of decision, found that "there is no evidence that the test claim legislation provides for *offsetting savings, which result in no net costs* to the claimants," and further that "although the state has provided substantial funding for special education, school districts have not received funds *specifically intended* to fund the costs of the state mandate." (BIP SOD, CSM-4464, pp.17-18.) In other words, the Commission has already determined that there are no offsetting revenues for the BIP mandate, at a minimum from 1993-94 until the date of the statement of decision in 2000. The Commission has also stated that its decision is final, in accord with appellate law. (DSA, p.16, citing *California School Boards Association v. State* (Cal. Ct. App. 3d Dist. 2009) 171 Cal.App.4th 1183, at pp.1199-1200.)

3. The DSA Is Inconsistent with Law and the Commission's Decision.

Now, countering its own decision, and its own statement that the decision is final, the DSA states there are potentially offsetting revenues in 1) special education appropriations from 1993-94 to the present in the annual Budget Act, line item 6110-161-0001, all known as AB 602 funding, and 2) federal (IDEA) funding appropriated in Item 6110-161-0890 of the annual Budget Act. Further, effective 2010-11, appropriations in the annual Budget Act, line item 6110-161-0001 shall first be used to fund the BIP mandate, based on changes made in AB 1610. BIP Claimants oppose all of these because they do not meet the constitutional and statutory standard of

offsetting savings or additional revenue specifically intended to fund the costs of the state mandate in an amount sufficient to fund the costs of the state mandate as delineated above.

BIP Claimants strongly disagree that there is any potentially offsetting revenue applicable to the proposed RRM. Those funds identified in the DSA do not and cannot constitute potentially offsetting revenues against the mandated activities involved in the BIP test claim because they have never included funds specifically intended for the BIP mandate or provided offsetting savings. This remains true even if districts have actually funded the BIP mandate in full or in part with these funds. To the extent districts have used existing special education funds to implement the BIP mandate, they either did so to the detriment of other special education programs to avoid encroachment or encroached on general funds to fund other special education programs. To state that districts must deduct "potentially offsetting revenues" when no funds were specifically intended for the BIP mandate and when no other bill provided for offsetting savings such that districts experienced no net costs, contravenes the constitutional requirement that the state provide a subvention of funds to reimburse the increased cost of a state mandate. BIP Claimants' position is set forth in further detail below.

4. The State's Own Actions Belie the Claim that Current Special Education Funding Satisfies Its Legal Obligation to Fund Special Education Mandates.

The State's actions have been consistent with the notion that it must provide a subvention of funds *specifically intended* to reimburse state mandates – funds over and above existing special education funding. This is evident from the special education mandate settlement in 2000, which established funding specifically intended to reimburse certain special education mandated programs.

The settlement of the special education mandated cost claim in 2000-01, based on earlier Commission litigation, added ongoing annual funding of \$100 million to special education. (SB 982; Ed. Code, § 56836.156.) The funding provided under this settlement is in satisfaction of a number of state-mandated special education programs and services – with certain exceptions, notably the BIP mandate:

“The funds provided in subdivisions (a) to (e), inclusive, shall be used for the costs of any state-mandated special education programs and services established pursuant to Sections 56000 to 56885, inclusive, and Sections 3000 to 4671, inclusive, of Title 5 of the California Code of Regulations, as those sections read on or before July 1, 2000. These funds shall be considered in full satisfaction of, and are in lieu of, any reimbursable

mandate claims relating to special education programs and services, with the exception of the programs and services delineated in subdivision (g).¹

(Ed. Code, § 56836.156(f).)

Although the statute states the funding in no way concedes the existence of an unfunded special education reimbursable mandate, it nonetheless acknowledges the basic requirement that the State provide an additional subvention of funds specifically intended to fund state-mandated costs, and states that the purpose of the funds is to meet that requirement: "Pursuant to subdivision (e) of Section 17556 of the Government Code, these funds shall be deemed to be additional revenue specifically intended to fund the costs of any such state-mandated special education programs and services." (Ed. Code, § 56836.156(f)(11).)

This addition of funding specifically intended to reimburse certain special education mandated costs evidences the State's belief that there was not existing funding in any of the annual Budget Acts up to the date of the settlement that was specifically intended to reimburse those costs. Further, there is no evidence to suggest that subsequent Budget Acts included funding for BIP, a mandate that was specifically excluded from the special education mandated cost settlement under Education Code section 56836.156(g).

5. The State Agrees that the Reimbursement Requirement has not been met with Respect to the BIP Mandate.

The DSA's offsetting revenues provision is also contrary to the Commission's previous findings that the State has not provided any offsetting savings or additional revenues specifically intended to fund the costs of the BIP mandate.

- a. The Governor's proposed budget for 2012-13 proposed elimination of the BIP mandate with no accompanying reduction in special education funding.

In the Governor's January 2012 announcement of his proposed 2012-13 budget, the Governor announced he would seek to "eliminate nearly half of all existing mandates, including . . . Behavioral Intervention Plans. While the mandate to perform these activities will be eliminated,

¹ Subdivision (g) of Education Code section 56836.156 refers to the BIP mandate. (Ed. Code, § 56836.156(g).)

local districts may choose to continue these activities at local discretion." (Governor's Budget Summary – 2012-13, p.140.)

However, the Governor did not propose a simultaneous reduction in the amount of special education funding. Had the BIP mandate been funded by AB 602 or other funding sources, surely the State would have proposed a corresponding funding reduction along with its proposal to eliminate the mandate. Yet, it did not. The State's actions are revealing: the State has not provided and is not providing funding specifically intended to reimburse the BIP mandate.

- b. The State's approval of the BIP mandate settlement agreement demonstrates the State's acknowledgment that the mandate has not been funded.

Finally, and perhaps most telling, the fact that the State proposed adding additional funds to AB 602 on an ongoing basis in the BIP settlement and proposed bill suggests that the State does not even believe that there are any such ongoing offsets.

In December 2008, the State entered into an agreement with the BIP Claimants to settle the BIP mandated cost claim. In the settlement agreement, the State agreed to reimburse the BIP Claimants more than \$500 million dollars for retroactive costs and to revise AB 602 to provide an ongoing increase of \$65 million annually to special education programs to provide ongoing funding for BIP. The settlement agreement was contingent on the Legislature enacting a bill authorizing such funding. (See BIP Settlement Agreement, attached hereto with Declaration of Melanie D. Seymour.)

As required by the settlement agreement, legislation was introduced in 2009 to implement the settlement agreement. (Assem. Bill No. 661 (2009-2010, Reg. Sess.) as introduced Feb. 25, 2009.) AB 661 stated, "The bill would deem the funding described in this paragraph as payments in full satisfaction of, and in lieu of, any reimbursable mandate claims resulting from the statement of decision of the Commission on State Mandates regarding the Behavioral Intervention Plans Mandated Cost Test Claim." (Id.)

The proposed legislation provided for additional funding specifically intended to fund the cost of the BIP mandate: "These funds shall be used exclusively for programs operated pursuant to this part and, as a first priority, for the programs and services required pursuant to Section 56523 and its implementing regulations. By virtue of these funds, Section 56523 and its implementing regulations shall be deemed to be fully funded within the meaning of subdivision (e) of Section 17556 of the Government Code." (Id.) Furthermore, the bill ensured that other sources of state funding would remain intact: "State funds appropriated by the annual Budget Act and otherwise allocated to each special education local plan area pursuant to Chapter 7.2 (commencing with

Section 56836) shall *supplement and not supplant* the funds provided [in the proposed legislation].” (Id.) The Legislature failed to enact the bill and the settlement was never funded.

To be sure, the settlement agreement provides no concession of the existence of an unfunded reimbursable mandate for the BIP claim. However, the State's willingness to enter into an agreement of this magnitude suggests the State's acknowledgement that additional funds specifically intended to fund the cost of the BIP mandate are required, and furthermore that this requirement has not been met.

6. Finally, BIP Claimants Object to the Individual Proposed Offsets in the DSA as follows:²

- a. Appropriations from 1993-94 to the present do not contain funds specifically intended to fund the BIP mandate.

The DSA states that appropriations in line item 6110-161-0001 of the Budget Act since 1993-94 are potentially offsetting revenues, and cites the Budget Acts in question at p. 52, note 168 of the DSA. Yet an examination of the statutes cited shows no language indicating that any part of those funds was “specifically intended” to fund the BIP mandate. Without such a statement – surely one that would have been made if, in fact, it were true – there is no reason to believe that BIP was the purpose of the funding. Rather, any additional funds without a specific designation, can be assumed to pay for the ongoing special education program, and where possible, its COLA and its additional ADA for each subsequent year.

For this reason the DSA is in error when it states that the additional funding in the annual Budget Acts from 1993-94 to the present constitute a “subsequent change in law to provide new revenue, against which the costs of the mandate must be offset . . .” (DSA, p. 52.) This statement would be correct, if these Budget Acts truly provided “new revenue” under mandate law. This they did not do, because in no case were any additional revenues added specifically to fund the BIP mandate.

² We note that the DSA cites Government Code section 17557(d)(2) as the source of its authority to, on its own motion, “update offsetting revenues that apply to the mandated program.” Using this subdivision as authority for this action is suspect because: 1) the subdivision became effective October 19, 2010 and thus, at most, should apply with regard to offsetting revenues available subsequent to that date, and 2) the subdivision provides that it applies to a “request” to amend parameters and guidelines, but the Commission cites no such request.

- b. The State may not use federal IDEA funds to satisfy state mandates.

The DSA further states that federal IDEA funding appropriated in Item 6110-161-0890 of Section 2.00 of the annual Budget Act is potentially offsetting revenue. Although the DSA states that federal funds are only "potentially offsetting" and not "required offsets," BIP Claimants nonetheless believe this proposed offset is in violation of state law which forbids federal funds provided to districts for special education purposes from being used for state mandates.

Education Code section 56844 provides as follows in this regard:

In complying with paragraph (17), regarding the prohibition against supplantation of federal funds, and paragraph (18), regarding maintenance of state financial support for special education and related services, of subsection (a) of Section 1412 of Title 20 of the United States Code, *the state may not use funds paid to it under Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) to satisfy state-mandated funding obligations to local educational agencies, including funding based on pupil attendance or enrollment, or on inflation.*

(Ed. Code, § 56844, *emphasis added.*)

Thus, as the State cannot use federal funds to satisfy state mandates, the DSA's offsetting revenues provision indicating that federal funds may constitute *potentially* offsetting revenue is contrary to state law and should be eliminated.

- c. AB 1610 is unconstitutional.

The offsetting revenues section of the DSA also incorporates AB 1610, which amended Education Code section 56523 to state that the BIP mandate is "declaratory of federal law and deemed necessary to implement the [IDEA]." (Ed. Code, § 56523(b).) AB 1610 also requires, commencing with the 2010-11 fiscal year, that "state funding provided for purposes of special education pursuant to Item 6110-161-0001 of Section 2.00 of the annual Budget Act shall first be used to directly offset any [BIP] mandated costs." (Ed. Code, § 56523(e).)

The DSA acknowledges that AB 1610 is currently being challenged on constitutional grounds in *California School Boards Association v. State*, Superior Court of California, County of Alameda, Case No. RG 11554698 (filed January 6, 2011). (DSA, p.53.) The petitioners in that case challenge the changes made to Education Code section 56523 by AB 1610 as an unconstitutional attempt to eliminate the State's liability in the BIP mandate. BIP Claimants agree with the petitioners in *CSBA v. State* and incorporate by reference their legal arguments in that litigation.

Commission on State Mandates
December 24, 2012
RE: Comments to December 4, 2012 Draft Staff Analysis
Page 8

AB 1610 does not include "additional revenue" "specifically intended" for the BIP mandate. Instead, it offers the "same" revenue, existing revenue which is simply "deemed" to satisfy the state's obligation to reimburse the BIP mandate.

Therefore, BIP Claimants hereby lodge their objection to this section of the offsetting revenues in the DSA. Should staff or the Commission decline to modify the offsetting revenues language in the parameters and guidelines, BIP Claimants request reconsideration of the parameters and guidelines upon a final determination as to the constitutionality of AB 1610.

Conclusion

BIP Claimants support Option A. However, the staff recommendation regarding offsetting revenues is inconsistent with the concept of mandate reimbursement and violates Section 6 of Article XIII B of the California Constitution. BIP Claimants therefore urge staff to modify its offsetting revenues language and failing that, urge the Commission to reject the offsetting revenues language.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP



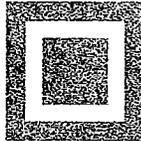
Diana McDonough



Melanie D. Seymour

DKM/MDS:LMM
00334.00100/406363.1

ATTACHMENT



Fagen Friedman & Fulfroft LLP

Peter K. Fagen
Howard A. Friedman
Howard J. Fulfroft
Melanie A. Petersen
Laurie S. Juengert
Laurie E. Reynolds
James B. Fernow
Christopher D. Keeler
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Christopher J. Fernandes
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Ricardo R. Silva
Wesley B. Parsons

Brian D. Bock
Elizabeth B. Mori
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Susan B. Winkelman
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Melissa L. Phung
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Leslie A. Reed

Diana McDonough
Of Counsel

January 26, 2009

Diana McDonough
Direct Dial: 510-550-8208
dmcdonough@fagenfriedman.com

Via Overnight Courier

Stephen P. Acquisto
Supervising Deputy Attorney General
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

Re: Department of Finance v. Commission on State Mandates
Sacramento County Superior Court Case No. 03CS01432 (BIPS)

Dear Mr. Acquisto:

Enclosed please find the fully executed settlement and release agreement in the above matter. As we discussed, I dated the document January 26, 2009, the date of my signature, and have attached original signature pages from each of my clients and myself. We retained the original signature page signed by Mr. Genest and you, but enclosed a copy.

Thank you very much for your cooperation. Please contact me if you have any questions.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP

Diana McDonough

DKM:LMM

Encl.: Settlement and Release Agreement

Cc: Camille Shelton, Chief Legal Counsel (via U.S.Mail)
00334.00100/116193.1

SETTLEMENT AND RELEASE AGREEMENT
BEHAVIORAL INTERVENTION PLANS [HUGHES BILL] MANDATED COST CLAIM

This settlement and release agreement ("Agreement") is entered into this 26th day of January, 2009 ^{DKM} 2008 by and between the State of California ("the STATE") on the one hand, and San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively "CLAIMANTS") on the other, who, in consideration of the promises made herein, agree as follows:

I. Nature and Status of the Dispute

Effective January 1, 1991, Education Code section 56523 was added to the Education Code. That section required the development and adoption of regulations governing positive behavioral interventions for special education students by the State Board of Education ("the SBE"). In 1993, the SBE promulgated California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 to implement Education Code section 56523. The Education Code section and its implementing regulations are referred to cumulatively as "the Hughes Bill."

The Behavioral Intervention Plans Mandated Cost Claim was initiated on September 28, 1994, when San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education filed test claim CSM-4464 with the Commission on State Mandates ("the Commission"). The Behavioral Intervention Plans Mandated Cost Claim asked the STATE to reimburse local educational agencies ("LEAs"), including school districts, county offices of education, special education local plan areas ("SELPA"), and joint agencies composed of such organizations for the costs of implementing the Hughes Bill.

On September 28, 2000, the Commission adopted a Statement of Decision on CSM-4464 finding that the Hughes Bill imposed a reimbursable state mandate on school districts by requiring the following seven activities: SELPA plan requirements, development and implementation of behavioral intervention plans, functional analysis assessments, modifications and contingent behavioral intervention plans, development and implementation of emergency interventions, prohibited behavioral intervention plans, and due process hearings. The settlement of the Special Education Mandated Cost Claim in 2000-2001 explicitly omitted the Behavioral Intervention Plans Mandated Cost Claim (Ed. Code § 56836.156(g)).

Subsequently CLAIMANTS proposed parameters and guidelines for the CSM-4464 claiming process but various disputes arose with the STATE and a final draft was never adopted by the Commission. The parties attempted settlement without success and the matter reached a stalemate.

On September 26, 2003, the STATE's Department of Finance filed a Petition for Administrative Mandamus in the Sacramento Superior Court challenging the Commission's decision in CSM-4464. It named the Commission as Respondent, and CLAIMANTS as Real Parties in Interest (*Department of Finance v. Commission on State Mandates*, Sacramento Superior Court Case No. 03CS01432). The Petition maintained that the Hughes Bill was not a reimbursable state mandate because 1) it was required by federal law, 2) it merely implemented federal requirements, and

3) it did not exceed those requirements. The matter is still pending. CLAIMANTS have filed no responsive pleadings as yet.

On October 4, 2007, the Deputy Attorney General representing the STATE's Department of Finance in the above case wrote to CLAIMANTS stating that pending reforms in the mandate process could present a timely opportunity to continue negotiations. The Deputy Attorney General noted that the mandate reform legislation, AB 1222, included the option of the joint development of a reasonable reimbursement methodology and cost estimate. The Deputy Attorney General suggested a meeting if CLAIMANTS were interested in resolving the matter and noted that, absent successful settlement, she planned to schedule a hearing in Sacramento Superior Court in April 2008. In response, CLAIMANTS contacted the Deputy Attorney General and the parties began meeting to work on a mutually agreeable resolution.

A chief task in the settlement process was developing a statewide cost estimate for the claim. Ultimately CLAIMANTS completed surveys of more than 20 SELPAs representing more than 10% of public school students statewide. The STATE's Department of Finance staff reviewed copies of all survey returns and verified that the cumulative cost totals accurately reflected the SELPA data.

In May 2008, the Sacramento Superior Court notified the STATE that it must bring its case to trial by September 26, 2008, or be subject to dismissal under the state law which requires all matters to be brought to trial within five years ("the five-year rule"). Ultimately, the parties filed a stipulation with the court agreeing to extend the five-year period to March 27, 2009, in the hopes that agreement could be reached.

The STATE's Department of Finance continues to dispute the Commission's decision in CSM-4464 that the Hughes Bill is a reimbursable mandate. CLAIMANTS believe the Commission's decision was correct and that the Hughes Bill imposes requirements on school districts that are not mandated by federal law.

To avoid the costs and uncertainty of further litigation, to alleviate the uncertainty regarding the Hughes Bill funding, and to expedite the resolution of this long-pending mandate claim in the spirit of AB 1222, the parties have determined to compromise and settle the claims raised in Sacramento Superior Court Case No. 03CS01432 and the underlying administrative decision of the Commission on State Mandates in CSM-4464 on the terms and conditions set forth below.

II. Actions to Resolve Dispute

- A. The mutual obligations and duties of the parties set forth herein are contingent upon all of the following events occurring:
 - 1. On or before February 28, 2009, no less than 85% of all K-12 school districts, county offices of education, and SELPAs shall sign the Waiver, attached hereto as Exhibit A. In addition, the school districts and county offices signing Exhibit A must have served student populations accounting

for no less than 92% of the second principal apportionment (P-2) average daily attendance in the 2007-08 fiscal year.

2. The parties shall seek a superior court ruling that the settlement is final and binding on all LEAs, assuming implementing legislation is enacted. In the absence of such a ruling, the parties shall seek an alternative, mutually agreeable final and formal resolution of the dispute.
 3. Prior to or concurrent with the enactment of the Budget Act for the 2009-10 fiscal year, legislation is enacted that contains provisions identical to or substantially similar to the language contained in Exhibit B. It is the intent of the parties that, on or before January 10, 2009, the Legislature shall be requested to enact such legislation on an urgency basis. Any modifications to the proposed legislation shall be made only with agreement of all the signatories to this settlement document.
 - a. The proposed legislation shall appropriate the amount of ten million dollars (\$10,000,000) payable upon enactment and allocated in accord with Section II.B. of this Agreement.
 - b. The proposed legislation shall require additional funding of five-hundred and ten million dollars (\$510,000,000) in total payable over a six-year period, or lesser period at the STATE's discretion, commencing July 1, 2011, and allocated in accord with Section II.B. of this Agreement.
 - c. The proposed legislation shall include statutory language to revise the existing special education funding model established by Assembly Bill 602 (Chapter 854, Statutes of 1997) to provide an ongoing increase of sixty-five million dollars (\$65,000,000) annually to special education programs. The proposed legislation shall appropriate the first year of funding.
 - d. The combination of the above appropriations is to be considered in full satisfaction of, and is in lieu of, any reimbursable mandate claims that would have been filed as a result of CSM-4464. By providing this funding for CSM-4464, the STATE in no way concedes the existence of an unfunded reimbursable mandate for that claim.
- B. For the purposes of this settlement only, to resolve any and all retrospective mandated cost claims from 1993-94 to 2008-09 arising from CSM-4464 and the Statement of Decision adopted by the Commission on State Mandates on September 28, 2000, the STATE agrees that:

1. Upon enactment of legislation prior to or concurrent with the 2009-10 Budget Act, payment in the amount of ten million dollars (\$10,000,000) will be allocated to LEAs as follows:
 - a. One million five hundred thousand dollars (\$1,500,000) shall be allocated to county offices of education on an equal per-pupil basis. The amount of each agency's allocation shall be determined by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, as reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each county office of education is at least five thousand dollars (\$5,000).
 - b. Six million dollars (\$6,000,000) shall be allocated to SELPAs that existed for the 2007-08 fiscal year. The amount of each agency's allocation shall be determined by dividing six million dollars (\$6,000,000) by the total statewide special education pupil count as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each SELPA is at least ten thousand dollars (\$10,000).
 - c. Two million five hundred thousand dollars (\$2,500,000) shall be paid to San Joaquin County Office of Education.
2. In accord with legislation enacted prior to or concurrent with the 2009-10 Budget Act, the State will pay an additional five hundred and ten million dollars (\$510,000,000) to school districts. This amount shall be allocated in installment payments of eighty-five million dollars (\$85,000,000) commencing July 1, 2011, and annually thereafter for a period of six years unless the STATE in its discretion enlarges the installment amount from time to time, thereby discharging the obligation in advance of the six year period. These payments shall be allocated to school districts on a per-pupil basis as follows:
 - a. The appropriation shall be divided by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent for the second principal apportionment for the

2007-08 fiscal year. Each school district shall receive an allocation equal to the per-pupil amount times the district's reported average daily attendance for the second principal apportionment for the 2007-08 fiscal year, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year unless the State enlarges the appropriation as specified in II.B.2. above.

- b. In any fiscal year after 2011-12 in which the provisions of paragraph (b)(3) of Section 8 of Article XVI of the California Constitution are operative, the annual appropriation shall not be required to be made. If an appropriation is not made for a specific fiscal year or years, it shall instead be made in the fiscal year or years immediately succeeding the final payment pursuant to Section II.B.2 of this Agreement.
- C. To effectuate a stay of the five-year rule and to seek court approval of the settlement which makes it final and binding on LEAs, the parties agree to the following:
1. Within ten court days after execution of this Agreement, CLAIMANTS will file a response to the Petition for Administrative Mandamus, Sacramento Superior Court Case No. 03CS01432. Concurrently or as soon thereafter as the parties deem appropriate, the STATE and CLAIMANTS shall jointly stipulate to a stay of the five-year rule, and shall file such stipulation with the court. The stipulation shall provide for and ask the court to order the following:
 - a. A stay of the five-year rule for the purposes of this settlement, with the understanding that the five-year rule shall be in effect within ninety (90) days if the settlement terms cannot be effectuated.
 - b. Notice of the stay and of the settlement terms to all LEAs.
 - c. A court hearing, if necessary, to consider any objections to the settlement made by LEAs or other parties of standing.
 - d. Entry of judgment that the settlement is the final resolution of CSM-4464 assuming implementing legislation is enacted, and that after appropriate consideration of objections, if any, it is final and binding on all LEAs.

- D. In the absence of any entry of judgment as specified in Section II.C.1.d. of this Agreement, the parties shall seek an alternative mutually agreeable final and formal resolution of the dispute.
- E. If the events listed in Section II.A. as preconditions to the parties' obligations do not take place, the STATE or the CLAIMANTS may request the Superior Court to lift the stay issued pursuant to Section II.C.1.a., above, and to order that the five-year rule shall take effect in ninety (90) days.

III. Known Claims

With respect to section 56523 of the California Education Code and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008, ("the Hughes Bill Statute and Regulations"), CLAIMANTS hereby knowingly and voluntarily waive the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Agreement, CLAIMANTS hereby acknowledge that CLAIMANTS forever relinquish their right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and further forever relinquish their right to receive any benefit(s) from any claim(s) so filed. CLAIMANTS may file mandated cost claims concerning such statutes and regulations only to the extent that state or federal statutes or regulations are amended or added or changed in any other way after July 1, 2008. CLAIMANTS further acknowledge and concede that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to school districts pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the amounts set forth in Sections II.B.1 and II.B.2 of this agreement.

IV. Unknown Claims

- A. CLAIMANTS expressly waive the application of California Civil Code section 1542 regarding mandated cost claims based on Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.

B. CLAIMANTS certify that they have read the following provisions of California Civil Code section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

C. CLAIMANTS understand and acknowledge that the significance and consequence of the waiver of California Civil Code section 1542 is that:

1. They may have additional claims arising or occurring up to the date of this Agreement of which they are not now aware;
2. They may not make a further demand for any such claims;
3. They may not receive any benefit(s) from any such claims; and
4. They extend their waiver to include now unknown or later discovered claims.

V. Advice of Attorney

CLAIMANTS warrant and represent that they have been advised to seek legal advice from the attorney of their choice regarding the risks, complications, and costs of the Agreement.

CLAIMANTS acknowledge and represent either that they relied upon legal advice from their attorney in executing this Agreement or that they chose not to rely upon legal advice from their attorney in executing this Agreement. They further acknowledge and represent that, in executing this Agreement, they have not relied on any inducements, promises, or representations other than those stated in this Agreement.

VI. Conditions of Execution

Each party acknowledges and warrants that the party's execution of this Agreement is free and voluntary.

VII. Execution of Other Documents

Each party to this Agreement shall cooperate fully in the execution of any and all other documents and the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

VIII. Nonadmission

Nothing contained in the Agreement constitutes an admission or concession, by any party, as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464, and no party hereto shall deem or construe this Agreement, or any part thereof, to be any such admission or concession. Further, nothing in this Agreement may be deemed or construed to be, by any entity or person not a party hereto, as against any party hereto, or any agency thereof, any admission or concession as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464.

IX. Entire Agreement

This Agreement and Exhibits A and B attached hereto contain the entire Agreement between the parties. A breach of any portion of this Agreement shall be considered a breach of the whole Agreement.

X. Effective Date

This Agreement shall be effective immediately upon execution by the parties. This Agreement has retroactive effect to the extent specified herein.

XII. Governing Law

This Agreement is entered into, and shall be construed and interpreted, in accordance with the laws of the State of California and the United States.

00334.00100/105941.1

XIII. Counterparts

This Agreement may be signed in counterparts, such that signatures appear on separate pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed Agreement.

For the State of California:

Michael C. Genest
Director, Department of Finance

Dated: _____

Stephen P. Acquisto
Supervising Deputy Attorney General

Dated: _____

VIII. Nonadmission

Nothing contained in the Agreement constitutes an admission or concession, by any party, as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464, and no party hereto shall deem or construe this Agreement, or any part thereof, to be any such admission or concession. Further, nothing in this Agreement may be deemed or construed to be, by any entity or person not a party hereto, as against any party hereto, or any agency thereof, any admission or concession as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464.

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This Agreement and Exhibits A and B attached hereto contain the entire Agreement between the parties. A breach of any portion of this Agreement shall be considered a breach of the whole Agreement.

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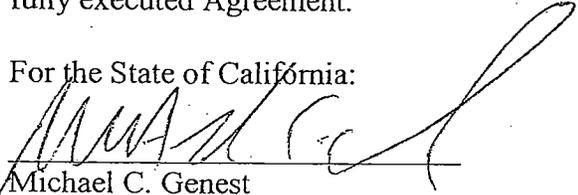
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00334.00100/105941.1

XIII. Counterparts

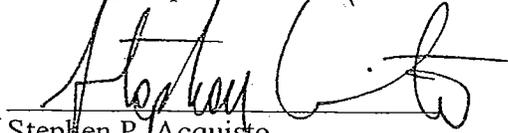
This Agreement may be signed in counterparts, such that signatures appear on separate pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed Agreement.

For the State of California:



Michael C. Genest
Director, Department of Finance

Dated: DEC 8 2008



Stephen P. Acquisto
Supervising Deputy Attorney General

Dated: 12/3/08

San Diego Unified School District

By 
Terry Grier, Superintendent

Dated: 1/16/09

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

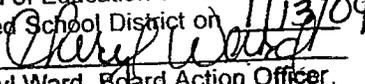
Approved as to form:

Fagen Friedman & Fulfrost

Dated: _____

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

00334.00100/105941

Approved in closed session of the
Board of Education of the San Diego
Unified School District on 1/13/09

Cheryl Ward, Board Action Officer,
Board of Education

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By Roy L. Applegate
Roy L. Applegate, Ed.D., SELPA Director

Dated: 12-3-08

San Joaquin County Office of Education

By _____
Sandee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: _____

00334.00100/105941

San Diego Unified School District

By _____
Terry Grier, Superintendent

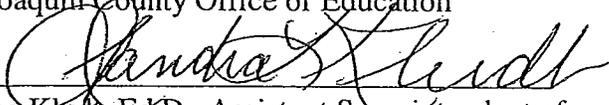
Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By 
Sandee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: 12/5/08

Approved as to form:

Fagen Friedman & Fulfro

Dated: _____

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

00334.00100/105941

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

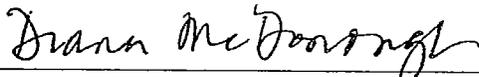
San Joaquin County Office of Education

By _____
Sandee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfroast



Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: January 26, 2009

00334.00100/105941

Exhibit A to Settlement Agreement
Behavioral Intervention Plans Mandated Cost Claim

WAIVER

This Waiver is entered into on _____ [DATE] by
_____ [NAME OF LEA], hereinafter "LEA,"
to fulfill one of the terms of the Settlement and Release Agreement for the Behavioral
Intervention Plans Mandated Cost Claim ("Agreement").

A. Known Claims

With respect to section 56523 of the California Education Code and the California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and section 3052 as those sections read on or before July 1, 2008, (collectively "the Hughes Bill Statute and Regulations"), LEA hereby knowingly and voluntarily waives the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Waiver, LEA hereby acknowledges that LEA forever gives up its right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and/or to pursue any filed claim regarding that statute and regulations, and/or to benefit from such a claim, including any claim regarding the following programs and services:

1. Special education local plan area plan requirements pursuant to California Code of Regulations, title 2, sections 3001, subdivision (c), and 3052, subdivision (j), as these sections read on July 1, 2008;
2. Development and implementation of behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c), (d), (e), and (f), and 3052, subdivisions (a), (c), (d), (e), and (f), as these sections read on July 1, 2008;
3. Functional analysis assessments pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (d) and (f), and 3052, subdivisions (b), (c), and (f), as these sections read on July 1, 2008;
4. Modifications and contingent behavioral intervention plans pursuant to California Code of Regulations, title 2, section 3052, subdivisions (g) and (h), as these sections read on July 1, 2008;
5. Development and implementation of emergency interventions pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c) and (d), and 3052, subdivision (i), as these sections read on July 1, 2008;

6. Prohibited behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivision (d), and 3052, subdivision (l), as these sections read on July 1, 2008; and
7. Due process hearings pursuant to California Code of Regulations, title 2, section 3052, subdivision (m), as this section read on July 1, 2008.

LEA further acknowledges and concedes that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to LEAs pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the retrospective amounts described in Paragraph II.B. of the Agreement, and by signing this Waiver LEA forever gives up its right to contend otherwise.

B. Unknown Claims

1. LEA expressly waives the application of California Civil Code section 1542 regarding mandated cost claims under California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.

2. LEA certifies that it has read the following provisions of California Civil Code Section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

3. LEA understands that it is agreeing that California Civil Code section 1542 does not apply to this Waiver. LEA understands and acknowledges that the significance and consequence of this waiver of California Civil Code section 1542 is:

- a. LEA may have additional claims arising or occurring up to the date of this Waiver of which it is not now aware;
- b. LEA may not make a further demand for any such claims;
- c. LEA may not receive any benefit(s) from any such claims that may be filed by other claimants; and
- d. LEA extends its waiver to include now unknown and/or later discovered claims.

C. Exemptions

LEA signs this Waiver with the understanding that it does not prohibit LEAs from filing mandated cost claims to the extent that the Hughes Bill Statute and Regulations are amended or added or changed in any way after July 1, 2008.

D. Advice of Attorney

LEA warrants and represents that it has reviewed and understands the Notice to LEAs Re: Pending Settlement of the Behavioral Intervention Plans Mandated Cost Claim ("the Notice") and this Waiver, and that it has been advised to seek legal advice from the attorney of its choice regarding the Notice and this Waiver. LEA acknowledges and represents either that it relied upon legal advice from its attorney in executing this Waiver or that it chose not to rely upon legal advice from its attorney in executing this Waiver. LEA further acknowledges and represents that, in executing this Waiver, it has not relied on any inducements, promises, or representations other than those stated in the Notice and Waiver.

E. Contingency of Waiver

LEA understands that this Waiver is binding only if the preconditions to the full implementation of the Settlement Agreement are satisfied. Those preconditions are set out in Section C of the Notice and Section II.A. of the Agreement, and are, in brief: (1) at least 85% of all LEAs sign this Waiver, including school districts and county offices of education who served student populations accounting for 92% of the P-2 2007-08 ADA; (2) the parties seek a superior court ruling that the settlement is final and binding on all LEAs; and (3) legislation is enacted appropriating the necessary funding and placing ongoing funding in statute.

Dated: _____

Signed: _____

Print or Type Name Above

Authorized Agent for: _____
Name of LEA

00334.00100/107130.1

DRAFT LEGISLATION

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that it is in the State's interest that legislation be enacted immediately to provide funding for positive behavioral intervention plans for special education students (Hughes Bill) and resolve a contested state mandate issue of fourteen-year standing. The Legislature anticipates that the Governor will request the enactment of the legislation prior to the enactment of the 2009-10 Budget Act.

SECTION 2. Section _____ is added to the Education Code to read:

[section number]

- (a) The Superintendent of Public Instruction shall determine the statewide total average daily attendance used for the purposes of section 56836.08 for the 2008-09 fiscal year. For the purposes of this calculation, the 2008-09 second principal average daily attendance for the court, community school, and special education programs served by the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area shall be used in lieu of the average daily attendance used for that agency for the purposes of section 56836.08.
- (b) The Superintendent shall divide sixty-five million dollars (\$65,000,000), by the amount determined pursuant to subdivision (a).
- (c) For each special education local plan area, the Superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 for the 2009-10 fiscal year by the quotient determined pursuant to subdivision (b). This increase shall be effective, beginning in the 2009-10 fiscal year.
- (d) Notwithstanding subdivision (c), for the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 by the ratio of the amount determined pursuant to subdivision (b) to the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2008-09 fiscal year. This increase shall be effective beginning in the 2009-10 fiscal year.

- (e) The Superintendent shall increase the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2009-10 fiscal year by the amount determined pursuant to subdivision (b).
- (f) The funds provided in subdivisions (a)-(e) above are to be considered in full satisfaction of, and are in lieu of, any reimbursable mandate claims for the Behavioral Intervention Plans Mandated Cost Claim. By providing this funding, the State in no way concedes the existence of any unfunded reimbursable mandate with regard to Section 56523 and its regulations in California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. These funds shall be used exclusively for programs operated under this part and, as a first priority, for the programs and services required under Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. By virtue of these funds, Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008 shall be deemed to be fully funded within the meaning of Government Code Section 17556(e).
- (g) Within the meaning of Government Code section 17556(e), the funds appropriated for purposes of this section are not specifically intended to fund any state-mandated special education programs and services resulting from amendments enacted after July 1, 2008, to any of the following statutes and regulations:
 - (1) The Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), if such amendments result in circumstances where state law exceeds federal law;
 - (2) Federal regulations implementing the Individuals with Disabilities Education Act (34 C.F.R. Parts 300 and 303), if such amendments result in circumstances where state law exceeds federal law;
 - (3) Part 30 (commencing with section 56000); and
 - (4) Sections 3000 through 4671, inclusive, of Title 5 of the California Code of Regulations.
- (h) State funds otherwise allocated to each special education local plan area pursuant to Chapter 7.2 (commencing with section 56836) of Part 30 and appropriated through the annual Budget Act shall supplement and not supplant these funds. These funds shall be in addition to the level of COLA provided for this program in the annual Budget Act.

SECTION 3. Section XXXXX is added to the Education Code, to read:

(a) Commencing with the 2011-12 fiscal year and each fiscal year through the 2016-17 fiscal year, the amount of eighty-five million dollars (\$85,000,000), shall be appropriated, on a one-time basis each fiscal year, from the General Fund for allocation to school districts on a per-pupil basis. The Superintendent of Public Instruction shall compute the amount per pupil by dividing eighty-five million dollars (\$85,000,000), by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. Each school district's allocation shall equal the per-pupil amount times the district's average daily attendance as reported to the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year.

(1) Notwithstanding the provisions of subdivision (a) above, the State, in its discretion, may cause to be appropriated and allocated amounts in excess of eighty-five million dollars (\$85,000,000) annually in the period 2011-12 through 2016-17 for the purpose of discharging the obligation in advance of the six year period, so long as the total amount appropriated and allocated under this section is five hundred ten million dollars (\$510,000,000).

(2) In any fiscal year after 2011-12 in which the provisions of Article XVI, section 8, paragraph (b)(3), of the California constitution are operative, the annual appropriation shall not be required to be made.

(3) The Director of Finance shall notify, in writing, the fiscal committees of both Houses of the Legislature, the Controller, and the Superintendent of Public Instruction no later than May 14, that the appropriation for the following fiscal year is not required, pursuant to paragraph (c). If any appropriation is not made for a specific fiscal year, or years, it shall instead be made in the fiscal year, or years, immediately succeeding the final payment pursuant to paragraph (a).

(4) These funds shall be in addition to the level of COLA provided to school districts in the annual Budget Act.

(b) From the funds appropriated for purposes of this section in subdivision (b) of Section 4 of the act adding this section, the Superintendent of Public Instruction shall allocate the following:

(1) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of one million five hundred thousand dollars (\$1,500,000) shall be allocated by the Superintendent to county offices of education on an equal per-pupil amount. The Superintendent shall determine the per-pupil amount by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each county office of education is at least five thousand dollars (\$5,000).

(2) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of six million dollars (\$6,000,000) shall be allocated by the Superintendent to SELPAs that existed for the 2007-08 fiscal year. The Superintendent shall determine the amount of each agency's allotment by dividing the six million dollars (\$6,000,000) by the statewide special education pupil count reported as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each SELPA is at least ten thousand dollars (\$10,000).

(3) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of two million five hundred thousand dollars (\$2,500,000) shall be allocated by the Superintendent to the San Joaquin County Office of Education.

(c) The amounts appropriated by subdivisions (a), (b), and (c) of Section 4 of the act adding this section are in full satisfaction and in lieu of mandate claims resulting from the Commission on State Mandates' Statement of Decision CSM 4464, "Behavioral Intervention Plans."

SECTION 4.

(a) The amount of sixty-five million dollars (\$65,000,000), is hereby appropriated from the General Fund in augmentation of Item 6110-161-0001 of 2009-10 Budget Act to the Superintendent of Public Instruction

for the purposes of Section 56836.08 of the Education Code. It is the intent of the Legislature that such funding be included in the annual budget act in subsequent fiscal years.

(b)

(1) The amount of ten million dollars (\$10,000,000), is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation on a one-time basis to county offices of education, and special education local plan areas (SELPA's), as specified in subdivision (b) of section _____ of the Education Code. These funds shall be in addition to the level of COLA provided for county offices of education and special education local plan areas in the annual Budget Act.

(2) For the purposes of making the computations required by article XVI, section 8, of the California Constitution, this appropriation shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (a) of section 41202 of the Education Code, for the 2007-08 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of section 41202 of the Education Code, for the 2007-08 fiscal year.

SECTION 5. This Act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety with the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting this necessity are: In order to alleviate the fiscal hardship to local educational agencies caused by the persistent shortfalls in federal funding for special education; to increase state funding for the special education program, thereby reducing encroachment; to facilitate the settlement of current litigation regarding those programs and the funding thereof; to obviate new litigation; and to resolve related school finance issues, it is necessary for this Act to take effect immediately.

00334.00100/108552.1

Assembly Bill No. 114

CHAPTER 43

An act to amend Sections 1240, 1622, 2558.46, 8201, 8208, 8263.2, 8263.4, 8447, 8499, 42127, 42238.146, 44955.5, 56325, and 69432.7 of, to amend and renumber Section 60422.3 of, to amend and repeal Sections 56139 and 56331 of, to amend, repeal, and add Sections 8203.5, 41202, and 76300 of, to add Sections 41202.5, 41210, 41211, 42251, and 46201.3 to, and to repeal and add Section 42606 of, the Education Code, to amend Section 7911.1 of the Family Code, to amend Sections 7572, 7582, 7585, 12440.1, and 17581.5 of, to amend and repeal Sections 7572.5, 7572.55, 7576, 7576.2, 7576.3, 7576.5, 7586.5, 7586.6, and 7586.7 of, and to repeal Section 7588 of, the Government Code, and to amend Sections 5651 and 11323.2 of, to amend and repeal Sections 5701.3 and 5701.6 of, to add and repeal Section 18356.1 of, and to repeal Chapter 6 (commencing with Section 18350) of Part 6 of Division 9 of, the Welfare and Institutions Code, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor June 30, 2011. Filed with
Secretary of State June 30, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 114, Committee on Budget. Education finance.

(1) Existing law requires a county superintendent of schools to certify in writing whether or not the county office of education is able to meet its financial obligations for the current and 2 subsequent fiscal years. Existing law requires a county superintendent of schools to approve, conditionally approve, or disapprove the adopted budget for the school districts under his or her jurisdiction and to determine whether the adopted budget is consistent with a financial plan that will enable the district to satisfy its multiyear financial commitments.

This bill would require the budgets of a county office of education and a school district for the 2011–12 fiscal year to project the same level of revenue per unit of average daily attendance as it received in the 2010–11 fiscal year, and would delete the certification requirement regarding the 2 fiscal years subsequent to the 2011–12 fiscal year. The bill would prohibit the Superintendent of Public Instruction from requiring a county office of education to do otherwise.

(2) Existing law requires a revenue limit to be calculated for each county superintendent of schools, adjusted for various factors, and reduced, as specified. Existing law reduces the revenue limit for each county superintendent of schools for the 2011–12 fiscal year by a deficit factor of 19.892%.

This bill instead would set the deficit factor for each county superintendent of schools for the 2011–12 fiscal year at 20.041%.

(3) The Child Care and Development Services Act, administered by the State Department of Education, provides that children who are 10 years of age or younger, children with exceptional needs, children 12 years of age or younger who are recipients of child protective services or at risk of abuse, neglect, or exploitation, children 12 years of age or younger who are provided services during nontraditional hours, children 12 years of age or younger who are homeless, and children who are 11 and 12 years of age, as funding permits, as specified, are eligible, with certain requirements, for child care and development services.

This bill would instead provide that children from infancy to 13 years of age and their parents are eligible, with certain requirements, for child care and development services.

(4) Existing law requires that a child who is 11 or 12 years of age and who is otherwise eligible for subsidized child care and development services, except for his or her age, be given first priority for enrollment, and in cases of programs operating at full capacity, first priority on the waiting list for a before or after school program, as specified. Existing law also requires contractors to provide each family of an otherwise eligible 11 or 12 year old child with information about the availability of before and after school programs located in the family's community.

This bill would instead provide that the preferred placement for children who are 11 or 12 years of age and who are otherwise eligible for subsidized child care and development services is in a before or after school program. The bill would specify criteria for the provision of subsidized child care services for children who are 11 and 12 years of age.

(5) Existing law, effective July 1, 2011, requires the State Department of Education to reduce the maximum reimbursable amounts of the contracts for the Preschool Education Program, the General Child Care Program, the Migrant Day Care Program, the Alternative Payment Program, the CalWORKs Stage 3 Program, and the Allowance for Handicapped Program by 15%, as specified.

This bill would instead provide that the reduction in the maximum reimbursable amounts of the contracts for the programs listed above would be 11% or whatever proportion is necessary to ensure that expenditures for these programs do not exceed the amounts appropriated for them, including any reductions made subsequent to the adoption of the annual Budget Act.

(6) Existing law requires that the cost of state-funded child care services be governed by regional market rates, and establishes a family fee schedule reflecting specified income eligibility limits. Existing law revises the family fee schedule that was in effect for the 2007–08, 2008–09, 2009–10, and 2010–11 fiscal years to reflect an increase of 10% to existing fees, and requires the State Department of Education to submit an adjusted fee schedule to the Department of Finance for approval in order to be implemented by July 1, 2011.

This bill would delete the provision requiring the fee schedule to reflect a 10% increase in family fees.

(7) Under existing law (Proposition 98), the California Constitution requires the state to comply with a minimum funding obligation each fiscal year with respect to the support of school districts and community college districts. Existing statutory law specifies that state funding for the Child Care and Development Services Act is included within the calculation of state apportionments that apply toward this constitutional funding obligation.

This bill would, commencing July 1, 2011, specify that funds appropriated for the Child Care and Development Services Act do not apply toward the constitutional minimum funding obligation for school districts and community college districts, with the exception of state funding for the part-day California state preschool programs and the After School Education and Safety Program.

The bill would make related changes in the calculation of the minimum funding obligation required by Proposition 98.

(8) Existing law prescribes the percentage of General Fund revenues appropriated for school districts and community college districts for purposes of the provisions of the California Constitution requiring minimum funding for the public schools.

This bill would state that specified sales and use tax revenues transferred pursuant to certain provisions of the Revenue and Taxation Code are not General Fund revenues for these purposes. The bill would provide that its provisions would be operative for the 2011–12 fiscal year and subsequent years only if one or more ballot measures approved before November 17, 2012, authorize those revenues to be so treated, and provide funding for school districts and community college districts in an amount equal to that which would have been provided if the tax revenues were General Fund revenues.

The bill would require, if the aforementioned provisions of law are rendered inoperative because the ballot measure or measures are not approved, that by December 17, 2012, the Director of Finance, in consultation with the Superintendent of Public Instruction, determine the amount by which the minimum amount of moneys required to be applied by the state for the support of school districts and community college districts was reduced pursuant to the operation of the aforementioned provisions of law for the 2011–12 fiscal year. Following the determination of this amount, the bill would appropriate an amount equal to 17.8% of that amount from the General Fund to the Superintendent for each of the 2012–13 to 2016–17, inclusive, fiscal years in accordance with a specified priority order, and would appropriate 2.2% of that amount from the General Fund to the Chancellor of the California Community Colleges for each of the 2012–13 to 2016–17, inclusive, fiscal years, in accordance with a specified priority order.

(9) Existing law requires the county superintendent of schools to determine a revenue limit for each school district in the county, and requires the amount of the revenue limit to be adjusted for various factors. Existing

law reduces the revenue limit for each school district for the 2011–12 fiscal year by a deficit factor of 19.608%.

This bill instead would set the deficit factor for each school district for the 2011–12 fiscal year at 19.754%.

(10) Under existing law, county offices of education receive certain property tax revenues. Existing law requires a revenue limit to be calculated for each county superintendent of schools, and requires the amount of the revenue limit to be adjusted for various factors, including the amount of property tax revenues a county office of education receives.

This bill would require the Superintendent of Public Instruction for the 2011–12 fiscal year to determine the amount of excess property taxes available to county offices of education, and would require the auditor-controller of each county to distribute those amounts to the Supplemental Revenue Augmentation Fund within the county exclusively to reimburse the state for the costs of providing trial court services and costs until those moneys are exhausted. By imposing additional duties on local agency officials, this bill would impose a state-mandated local program.

(11) Existing law requires the Superintendent of Public Instruction to allocate, for the 2010–11 and 2011–12 fiscal years, a supplemental categorical block grant to a charter school that begins operation in the 2008–09, 2009–10, 2010–11, or 2011–12 fiscal year. Existing law requires that this supplemental categorical block grant equal \$127 per unit of charter school average daily attendance as determined at the 2010–11 2nd principal apportionment for schools commencing operations in the 2008–09, 2009–10, or 2010–11 fiscal year and at the 2011–12 2nd principal apportionment for schools commencing operations in the 2011–12 fiscal year. Existing law prohibits a locally funded charter school that converted from a preexisting school between the 2008–09 and 2011–12 fiscal years, inclusive, from receiving these funds.

This bill instead would provide that, to the extent funds are provided, for the 2010–11 to the 2014–15 fiscal years, inclusive, a supplemental categorical block grant would be allocated to charter schools commencing operations during or after the 2008–09 fiscal year. The bill would provide that a locally or direct funded charter school, not just a locally funded charter school, that converted from a preexisting school between the 2008–09 and 2014–15 fiscal years, inclusive, would be prohibited from receiving these funds.

The bill would provide that for, the 2010–11 to the 2014–15 fiscal years, inclusive, the supplemental categorical block grant received by eligible charter schools would equal \$127 per unit of charter school average daily attendance for charter schools commencing operations during or after the 2008–09 fiscal year, as specified.

(12) Existing law authorizes the governing board of a school district to terminate the services of any certificated employees of the district during the time period between 5 days after the enactment of the Budget Act and August 15 of the fiscal year to which that Budget Act applies if the governing board of a school district determines that its total revenue limit per unit of

average daily attendance for the fiscal year of that Budget Act has not increased by at least 2% and if in the opinion of the governing board it is therefore necessary to decrease the number of permanent employees in the district.

This bill would make this provision inoperative from July 1, 2011, to July 1, 2012, inclusive.

(13) Existing law sets forth the minimum number of instructional days and minutes school districts, county offices of education, and charter schools are required to offer.

This bill, for the 2011–12 school year, would reduce the minimum number of required instructional days and minutes by up to 7 days, and would reduce the revenue limit for each school district, county office of education, and charter school, as specified. The bill would require implementation of this reduction by a school district, county office of education, and charter school that is subject to collective bargaining to be achieved through the bargaining process, provided that the agreement has been completed and reductions implemented no later than June 30, 2012. These provisions would be operative only for the 2011–12 school year and only if the Director of Finance determines that the state revenue forecast does not meet a specified amount.

(14) Existing law requires school districts, county offices of education, and special education local plan areas to comply with state laws that conform to the federal Individuals with Disabilities Education Act (IDEA), in order that the state may qualify for federal funds available for the education of individuals with exceptional needs. Existing law requires school districts, county offices of education, and special education local plan areas to identify, locate, and assess individuals with exceptional needs and to provide those pupils with a free appropriate public education in the least restrictive environment, and with special education and related services as reflected in an individualized education program (IEP). Existing law requires the Superintendent of Public Instruction to administer the special education provisions of the Education Code and to be responsible for assuring provision of, and supervising, education and related services to individuals with exceptional needs as required pursuant to the federal IDEA.

Existing law authorizes referral, through a prescribed process, of a pupil who is suspected of needing mental health services to a community mental health service. Existing law requires the State Department of Mental Health or a designated community mental health service to be responsible for the provision of mental health services, as defined, if required in a pupil's IEP.

This bill would make these provisions concerning referral for mental health services inoperative as of July 1, 2011, would repeal them as of January 1, 2012, and would make other related conforming changes.

(15) Existing law, for the 2008–09 to the 2014–15 fiscal years, inclusive, provides that the governing board of a school district is not required to provide pupils with instructional materials by a specified period of time following adoption of those materials by the State Board of Education.

This bill would make a technical, nonsubstantive change in this provision by changing its section number.

(16) Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program (Cal Grant Program), establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

Existing law imposes requirements on qualifying institutions, requiring the commission to certify by October 1 of each year the institution's latest 3-year cohort default rate as most recently reported by the United States Department of Education. Existing law provides that an otherwise qualifying institution that did not meet a specified 3-year cohort default rate would be ineligible for new Cal Grant awards at the institution. Under the Cal Grant Program, for the 2012–13 academic year and every academic year thereafter, an otherwise qualifying institution with a 3-year cohort default rate that is equal to or greater than 30% is ineligible for initial or renewal Cal Grant awards at the institution, except as specified.

This bill instead would specify that an otherwise qualifying institution with a 3-year cohort default rate that is equal to or greater than 30% is ineligible for initial and renewal Cal Grant awards at the institution, except as specified.

(17) Existing law establishes the California State University under the administration of the Trustees of the California State University. Existing law authorizes the trustees to draw from funds appropriated to the university, for use as a revolving fund, amounts necessary to make payments of obligations of the university directly to vendors. Existing law requires the trustees to contract with one or more public accounting firms to conduct systemwide and individual campus annual financial statement and compliance audits. Existing law further requires that at least 10 individual campus audits be conducted annually on a rotating basis, and that each campus be audited at least once every 2 years.

This bill would require the annual audits to be conducted in accordance with generally accepted accounting principles. The bill would delete the requirements that at least 10 individual campus audits be conducted annually on a rotating basis, and that each campus be audited at least once every 2 years. The bill would require that the statements of net assets, revenues, expenses, changes in net assets, and cashflows be included as an addendum to the annual systemwide audit.

(18) Existing law requires the governing board of each community college district to charge each student a fee, and sets that fee at \$36 per unit per semester.

This bill would raise the fee to \$46 per unit per semester if the Director of Finance determines that the state revenue forecast does not meet a specified amount.

(19) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law provides that no local agency or school district is required to implement or give effect to any statute or executive order, or portion thereof, that imposes a mandate during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if specified conditions are met, including that the statute or executive order, or portion thereof, has been specifically identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. Existing law provides that only certain specified mandates are subject to that provision.

This bill would specify that 2 additional mandates relating to community college districts are included among those that are subject to the provision.

(20) The Administrative Procedure Act, among other things, sets forth procedures for the development, adoption, and promulgation of regulations by administrative agencies charged with the implementation of statutes.

This bill would authorize the State Department of Social Services and the State Department of Education, notwithstanding the procedures required by the Administrative Procedure Act, to implement the provisions of the bill that relate to the Child Care and Development Services Act through all-county letters, management bulletins, or other similar instructions.

(21) This bill would provide that the implementation of the provisions of the bill related to the provision of child care services would not be subject to the appeal and resolution procedures for agencies that contract with the State Department of Education for these purposes.

(22) This bill would express the intent of the Legislature that specified funding in the Budget Act of 2011 related to educationally related mental health services would be exclusively available only for the 2011–12 and 2012–13 fiscal years.

(23) This bill would express the intent of the Legislature that the State Department of Education and appropriate departments within the California Health and Human Services Agency modify or repeal regulations pertaining to the elimination of statutes pursuant to this bill related to mental health services provided by county mental health agencies. The bill would require the State Department of Education and appropriate departments within the California Health and Human Services Agency to review regulations to ensure appropriate implementation of educationally related mental health services required by the federal Individuals with Disabilities Education Act and of certain statutes enacted pursuant to this bill. The bill would authorize the State Department of Education and appropriate departments within the California Health and Human Services Agency to utilize the statutory process for adopting emergency regulations in implementing certain statutes enacted pursuant to this bill.

(24) This bill would make conforming changes, correct some cross-references, and make other technical, nonsubstantive changes.

(25) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(26) Existing law requires the State Department of Education to award grants to school districts, county superintendents of schools, or entities approved by the department for nonrecurring expenses incurred in initiating or expanding a school breakfast program or a summer food service program.

This bill would make an appropriation of \$1,000 for purposes of these grants.

(27) The funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(28) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 1240 of the Education Code is amended to read:

1240. The county superintendent of schools shall do all of the following:

(a) Superintend the schools of his or her county.

(b) Maintain responsibility for the fiscal oversight of each school district in his or her county pursuant to the authority granted by this code.

(c) (1) Visit and examine each school in his or her county at reasonable intervals to observe its operation and to learn of its problems. He or she annually may present a report of the state of the schools in his or her county, and of his or her office, including, but not limited to, his or her observations while visiting the schools, to the board of education and the board of supervisors of his or her county.

(2) (A) For fiscal years 2004–05 to 2006–07, inclusive, to the extent that funds are appropriated for purposes of this paragraph, the county superintendent, or his or her designee, annually shall submit a report, at a regularly scheduled November board meeting, to the governing board of each school district under his or her jurisdiction, the county board of education of his or her county, and the board of supervisors of his or her county describing the state of the schools in the county or of his or her office that are ranked in deciles 1 to 3, inclusive, of the 2003 base Academic Performance Index (API), as defined in subdivision (b) of Section 17592.70, and shall include, among other things, his or her observations while visiting the schools and his or her determinations for each school regarding the status of all of the circumstances listed in subparagraph (J) and teacher misassignments and teacher vacancies. As a condition for receipt of funds, the county superintendent, or his or her designee, shall use a standardized

template to report the circumstances listed in subparagraph (J) and teacher misassignments and teacher vacancies, unless the current annual report being used by the county superintendent, or his or her designee, already includes those details for each school.

(B) Commencing with the 2007–08 fiscal year, to the extent that funds are appropriated for purposes of this paragraph, the county superintendent, or his or her designee, annually shall submit a report, at a regularly scheduled November board meeting, to the governing board of each school district under his or her jurisdiction, the county board of education of his or her county, and the board of supervisors of his or her county describing the state of the schools in the county or of his or her office that are ranked in deciles 1 to 3, inclusive, of the 2006 base API, pursuant to Section 52056. As a condition for the receipt of funds, the annual report shall include the determinations for each school made by the county superintendent, or his or her designee, regarding the status of all of the circumstances listed in subparagraph (J) and teacher misassignments and teacher vacancies, and the county superintendent, or his or her designee, shall use a standardized template to report the circumstances listed in subparagraph (J) and teacher misassignments and teacher vacancies, unless the current annual report being used by the county superintendent, or his or her designee, already includes those details with the same level of specificity that is otherwise required by this subdivision. For purposes of this section, schools ranked in deciles 1 to 3, inclusive, on the 2006 base API shall include schools determined by the department to meet either of the following:

(i) The school meets all of the following criteria:

(I) Does not have a valid base API score for 2006.

(II) Is operating in fiscal year 2007–08 and was operating in fiscal year 2006–07 during the Standardized Testing and Reporting (STAR) Program testing period.

(III) Has a valid base API score for 2005 that was ranked in deciles 1 to 3, inclusive, in that year.

(ii) The school has an estimated base API score for 2006 that would be in deciles 1 to 3, inclusive.

(C) The department shall estimate an API score for any school meeting the criteria of subclauses (I) and (II) of clause (i) of subparagraph (B) and not meeting the criteria of subclause (III) of clause (i) of subparagraph (B), using available test scores and weighting or corrective factors it deems appropriate. The department shall post the API scores on its Internet Web site on or before May 1.

(D) For purposes of this section, references to schools ranked in deciles 1 to 3, inclusive, on the 2006 base API shall exclude schools operated by county offices of education pursuant to Section 56140, as determined by the department.

(E) In addition to the requirements above, the county superintendent, or his or her designee, annually shall verify both of the following:

(i) That pupils who have not passed the high school exit examination by the end of grade 12 are informed that they are entitled to receive intensive

instruction and services for up to two consecutive academic years after completion of grade 12 or until the pupil has passed both parts of the high school exit examination, whichever comes first, pursuant to paragraphs (4) and (5) of subdivision (d) of Section 37254.

(ii) That pupils who have elected to receive intensive instruction and services, pursuant to paragraphs (4) and (5) of subdivision (d) of Section 37254, are being served.

(F) (i) Commencing with the 2010–11 fiscal year and every third year thereafter, the Superintendent shall identify a list of schools ranked in deciles 1 to 3, inclusive, of the API for which the county superintendent, or his or her designee, annually shall submit a report, at a regularly scheduled November board meeting, to the governing board of each school district under his or her jurisdiction, the county board of education of his or her county, and the board of supervisors of his or her county that describes the state of the schools in the county or of his or her office that are ranked in deciles 1 to 3, inclusive, of the base API as defined in clause (ii).

(ii) For the 2010–11 fiscal year, the list of schools ranked in deciles 1 to 3, inclusive, of the base API shall be updated using the criteria set forth in clauses (i) and (ii) of subparagraph (B), subparagraph (C), and subparagraph (D), as applied to the 2009 base API and thereafter shall be updated every third year using the criteria set forth in clauses (i) and (ii) of subparagraph (B), subparagraph (C), and subparagraph (D), as applied to the base API of the year preceding the third year consistent with clause (i).

(iii) As a condition for the receipt of funds, the annual report shall include the determinations for each school made by the county superintendent, or his or her designee, regarding the status of all of the circumstances listed in subparagraph (J) and teacher misassignments and teacher vacancies, and the county superintendent, or his or her designee, shall use a standardized template to report the circumstances listed in subparagraph (J) and teacher misassignments and teacher vacancies, unless the current annual report being used by the county superintendent, or his or her designee, already includes those details with the same level of specificity that is otherwise required by this subdivision.

(G) The county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco shall contract with another county office of education or an independent auditor to conduct the required visits and make all reports required by this paragraph.

(H) On a quarterly basis, the county superintendent, or his or her designee, shall report the results of the visits and reviews conducted that quarter to the governing board of the school district at a regularly scheduled meeting held in accordance with public notification requirements. The results of the visits and reviews shall include the determinations of the county superintendent, or his or her designee, for each school regarding the status of all of the circumstances listed in subparagraph (J) and teacher misassignments and teacher vacancies. If the county superintendent, or his

or her designee, conducts no visits or reviews in a quarter, the quarterly report shall report that fact.

(I) The visits made pursuant to this paragraph shall be conducted at least annually and shall meet the following criteria:

(i) Minimize disruption to the operation of the school.

(ii) Be performed by individuals who meet the requirements of Section 45125.1.

(iii) Consist of not less than 25 percent unannounced visits in each county. During unannounced visits in each county, the county superintendent shall not demand access to documents or specific school personnel. Unannounced visits shall only be used to observe the condition of school repair and maintenance, and the sufficiency of instructional materials, as defined by Section 60119.

(J) The priority objective of the visits made pursuant to this paragraph shall be to determine the status of all of the following circumstances:

(i) Sufficient textbooks as defined in Section 60119 and as specified in subdivision (i).

(ii) The condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff as defined in district policy or paragraph (1) of subdivision (c) of Section 17592.72.

(iii) The accuracy of data reported on the school accountability report card with respect to the availability of sufficient textbooks and instructional materials, as defined by Section 60119, and the safety, cleanliness, and adequacy of school facilities, including good repair as required by Sections 17014, 17032.5, 17070.75, and 17089.

(iv) The extent to which pupils who have not passed the high school exit examination by the end of grade 12 are informed that they are entitled to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until the pupil has passed both parts of the high school exit examination, whichever comes first, pursuant to paragraphs (4) and (5) of subdivision (d) of Section 37254.

(v) The extent to which pupils who have elected to receive intensive instruction and services, pursuant to paragraphs (4) and (5) of subdivision (d) of Section 37254, are being served.

(K) The county superintendent may make the status determinations described in subparagraph (J) during a single visit or multiple visits. In determining whether to make a single visit or multiple visits for this purpose, the county superintendent shall take into consideration factors such as cost-effectiveness, disruption to the schoolsite, deadlines, and the availability of qualified reviewers.

(L) If the county superintendent determines that the condition of a facility poses an emergency or urgent threat to the health or safety of pupils or staff as defined in district policy or paragraph (1) of subdivision (c) of Section 17592.72, or is not in good repair, as specified in subdivision (d) of Section 17002 and required by Sections 17014, 17032.5, 17070.75, and 17089, the county superintendent, among other things, may do any of the following:

(i) Return to the school to verify repairs.

(ii) Prepare a report that specifically identifies and documents the areas or instances of noncompliance if the district has not provided evidence of successful repairs within 30 days of the visit of the county superintendent or, for major projects, has not provided evidence that the repairs will be conducted in a timely manner. The report may be provided to the governing board of the school district. If the report is provided to the school district, it shall be presented at a regularly scheduled meeting held in accordance with public notification requirements. The county superintendent shall post the report on his or her Internet Web site. The report shall be removed from the Internet Web site when the county superintendent verifies the repairs have been completed.

(d) Distribute all laws, reports, circulars, instructions, and blanks that he or she may receive for the use of the school officers.

(e) Annually, on or before August 15, present a report to the governing board of the school district and the Superintendent regarding the fiscal solvency of a school district with a disapproved budget, qualified interim certification, or a negative interim certification, or that is determined to be in a position of fiscal uncertainty pursuant to Section 42127.6.

(f) Keep in his or her office the reports of the Superintendent.

(g) Keep a record of his or her official acts, and of all the proceedings of the county board of education, including a record of the standing, in each study, of all applicants for certificates who have been examined, which shall be open to the inspection of an applicant or his or her authorized agent.

(h) Enforce the course of study.

(i) (1) Enforce the use of state textbooks and instructional materials and of high school textbooks and instructional materials regularly adopted by the proper authority in accordance with Section 51050.

(2) For purposes of this subdivision, sufficient textbooks or instructional materials has the same meaning as in subdivision (c) of Section 60119.

(3) (A) Commencing with the 2005–06 school year, if a school is ranked in any of deciles 1 to 3, inclusive, of the base API, as specified in paragraph (2) of subdivision (c), and not currently under review pursuant to a state or federal intervention program, the county superintendent specifically shall review that school at least annually as a priority school. A review conducted for purposes of this paragraph shall be completed by the fourth week of the school year. For the 2004–05 fiscal year only, the county superintendent shall make a diligent effort to conduct a visit to each school pursuant to this paragraph within 120 days of receipt of funds for this purpose.

(B) In order to facilitate the review of instructional materials before the fourth week of the school year, the county superintendent in a county with 200 or more schools that are ranked in any of deciles 1 to 3, inclusive, of the base API, as specified in paragraph (2) of subdivision (c), may utilize a combination of visits and written surveys of teachers for the purpose of determining sufficiency of textbooks and instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined in subdivision (c) of Section 60119. If a county superintendent elects to conduct written surveys of teachers, the county

superintendent shall visit the schools surveyed within the same academic year to verify the accuracy of the information reported on the surveys. If a county superintendent surveys teachers at a school in which the county superintendent has found sufficient textbooks and instructional materials for the previous two consecutive years and determines that the school does not have sufficient textbooks or instructional materials, the county superintendent shall within 10 business days provide a copy of the insufficiency report to the school district as set forth in paragraph (4).

(C) For purposes of this paragraph, “written surveys” may include paper and electronic or online surveys.

(4) If the county superintendent determines that a school does not have sufficient textbooks or instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined by subdivision (c) of Section 60119, the county superintendent shall do all of the following:

(A) Prepare a report that specifically identifies and documents the areas or instances of noncompliance.

(B) Provide within five business days of the review, a copy of the report to the school district, as provided in subdivision (c), or, if applicable, provide a copy of the report to the school district within 10 business days pursuant to subparagraph (B) of paragraph (3).

(C) Provide the school district with the opportunity to remedy the deficiency. The county superintendent shall ensure remediation of the deficiency no later than the second month of the school term.

(D) If the deficiency is not remedied as required pursuant to subparagraph (C), the county superintendent shall request the department to purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement of this subdivision. If the department purchases textbooks or instructional materials for the school district, the department shall issue a public statement at the first regularly scheduled meeting of the state board occurring immediately after the department receives the request of the county superintendent and that meets the applicable public notice requirements, indicating that the district superintendent and the governing board of the school district failed to provide pupils with sufficient textbooks or instructional materials as required by this subdivision. Before purchasing the textbooks or instructional materials, the department shall consult with the district to determine which textbooks or instructional materials to purchase. All purchases of textbooks or instructional materials shall comply with Chapter 3.25 (commencing with Section 60420) of Part 33. The amount of funds necessary for the purchase of the textbooks and materials is a loan to the school district receiving the textbooks or instructional materials. Unless the school district repays the amount owed based upon an agreed-upon repayment schedule with the Superintendent, the Superintendent shall notify the Controller and the Controller shall deduct an amount equal to the total amount used to purchase the textbooks and materials from the next principal apportionment of the district or from another apportionment of state funds.

(j) Preserve carefully all reports of school officers and teachers.

(k) Deliver to his or her successor, at the close of his or her official term, all records, books, documents, and papers belonging to the office, taking a receipt for them, which shall be filed with the department.

(l) (1) Submit two reports during the fiscal year to the county board of education in accordance with the following:

(A) The first report shall cover the financial and budgetary status of the county office of education for the period ending October 31. The second report shall cover the period ending January 31. Both reports shall be reviewed by the county board of education and approved by the county superintendent no later than 45 days after the close of the period being reported.

(B) As part of each report, the county superintendent shall certify in writing whether or not the county office of education is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for two subsequent fiscal years. The certifications shall be classified as positive, qualified, or negative, pursuant to standards prescribed by the Superintendent, for the purposes of determining subsequent state agency actions pursuant to Section 1240.1. For purposes of this subdivision, a negative certification shall be assigned to a county office of education that, based upon current projections, will not meet its financial obligations for the remainder of the fiscal year or for the subsequent fiscal year. A qualified certification shall be assigned to a county office of education that may not meet its financial obligations for the current fiscal year or two subsequent fiscal years. A positive certification shall be assigned to a county office of education that will meet its financial obligations for the current fiscal year and subsequent two fiscal years. In accordance with those standards, the Superintendent may reclassify a certification. If a county office of education receives a negative certification, the Superintendent, or his or her designee, may exercise the authority set forth in subdivision (c) of Section 1630. Copies of each certification, and of the report containing that certification, shall be sent to the Superintendent at the time the certification is submitted to the county board of education. Copies of each qualified or negative certification and the report containing that certification shall be sent to the Controller at the time the certification is submitted to the county board of education.

(i) For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, each county office of education budget shall project the same level of revenue per unit of average daily attendance as it received in the 2010–11 fiscal year and shall maintain staffing and program levels commensurate with that level.

(ii) For the 2011–12 fiscal year, the county superintendent shall not be required to certify in writing whether or not the county office of education is able to meet its financial obligations for the two subsequent fiscal years.

(iii) For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, the Superintendent, as a condition on approval of a county office of education

budget, shall not require a county office of education to project a lower level of revenue per unit of average daily attendance than it received in the 2010–11 fiscal year nor require the county superintendent to certify in writing whether or not the county office of education is able to meet its financial obligations for the two subsequent fiscal years.

(2) All reports and certifications required under this subdivision shall be in a format or on forms prescribed by the Superintendent, and shall be based on standards and criteria for fiscal stability adopted by the state board pursuant to Section 33127. The reports and supporting data shall be made available by the county superintendent to an interested party upon request.

(3) This subdivision does not preclude the submission of additional budgetary or financial reports by the county superintendent to the county board of education or to the Superintendent.

(4) The county superintendent is not responsible for the fiscal oversight of the community colleges in the county, however, he or she may perform financial services on behalf of those community colleges.

(m) If requested, act as agent for the purchase of supplies for the city and high school districts of his or her county.

(n) For purposes of Section 44421.5, report to the Commission on Teacher Credentialing the identity of a certificated person who knowingly and willingly reports false fiscal expenditure data relative to the conduct of an educational program. This requirement applies only if, in the course of his or her normal duties, the county superintendent discovers information that gives him or her reasonable cause to believe that false fiscal expenditure data relative to the conduct of an educational program has been reported.

SEC. 2. Section 1622 of the Education Code is amended to read:

1622. (a) On or before July 1 of each fiscal year, the county board of education shall adopt an annual budget for the budget year and shall file that budget with the Superintendent of Public Instruction, the county board of supervisors, and the county auditor. The budget, and supporting data, shall be maintained and made available for public review. The budget shall indicate the date, time, and location at which the county board of education held the public hearing required under Section 1620.

(b) The Superintendent of Public Instruction shall examine the budget to determine whether it (1) complies with the standards and criteria adopted by the State Board of Education pursuant to Section 33127 for application to final local educational agency budgets, (2) allows the county office of education to meet its financial obligations during the fiscal year, and (3) is consistent with a financial plan that will enable the county office of education to satisfy its multiyear financial commitments. In addition, the Superintendent shall identify any technical corrections to the budget that must be made. On or before August 15, the Superintendent of Public Instruction shall approve or disapprove the budget and, in the event of a disapproval, transmit to the county office of education in writing his or her recommendations regarding revision of the budget and the reasons for those recommendations. For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127,

the Superintendent, as a condition on approval of a county office of education budget, shall not require a county office of education to project a lower level of revenue per unit of average daily attendance than it received in the 2010–11 fiscal year nor require the county superintendent to certify in writing whether or not the county office of education is able to meet its financial obligations for the two subsequent fiscal years.

(c) On or before September 8, the county board of education shall revise the county office of education budget to reflect changes in projected income or expenditures subsequent to July 1, and to include any response to the recommendations of the Superintendent of Public Instruction, shall adopt the revised budget, and shall file the revised budget with the Superintendent of Public Instruction, the county board of supervisors, and the county auditor. Prior to revising the budget, the county board of education shall hold a public hearing regarding the proposed revisions, which shall be made available for public inspection not less than three working days prior to the hearing. The agenda for that hearing shall be posted at least 72 hours prior to the public hearing and shall include the location where the budget will be available for public inspection. The revised budget, and supporting data, shall be maintained and made available for public review.

(d) The Superintendent of Public Instruction shall examine the revised budget to determine whether it complies with the standards and criteria adopted by the State Board of Education pursuant to Section 33127 for application to final local educational agency budgets and, no later than October 8, shall approve or disapprove the revised budget. If the Superintendent of Public Instruction disapproves the budget, he or she shall call for the formation of a budget review committee pursuant to Section 1623. For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, the Superintendent, as a condition on approval of a county office of education budget, shall not require a county office of education to project a lower level of revenue per unit of average daily attendance than it received in the 2010–11 fiscal year nor require the county superintendent to certify in writing whether or not the county office of education is able to meet its financial obligations for the two subsequent fiscal years.

(e) Notwithstanding any other provision of this section, the budget review for a county office of education shall be governed by paragraphs (1), (2), and (3) of this subdivision, rather than by subdivisions (c) and (d), if the county board of education so elects, and notifies the Superintendent of Public Instruction in writing of that decision, no later than October 31 of the immediately preceding calendar year.

(1) In the event of the disapproval of the budget of a county office of education pursuant to subdivision (b), on or before September 8, the county superintendent of schools and the county board of education shall review the recommendations of the Superintendent of Public Instruction at a regularly scheduled meeting of the county board of education and respond to those recommendations. That response shall include the proposed actions to be taken, if any, as a result of those recommendations.

(2) No later than October 8, after receiving the response required under paragraph (1), the Superintendent of Public Instruction shall review that response and either approve or disapprove the budget of the county office of education. If the Superintendent of Public Instruction disapproves the budget, he or she shall call for the formation of a budget review committee pursuant to Section 1623.

(3) Not later than 45 days after the Governor signs the annual Budget Act, the county office of education shall make available for public review any revisions in revenues and expenditures that it has made to its budget to reflect the funding made available by that Budget Act.

SEC. 3. Section 2558.46 of the Education Code is amended to read:

2558.46. (a) (1) For the 2003–04 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by a 1.195 percent deficit factor.

(2) For the 2004–05 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by a 0.323 percent deficit factor.

(3) For the 2003–04 and 2004–05 fiscal years, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced further by a 1.826 percent deficit factor.

(4) For the 2005–06 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced further by a 0.898 percent deficit factor.

(5) For the 2008–09 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by a 7.839 percent deficit factor.

(6) For the 2009–10 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by an 18.621 percent deficit factor.

(7) For the 2010–11 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by an 18.250 percent deficit factor.

(8) For the 2011–12 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by a 20.041 percent deficit factor.

(b) In computing the revenue limit for each county superintendent of schools for the 2006–07 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that county superintendent of schools had been determined for the 2003–04, 2004–05, and 2005–06 fiscal years without being reduced by the deficit factors specified in subdivision (a).

(c) In computing the revenue limit for each county superintendent of schools for the 2010–11 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that county superintendent of schools had been determined for the 2009–10 fiscal year without being reduced by the deficit factors specified in subdivision (a).

(d) In computing the revenue limit for each county superintendent of schools for the 2011–12 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that county superintendent of schools had been determined for the 2010–11 fiscal year without being reduced by the deficit factors specified in subdivision (a).

(e) In computing the revenue limit for each county superintendent of schools for the 2012–13 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that county superintendent of schools had been determined for the 2011–12 fiscal year without being reduced by the deficit factor specified in subdivision (a).

SEC. 4. Section 8201 of the Education Code is amended to read:

8201. The purpose of this chapter is as follows:

(a) To provide a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs.

(b) To encourage community-level coordination in support of child care and development services.

(c) To provide an environment that is healthy and nurturing for all children in child care and development programs.

(d) To provide the opportunity for positive parenting to take place through understanding of human growth and development.

(e) To reduce strain between parent and child in order to prevent abuse, neglect, or exploitation.

(f) To enhance the cognitive development of children, with particular emphasis upon those children who require special assistance, including bilingual capabilities to attain their full potential.

(g) To establish a framework for the expansion of child care and development services.

(h) To empower and encourage parents and families of children who require child care services to take responsibility to review the safety of the child care program or facility and to evaluate the ability of the program or facility to meet the needs of the child.

SEC. 5. Section 8203.5 of the Education Code is amended to read:

8203.5. (a) The Superintendent shall ensure that each contract entered into under this chapter to provide child care and development services, or to facilitate the provision of those services, provides support to the public school system of this state through the delivery of appropriate educational services to the children served pursuant to the contract.

(b) The Superintendent shall ensure that all contracts for child care and development programs include a requirement that each public or private provider maintain a developmental profile to appropriately identify the emotional, social, physical, and cognitive growth of each child served in order to promote the child's success in the public schools. To the extent possible, the department shall provide a developmental profile to all public and private providers using existing profile instruments that are most cost efficient. The provider of any program operated pursuant to a contract under

Section 8262 shall be responsible for maintaining developmental profiles upon entry through exit from a child development program.

(c) Notwithstanding any other provision of law, “moneys to be applied by the state,” as used in subdivision (b) of Section 8 of Article XVI of the California Constitution, includes funds appropriated for the Child Care and Development Service Act pursuant to Chapter 2 (commencing with Section 8200) of Part 6, whether or not those funds are allocated to school districts, as defined in Section 41302.5, or community college districts.

(d) This section is not subject to Part 34 (commencing with Section 62000).

(e) This section shall remain in effect only until July 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2011, deletes or extends that date.

SEC. 6. Section 8203.5 is added to the Education Code, to read:

8203.5. (a) The Superintendent shall ensure that each contract entered into under this chapter to provide child care and development services, or to facilitate the provision of those services, provides support to the public school system of this state through the delivery of appropriate educational services to the children served pursuant to the contract.

(b) The Superintendent shall ensure that all contracts for child care and development programs include a requirement that each public or private provider maintain a developmental profile to appropriately identify the emotional, social, physical, and cognitive growth of each child served in order to promote the child’s success in the public schools. To the extent possible, the department shall provide a developmental profile to all public and private providers using existing profile instruments that are most cost efficient. The provider of any program operated pursuant to a contract under Section 8262 shall be responsible for maintaining developmental profiles upon entry through exit from a child development program.

(c) This section is not subject to Part 34 (commencing with Section 62000) of Division 4 of Title 2.

(d) This section shall become operative on July 1, 2011.

SEC. 7. Section 8208 of the Education Code is amended to read:

8208. As used in this chapter:

(a) “Alternative payments” includes payments that are made by one child care agency to another agency or child care provider for the provision of child care and development services, and payments that are made by an agency to a parent for the parent’s purchase of child care and development services.

(b) “Alternative payment program” means a local government agency or nonprofit organization that has contracted with the department pursuant to Section 8220.1 to provide alternative payments and to provide support services to parents and providers.

(c) “Applicant or contracting agency” means a school district, community college district, college or university, county superintendent of schools, county, city, public agency, private nontax-exempt agency, private tax-exempt agency, or other entity that is authorized to establish, maintain,

or operate services pursuant to this chapter. Private agencies and parent cooperatives, duly licensed by law, shall receive the same consideration as any other authorized entity with no loss of parental decisionmaking prerogatives as consistent with the provisions of this chapter.

(d) “Assigned reimbursement rate” is that rate established by the contract with the agency and is derived by dividing the total dollar amount of the contract by the minimum child day of average daily enrollment level of service required.

(e) “Attendance” means the number of children present at a child care and development facility. “Attendance,” for the purposes of reimbursement, includes excused absences by children because of illness, quarantine, illness or quarantine of their parent, family emergency, or to spend time with a parent or other relative as required by a court of law or that is clearly in the best interest of the child.

(f) “Capital outlay” means the amount paid for the renovation and repair of child care and development facilities to comply with state and local health and safety standards, and the amount paid for the state purchase of relocatable child care and development facilities for lease to qualifying contracting agencies.

(g) “Caregiver” means a person who provides direct care, supervision, and guidance to children in a child care and development facility.

(h) “Child care and development facility” means any residence or building or part thereof in which child care and development services are provided.

(i) “Child care and development programs” means those programs that offer a full range of services for children from infancy to 13 years of age, for any part of a day, by a public or private agency, in centers and family child care homes. These programs include, but are not limited to, all of the following:

- (1) General child care and development.
 - (2) Migrant child care and development.
 - (3) Child care provided by the California School Age Families Education Program (Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2).
 - (4) California state preschool program.
 - (5) Resource and referral.
 - (6) Child care and development services for children with exceptional needs.
 - (7) Family child care home education network.
 - (8) Alternative payment.
 - (9) Schoolage community child care.
- (j) “Child care and development services” means those services designed to meet a wide variety of needs of children and their families, while their parents or guardians are working, in training, seeking employment, incapacitated, or in need of respite. These services may include direct care and supervision, instructional activities, resource and referral programs, and alternative payment arrangements.

(k) “Children at risk of abuse, neglect, or exploitation” means children who are so identified in a written referral from a legal, medical, or social service agency, or emergency shelter.

(l) “Children with exceptional needs” means either of the following:

(1) Infants and toddlers under three years of age who have been determined to be eligible for early intervention services pursuant to the California Early Intervention Services Act (Title 14 (commencing with Section 95000) of the Government Code) and its implementing regulations. These children include an infant or toddler with a developmental delay or established risk condition, or who is at high risk of having a substantial developmental disability, as defined in subdivision (a) of Section 95014 of the Government Code. These children shall have active individualized family service plans, shall be receiving early intervention services, and shall be children who require the special attention of adults in a child care setting.

(2) Children ages 3 to 21 years, inclusive, who have been determined to be eligible for special education and related services by an individualized education program team according to the special education requirements contained in Part 30 (commencing with Section 56000) of Division 4 of Title 2, and who meet eligibility criteria described in Section 56026 and, Article 2.5 (commencing with Section 56333) of Chapter 4 of Part 30 of Division 4 of Title 2, and Sections 3030 and 3031 of Title 5 of the California Code of Regulations. These children shall have an active individualized education program, shall be receiving early intervention services or appropriate special education and related services, and shall be children who require the special attention of adults in a child care setting. These children include children with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (also referred to as emotional disturbance), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities, who need special education and related services consistent with Section 1401(3)(A) of Title 20 of the United States Code.

(m) “Closedown costs” means reimbursements for all approved activities associated with the closing of operations at the end of each growing season for migrant child development programs only.

(n) “Cost” includes, but is not limited to, expenditures that are related to the operation of child care and development programs. “Cost” may include a reasonable amount for state and local contributions to employee benefits, including approved retirement programs, agency administration, and any other reasonable program operational costs. “Cost” may also include amounts for licensable facilities in the community served by the program, including lease payments or depreciation, downpayments, and payments of principal and interest on loans incurred to acquire, rehabilitate, or construct licensable facilities, but these costs shall not exceed fair market rents existing in the community in which the facility is located. “Reasonable and necessary costs” are costs that, in nature and amount, do not exceed what an ordinary prudent person would incur in the conduct of a competitive business.

(o) “Elementary school,” as contained in former Section 425 of Title 20 of the United States Code (the National Defense Education Act of 1958, Public Law 85-864, as amended), includes early childhood education programs and all child development programs, for the purpose of the cancellation provisions of loans to students in institutions of higher learning.

(p) “Family child care home education network” means an entity organized under law that contracts with the department pursuant to Section 8245 to make payments to licensed family child care home providers and to provide educational and support services to those providers and to children and families eligible for state-subsidized child care and development services. A family child care home education network may also be referred to as a family child care home system.

(q) “Health services” include, but are not limited to, all of the following:

(1) Referral, whenever possible, to appropriate health care providers able to provide continuity of medical care.

(2) Health screening and health treatment, including a full range of immunization recorded on the appropriate state immunization form to the extent provided by the Medi-Cal Act (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code) and the Child Health and Disability Prevention Program (Article 6 (commencing with Section 124025) of Chapter 3 of Part 2 of Division 106 of the Health and Safety Code), but only to the extent that ongoing care cannot be obtained utilizing community resources.

(3) Health education and training for children, parents, staff, and providers.

(4) Followup treatment through referral to appropriate health care agencies or individual health care professionals.

(r) “Higher educational institutions” means the Regents of the University of California, the Trustees of the California State University, the Board of Governors of the California Community Colleges, and the governing bodies of any accredited private nonprofit institution of postsecondary education.

(s) “Intergenerational staff” means persons of various generations.

(t) “Limited-English-speaking-proficient and non-English-speaking-proficient children” means children who are unable to benefit fully from an English-only child care and development program as a result of either of the following:

(1) Having used a language other than English when they first began to speak.

(2) Having a language other than English predominantly or exclusively spoken at home.

(u) “Parent” means a biological parent, stepparent, adoptive parent, foster parent, caretaker relative, or any other adult living with a child who has responsibility for the care and welfare of the child.

(v) “Program director” means a person who, pursuant to Sections 8244 and 8360.1, is qualified to serve as a program director.

(w) “Proprietary child care agency” means an organization or facility providing child care, which is operated for profit.

(x) “Resource and referral programs” means programs that provide information to parents, including referrals and coordination of community resources for parents and public or private providers of care. Services frequently include, but are not limited to: technical assistance for providers, toy-lending libraries, equipment-lending libraries, toy- and equipment-lending libraries, staff development programs, health and nutrition education, and referrals to social services.

(y) “Severely disabled children” are children with exceptional needs from birth to 21 years of age, inclusive, who require intensive instruction and training in programs serving pupils with the following profound disabilities: autism, blindness, deafness, severe orthopedic impairments, serious emotional disturbances, or severe mental retardation. “Severely disabled children” also include those individuals who would have been eligible for enrollment in a developmental center for handicapped pupils under Chapter 6 (commencing with Section 56800) of Part 30 of Division 4 of Title 2 as it read on January 1, 1980.

(z) “Short-term respite child care” means child care service to assist families whose children have been identified through written referral from a legal, medical, or social service agency, or emergency shelter as being neglected, abused, exploited, or homeless, or at risk of being neglected, abused, exploited, or homeless. Child care is provided for less than 24 hours per day in child care centers, treatment centers for abusive parents, family child care homes, or in the child’s own home.

(aa) (1) “Site supervisor” means a person who, regardless of his or her title, has operational program responsibility for a child care and development program at a single site. A site supervisor shall hold a permit issued by the Commission on Teacher Credentialing that authorizes supervision of a child care and development program operating in a single site. The Superintendent may waive the requirements of this subdivision if the Superintendent determines that the existence of compelling need is appropriately documented.

(2) For California state preschool programs, a site supervisor may qualify under any of the provisions in this subdivision, or may qualify by holding an administrative credential or an administrative services credential. A person who meets the qualifications of a program director under both Sections 8244 and 8360.1 is also qualified under this subdivision.

(ab) “Standard reimbursement rate” means that rate established by the Superintendent pursuant to Section 8265.

(ac) “Startup costs” means those expenses an agency incurs in the process of opening a new or additional facility prior to the full enrollment of children.

(ad) “California state preschool program” means part-day and full-day educational programs for low-income or otherwise disadvantaged three- and four-year-old children.

(ae) “Support services” means those services that, when combined with child care and development services, help promote the healthy physical, mental, social, and emotional growth of children. Support services include, but are not limited to: protective services, parent training, provider and staff

training, transportation, parent and child counseling, child development resource and referral services, and child placement counseling.

(af) “Teacher” means a person with the appropriate permit issued by the Commission on Teacher Credentialing who provides program supervision and instruction that includes supervision of a number of aides, volunteers, and groups of children.

(ag) “Underserved area” means a county or subcounty area, including, but not limited to, school districts, census tracts, or ZIP Code areas, where the ratio of publicly subsidized child care and development program services to the need for these services is low, as determined by the Superintendent.

(ah) “Workday” means the time that the parent requires temporary care for a child for any of the following reasons:

(1) To undertake training in preparation for a job.

(2) To undertake or retain a job.

(3) To undertake other activities that are essential to maintaining or improving the social and economic function of the family, are beneficial to the community, or are required because of health problems in the family.

(ai) “Three-year-old children” means children who will have their third birthday on or before December 2 of the fiscal year in which they are enrolled in a California state preschool program.

(aj) “Four-year-old children” means children who will have their fourth birthday on or before December 2 of the fiscal year in which they are enrolled in a California state preschool program.

(ak) “Local educational agency” means a school district, a county office of education, a community college district, or a school district on behalf of one or more schools within the school district.

SEC. 8. Section 8263.2 of the Education Code is amended to read:

8263.2. (a) Notwithstanding any other law, effective July 1, 2011, the department shall reduce the maximum reimbursable amounts of the contracts for the Preschool Education Program, the General Child Care Program, the Migrant Day Care Program, the Alternative Payment Program, the CalWORKs Stage 3 Program, and the Allowance for Handicapped Program by 11 percent or by whatever proportion is necessary to ensure that expenditures for these programs do not exceed the amounts appropriated for them, including any reductions made subsequent to the adoption of the annual Budget Act. The department may consider the contractor’s performance or whether the contractor serves children in underserved areas as defined in subdivision (ag) of Section 8208 when determining contract reductions, provided that the aggregate reduction to each program specified in this subdivision is 11 percent or by whatever proportion is necessary to ensure that expenditures for these programs do not exceed the amounts appropriated for them, including any reductions made subsequent to the adoption of the annual Budget Act.

(b) Notwithstanding any other law, effective July 1, 2011, families shall be disenrolled from subsidized child care services, consistent with the priorities for services specified in subdivision (b) of Section 8263. Families shall be disenrolled in the following order:

(1) Families whose income exceeds 70 percent of the state median income (SMI) adjusted for family size, except for families whose children are receiving child protective services or are at risk of being neglected or abused.

(2) Families with the highest income below 70 percent of the SMI, in relation to family size.

(3) Families that have the same income and have been enrolled in child care services the longest.

(4) Families that have the same income and have a child with exceptional needs.

(5) Families whose children are receiving child protective services or are at risk of being neglected or abused, regardless of family income.

SEC. 9. Section 8263.4 of the Education Code is amended to read:

8263.4. (a) The preferred placement for children who are 11 or 12 years of age and who are otherwise eligible for subsidized child care and development services shall be in a before or after school program.

(b) Children who are 11 or 12 years of age shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before or after school program provided pursuant to Article 22.5 (commencing with Section 8482) or Article 22.6 (commencing with Section 8484.7). Contractors shall provide each family of an eligible 11 or 12 year old with the option of combining care provided in a before or after school program with subsidized child care in another setting, for those hours within a day when the before or after school program does not operate, in order to meet the child care needs of the family.

(c) Children who are 11 or 12 years of age, who are eligible for and who are receiving subsidized child care services, and for whom a before or after school program is not available, shall continue to receive subsidized child care services.

(d) A before or after school program shall be considered not available when a parent certifies in writing, on a form provided by the department that is translated into the parent's primary language pursuant to Sections 7295.4 and 7296.2 of the Government Code, the reason or reasons why the program would not meet the child care needs of the family. The reasons why a before or after school program shall be considered not available shall include, but not be limited to, any of the following:

(1) The program does not provide services when needed during the year, such as during the summer, school breaks, or intersession.

(2) The program does not provide services when needed during the day, such as in the early morning, evening, or weekend hours.

(3) The program is too geographically distant from the child's school of attendance.

(4) The program is too geographically distant from the parents' residence.

(5) Use of the program would create substantial transportation obstacles for the family.

(6) Any other reason that makes the use of before or after school care inappropriate for the child or burdensome on the family.

(e) If an 11 or 12 year old child who is enrolled in a subsidized child development program becomes ineligible for subsidized child care under subdivision (b) and is disenrolled from the before or after school program, or if the before or after school program no longer meets the child care needs of the family, the child shall be given priority to return to the subsidized child care services upon the parent's notification of the contractor of the need for child care.

(f) This section does not apply to an 11 or 12 year old child with a disability, including a child with exceptional needs who has an individualized education program as required by the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), or Part 30 (commencing with Section 56000) of Division 4 of Title 2.

(g) The savings generated each contract year by the implementation of the changes made to this section by the act amending this section during the 2005–06 Regular Session shall remain with each alternative payment program, child development center, or other contractor for the provision of child care services, except for care provided by programs pursuant to Article 15.5 (commencing with Section 8350). Each contractor shall report annually to the department the amount of savings resulting from this implementation, and the department shall report annually to the Legislature the amount of savings statewide resulting from that implementation.

SEC. 10. Section 8447 of the Education Code is amended to read:

8447. (a) The Legislature hereby finds and declares that greater efficiencies may be achieved in the execution of state subsidized child care and development program contracts with public and private agencies by the timely approval of contract provisions by the Department of Finance, the Department of General Services, and the State Department of Education and by authorizing the State Department of Education to establish a multiyear application, contract expenditure, and service review as may be necessary to provide timely service while preserving audit and oversight functions to protect the public welfare.

(b) (1) The Department of Finance and the Department of General Services shall approve or disapprove annual contract funding terms and conditions, including both family fee schedules and regional market rate schedules that are required to be adhered to by contract, and contract face sheets submitted by the State Department of Education not more than 30 working days from the date of submission, unless unresolved conflicts remain between the Department of Finance, the State Department of Education, and the Department of General Services. The State Department of Education shall resolve conflicts within an additional 30 working day time period. Contracts and funding terms and conditions shall be issued to child care contractors no later than June 1. Applications for new child care funding shall be issued not more than 45 working days after the effective date of authorized new allocations of child care moneys.

(2) Notwithstanding paragraph (1), the State Department of Education shall implement the regional market rate schedules based upon the county

aggregates, as determined by the Regional Market survey conducted in 2005.

(3) Notwithstanding paragraph (1), for the 2006–07 fiscal year, the State Department of Education shall update the family fee schedules by family size, based on the 2005 state median income survey data for a family of four. The family fee schedule used during the 2005–06 fiscal year shall remain in effect. However, the department shall adjust the family fee schedule for families that are newly eligible to receive or will continue to receive services under the new income eligibility limits. The family fees shall not exceed 10 percent of the family’s monthly income.

(4) Notwithstanding any other law, the family fee schedule that was in effect for the 2007–08, 2008–09, 2009–10, and 2010–11 fiscal years shall be adjusted to reflect the income eligibility limits specified in subdivision (b) of Section 8263.1 for the 2011–12 fiscal year, and shall retain a flat fee per family. The revised family fee schedule shall begin at income levels at which families currently begin paying fees. The revised family fees shall not exceed 10 percent of the family’s monthly income. The State Department of Education shall first submit the adjusted fee schedule to the Department of Finance for approval in order to be implemented by July 1, 2011.

(5) It is the intent of the Legislature to fully fund the third stage of child care for former CalWORKs recipients.

(c) With respect to subdivision (b), it is the intent of the Legislature that the Department of Finance annually review contract funding terms and conditions for the primary purpose of ensuring consistency between child care contracts and the child care budget. This review shall include evaluating any proposed changes to contract language or other fiscal documents to which the contractor is required to adhere, including those changes to terms or conditions that authorize higher reimbursement rates, that modify related adjustment factors, that modify administrative or other service allowances, or that diminish fee revenues otherwise available for services, to determine if the change is necessary or has the potential effect of reducing the number of full-time equivalent children that may be served.

(d) Alternative payment child care systems, as set forth in Article 3 (commencing with Section 8220), shall be subject to the rates established in the Regional Market Rate Survey of California Child Care Providers for provider payments. The State Department of Education shall contract to conduct and complete a Regional Market Rate Survey no more frequently than once every two years, consistent with federal regulations, with a goal of completion by March 1.

(e) By March 1 of each year, the Department of Finance shall provide to the State Department of Education the State Median Income amount for a four-person household in California based on the best available data. The State Department of Education shall adjust its fee schedule for child care providers to reflect this updated state median income; however, no changes based on revisions to the state median income amount shall be implemented midyear.

(f) Notwithstanding the June 1 date specified in subdivision (b), changes to the regional market rate schedules and fee schedules may be made at any other time to reflect the availability of accurate data necessary for their completion, provided these documents receive the approval of the Department of Finance. The Department of Finance shall review the changes within 30 working days of submission and the State Department of Education shall resolve conflicts within an additional 30 working day period. Contractors shall be given adequate notice prior to the effective date of the approved schedules. It is the intent of the Legislature that contracts for services not be delayed by the timing of the availability of accurate data needed to update these schedules.

(g) Notwithstanding any other provision of law, no family receiving CalWORKs cash aid may be charged a family fee.

SEC. 11. Section 8499 of the Education Code is amended to read:

8499. For purposes of this chapter, the following definitions shall apply:

(a) “Block grant” means the block grant contained in Title VI of the Child Care and Development Fund, as established by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193).

(b) “Child care” means all licensed child care and development services and license-exempt child care, including, but not limited to, private for-profit programs, nonprofit programs, and publicly funded programs, for all children up to and including 12 years of age, including children with exceptional needs and children from all linguistic and cultural backgrounds.

(c) “Child care provider” means a person who provides child care services or represents persons who provide child care services.

(d) “Community representative” means a person who represents an agency or business that provides private funding for child care services, or who advocates for child care services through participation in civic or community-based organizations but is not a child care provider and does not represent an agency that contracts with the State Department of Education to provide child care and development services.

(e) “Consumer” means a parent or person who receives, or who has received within the past 36 months, child care services.

(f) “Department” means the State Department of Education.

(g) “Local planning council” means a local child care and development planning council as described in Section 8499.3.

(h) “Public agency representative” means a person who represents a city, county, city and county, or local educational agency.

SEC. 12. Section 41202 of the Education Code is amended to read:

41202. The words and phrases set forth in subdivision (b) of Section 8 of Article XVI of the Constitution of the State of California shall have the following meanings:

(a) “Moneys to be applied by the State,” as used in subdivision (b) of Section 8 of Article XVI of the California Constitution, means appropriations from the General Fund that are made for allocation to school districts, as defined, or community college districts. An appropriation that is withheld,

impounded, or made without provisions for its allocation to school districts or community college districts, shall not be considered to be “moneys to be applied by the State.”

(b) “General Fund revenues which may be appropriated pursuant to Article XIII B,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI, means General Fund revenues that are the proceeds of taxes as defined by subdivision (c) of Section 8 of Article XIII B of the California Constitution, including, for the 1986–87 fiscal year only, any revenues that are determined to be in excess of the appropriations limit established pursuant to Article XIII B for the fiscal year in which they are received. General Fund revenues for a fiscal year to which paragraph (1) of subdivision (b) is being applied shall include, in that computation, only General Fund revenues for that fiscal year that are the proceeds of taxes, as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, and shall not include prior fiscal year revenues. Commencing with the 1995–96 fiscal year, and each fiscal year thereafter, “General Fund revenues that are the proceeds of taxes,” as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, includes any portion of the proceeds of taxes received from the state sales tax that are transferred to the counties pursuant to, and only if, legislation is enacted during the 1995–96 fiscal year the purpose of which is to realign children’s programs. The amount of the proceeds of taxes shall be computed for any fiscal year in a manner consistent with the manner in which the amount of the proceeds of taxes was computed by the Department of Finance for purposes of the Governor’s Budget for the Budget Act of 1986.

(c) “General Fund revenues appropriated for school districts,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to school districts, as defined in Section 41302.5, regardless of whether those appropriations were made from the General Fund to the Superintendent of Public Instruction, to the Controller, or to any other fund or state agency for the purpose of allocation to school districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(d) “General Fund revenues appropriated for community college districts,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI, without regard to any unexpended balance of any appropriation. Any

reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(e) “Total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to school districts, as defined in Section 41302.5, and community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Superintendent of Public Instruction, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to school districts and community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(f) “General Fund revenues appropriated for school districts and community college districts, respectively” and “moneys to be applied by the state for the support of school districts and community college districts,” as used in Section 8 of Article XVI of the California Constitution, shall include funds appropriated for the Child Care and Development Services Act pursuant to Chapter 2 (commencing with Section 8200) of Part 6 and shall not include any of the following:

(1) Any appropriation that is not made for allocation to a school district, as defined in Section 41302.5, or to a community college district regardless of whether the appropriation is made for any purpose that may be considered to be for the benefit to a school district, as defined in Section 41302.5, or a community college district. This paragraph shall not be construed to exclude any funding appropriated for the Child Care and Development Services Act pursuant to Chapter 2 (commencing with Section 8200) of Part 6.

(2) Any appropriation made to the Teachers’ Retirement Fund or to the Public Employees’ Retirement Fund except those appropriations for reimbursable state mandates imposed on or before January 1, 1988.

(3) Any appropriation made to service any public debt approved by the voters of this state.

(g) “Allocated local proceeds of taxes,” as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for school districts as defined, those local revenues, except revenues identified pursuant to paragraph (5) of subdivision (h) of Section 42238, that are used to offset state aid for school districts in calculations performed pursuant to Sections 2558, 42238, and Chapter 7.2 (commencing with Section 56836) of Part 30.

(h) “Allocated local proceeds of taxes,” as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for community college districts, those local revenues that are used to offset state aid for community college districts in calculations performed

pursuant to Section 84700. In no event shall the revenues or receipts derived from student fees be considered “allocated local proceeds of taxes.”

(i) For the purposes of calculating the 4 percent entitlement pursuant to subdivision (a) of Section 8.5 of Article XVI of the California Constitution, “the total amount required pursuant to Section 8(b)” shall mean the General Fund aid required for schools pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution, and shall not include allocated local proceeds of taxes.

(j) This section shall remain in effect only until July 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2011, deletes or extends that date.

SEC. 13. Section 41202 is added to the Education Code, to read:

41202. The words and phrases set forth in subdivision (b) of Section 8 of Article XVI of the Constitution of the State of California shall have the following meanings:

(a) “Moneys to be applied by the State,” as used in subdivision (b) of Section 8 of Article XVI of the California Constitution, means appropriations from the General Fund that are made for allocation to school districts, as defined, or community college districts. An appropriation that is withheld, impounded, or made without provisions for its allocation to school districts or community college districts, shall not be considered to be “moneys to be applied by the State.”

(b) “General Fund revenues which may be appropriated pursuant to Article XIII B,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI, means General Fund revenues that are the proceeds of taxes as defined by subdivision (c) of Section 8 of Article XIII B of the California Constitution, including, for the 1986–87 fiscal year only, any revenues that are determined to be in excess of the appropriations limit established pursuant to Article XIII B for the fiscal year in which they are received. General Fund revenues for a fiscal year to which paragraph (1) of subdivision (b) is being applied shall include, in that computation, only General Fund revenues for that fiscal year that are the proceeds of taxes, as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, and shall not include prior fiscal year revenues. Commencing with the 1995–96 fiscal year, and each fiscal year thereafter, “General Fund revenues that are the proceeds of taxes,” as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, includes any portion of the proceeds of taxes received from the state sales tax that are transferred to the counties pursuant to, and only if, legislation is enacted during the 1995–96 fiscal year the purpose of which is to realign children’s programs. The amount of the proceeds of taxes shall be computed for any fiscal year in a manner consistent with the manner in which the amount of the proceeds of taxes was computed by the Department of Finance for purposes of the Governor’s Budget for the Budget Act of 1986.

(c) “General Fund revenues appropriated for school districts,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for

allocation to school districts, as defined in Section 41302.5, regardless of whether those appropriations were made from the General Fund to the Superintendent, to the Controller, or to any other fund or state agency for the purpose of allocation to school districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(d) “General Fund revenues appropriated for community college districts,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(e) “Total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to school districts, as defined in Section 41302.5, and community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Superintendent, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to school districts and community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(f) “General Fund revenues appropriated for school districts and community college districts, respectively” and “moneys to be applied by the state for the support of school districts and community college districts,” as used in Section 8 of Article XVI of the California Constitution, shall include funds appropriated for part-day California state preschool programs under Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1, and the After School Education and Safety Program established pursuant to Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1, and shall not include any of the following:

(1) Any appropriation that is not made for allocation to a school district, as defined in Section 41302.5, or to a community college district, regardless of whether the appropriation is made for any purpose that may be considered to be for the benefit to a school district, as defined in Section 41302.5, or a community college district. This paragraph shall not be construed to exclude any funding appropriated for part-day California state preschool programs under Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1 or the After School Education and Safety Program established pursuant to Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1.

(2) Any appropriation made to the Teachers' Retirement Fund or to the Public Employees' Retirement Fund except those appropriations for reimbursable state mandates imposed on or before January 1, 1988.

(3) Any appropriation made to service any public debt approved by the voters of this state.

(4) With the exception of the programs identified in paragraph (1), commencing with the 2011–12 fiscal year, any funds appropriated for the Child Care and Development Services Act, pursuant to Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1.

(g) "Allocated local proceeds of taxes," as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for school districts as defined, those local revenues, except revenues identified pursuant to paragraph (5) of subdivision (h) of Section 42238, that are used to offset state aid for school districts in calculations performed pursuant to Sections 2558, 42238, and Chapter 7.2 (commencing with Section 56836) of Part 30.

(h) "Allocated local proceeds of taxes," as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for community college districts, those local revenues that are used to offset state aid for community college districts in calculations performed pursuant to Section 84700. In no event shall the revenues or receipts derived from student fees be considered "allocated local proceeds of taxes."

(i) For purposes of calculating the 4-percent entitlement pursuant to subdivision (a) of Section 8.5 of Article XVI of the California Constitution, "the total amount required pursuant to Section 8(b)" shall mean the General Fund aid required for schools pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution, and shall not include allocated local proceeds of taxes.

(j) This section shall become operative on July 1, 2011.

SEC. 14. Section 41202.5 is added to the Education Code, to read:

41202.5. (a) The finds and declares as follows:

(1) The Legislature acted to implement Proposition 98 soon after its passage by defining "total allocations to school districts and community college districts from General Fund proceeds of taxes" to include the entirety of programs funded under the Child Care and Development Services Act (Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1).

(2) In *California Teachers Assn. v. Hayes* (1992) 5 Cal.App.4th 1513, the Court of Appeal permitted the inclusion of child care within the Proposition 98 minimum funding guarantee but left open the possibility of excluding particular child care programs that did not directly advance and support the educational mission of school districts.

(b) It is the intent of the Legislature to clarify that the part-time state preschool programs and the After School Education and Safety Program fall within the Proposition 98 guarantee and to fund other child care programs less directly associated with school districts from appropriations that do not count toward the Proposition 98 minimum guarantee.

(c) Notwithstanding any other provision of law, for purposes of making the computations required by subdivision (b) of Section 8 of Article XVI of the California Constitution in the 2011–12 fiscal year and each subsequent fiscal year, both of the following apply:

(1) For purposes of paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, the term “General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87” does not include General Fund revenues appropriated for any program within Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1, with the exception of the part-day California state preschool programs set forth in Article 7 (commencing with Section 8235) and the After School Education and Safety Program in Article 22.5 (commencing with Section 8482). The Director of Finance shall adjust accordingly “the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87,” for purposes of applying that percentage in the 2011–12 fiscal year and each subsequent fiscal year in making the calculations required under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

(2) General Fund revenues appropriated in the 2010–11 fiscal year or any subsequent fiscal year for any program within Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1, with the exception of the part-day California state preschool programs set forth in Article 7 (commencing with Section 8235) and the After School Education and Safety Program in Article 22.5 (commencing with Section 8482), are not included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” for purposes of paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

SEC. 15. Section 41210 is added to the Education Code, to read:

41210. (a) The revenues transferred pursuant to Section 6015.15 and 6201.15 of the Revenue and Taxation Code are not “General Fund revenues” as that term is used in Section 8 of Article XVI of the California Constitution.

(b) This section shall be operative for the 2011–12 fiscal year and subsequent years so long as one or more ballot measures approved before November 17, 2012, authorize the determination in subdivision (a) and provide funding for school districts and community college districts in an

amount equal to that which would have been provided if the revenues referenced in subdivision (a) were General Fund revenues for purposes of Section 8 of Article XVI of the California Constitution.

SEC. 16. Section 41211 is added to the Education Code, to read:

41211. The following shall apply if Section 41210 is rendered inoperative because the ballot measure or measures described in subdivision (b) of that section are not approved:

(a) Before December 17, 2012, the Director of Finance, in consultation with the Superintendent, shall determine the amount of funding that would have been provided in the 2011–12 fiscal year to school districts and community college districts if the revenues described in subdivision (a) of Section 41210 were General Fund revenues for purposes of Section 8 of Article XVI of the California Constitution.

(b) For each of the 2012–13 to 2016–17, inclusive, fiscal years, 17.8 percent of the amount determined in subdivision (a) is appropriated from the General Fund to the Superintendent and shall be distributed in the following priority:

- (1) To reduce amounts deferred under Section 14041.6.
- (2) To repay obligations to school districts and county offices of education under Section 6 of Article XIII B of the California Constitution.
- (3) To use for other one-time purposes as provided by statute enacted after the effective date of this section.

(c) For each of the 2012–13 to 2016–17, inclusive, fiscal years, 2.2 percent of the amount determined in subdivision (a) is appropriated from the General Fund to the Chancellor of the California Community Colleges and shall be distributed in the following priority:

- (1) To reduce amounts deferred under Section 84321.6.
- (2) To repay obligations to community college districts under Section 6 of Article XIII B of the California Constitution.
- (3) To use for other one-time purposes as provided by statute enacted after the effective date of this section.

(d) For the 2011–12 fiscal year and subsequent fiscal years, the computations required by Section 8 of Article XVI of the California Constitution shall include the amount determined in subdivision (a).

SEC. 17. Section 42127 of the Education Code is amended to read:

42127. (a) On or before July 1 of each year, the governing board of each school district shall accomplish the following:

- (1) Hold a public hearing on the budget to be adopted for the subsequent fiscal year. The budget to be adopted shall be prepared in accordance with Section 42126. The agenda for that hearing shall be posted at least 72 hours prior to the public hearing and shall include the location where the budget will be available for public inspection.

(A) For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, each school district budget shall project the same level of revenue per unit of average daily attendance as it received in the 2010–11 fiscal year and shall maintain staffing and program levels commensurate with that level.

(B) For the 2011–12 fiscal year, the school district shall not be required to demonstrate that it is able to meet its financial obligations for the two subsequent fiscal years.

(2) Adopt a budget. Not later than five days after that adoption or by July 1, whichever occurs first, the governing board shall file that budget with the county superintendent of schools. That budget and supporting data shall be maintained and made available for public review. If the governing board of the district does not want all or a portion of the property tax requirement levied for the purpose of making payments for the interest and redemption charges on indebtedness as described in paragraph (1) or (2) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, the budget shall include a statement of the amount or portion for which a levy shall not be made.

(b) The county superintendent of schools may accept changes in any statement included in the budget, pursuant to subdivision (a), of the amount or portion for which a property tax levy shall not be made. The county superintendent or the county auditor shall compute the actual amounts to be levied on the property tax rolls of the district for purposes that exceed apportionments to the district pursuant to Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code. Each school district shall provide all data needed by the county superintendent or the county auditor to compute the amounts. On or before August 15, the county superintendent shall transmit the amounts computed to the county auditor who shall compute the tax rates necessary to produce the amounts. On or before September 1, the county auditor shall submit the rate computed to the board of supervisors for adoption.

(c) The county superintendent of schools shall do all of the following:

(1) Examine the adopted budget to determine whether it complies with the standards and criteria adopted by the state board pursuant to Section 33127 for application to final local educational agency budgets. The county superintendent shall identify, if necessary, any technical corrections that are required to be made to bring the budget into compliance with those standards and criteria.

(2) Determine whether the adopted budget will allow the district to meet its financial obligations during the fiscal year and is consistent with a financial plan that will enable the district to satisfy its multiyear financial commitments. In addition to his or her own analysis of the budget of each school district, the county superintendent of schools shall review and consider studies, reports, evaluations, or audits of the school district that were commissioned by the district, the county superintendent, the Superintendent, and state control agencies and that contain evidence that the school district is showing fiscal distress under the standards and criteria adopted in Section 33127 or that contain a finding by an external reviewer that more than three of the 15 most common predictors of a school district needing intervention, as determined by the County Office Fiscal Crisis and Management Assistance Team, are present. The county superintendent of schools shall either conditionally approve or disapprove a budget that does

not provide adequate assurance that the district will meet its current and future obligations and resolve any problems identified in studies, reports, evaluations, or audits described in this paragraph.

(d) On or before August 15, the county superintendent of schools shall approve, conditionally approve, or disapprove the adopted budget for each school district. If a school district does not submit a budget to the county superintendent of schools, the county superintendent of schools shall, at district expense, develop a budget for that school district by September 15 and transmit that budget to the governing board of the school district. The budget prepared by the county superintendent of schools shall be deemed adopted, unless the county superintendent of schools approves any modifications made by the governing board of the school district. The approved budget shall be used as a guide for the district's priorities. The Superintendent shall review and certify the budget approved by the county. If, pursuant to the review conducted pursuant to subdivision (c), the county superintendent of schools determines that the adopted budget for a school district does not satisfy paragraph (1) or (2) of that subdivision, he or she shall conditionally approve or disapprove the budget and, not later than August 15, transmit to the governing board of the school district, in writing, his or her recommendations regarding revision of the budget and the reasons for those recommendations, including, but not limited to, the amounts of any budget adjustments needed before he or she can conditionally approve that budget. The county superintendent of schools may assign a fiscal adviser to assist the district to develop a budget in compliance with those revisions. In addition, the county superintendent of schools may appoint a committee to examine and comment on the superintendent's review and recommendations, subject to the requirement that the committee report its findings to the superintendent no later than August 20. For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, the county superintendent, as a condition on approval of a school district budget, shall not require a school district to project a lower level of revenue per unit of average daily attendance than it received in the 2010–11 fiscal year nor require the school district to demonstrate that it is able to meet its financial obligations for the two subsequent fiscal years.

(e) On or before September 8, the governing board of the school district shall revise the adopted budget to reflect changes in projected income or expenditures subsequent to July 1, and to include any response to the recommendations of the county superintendent of schools, shall adopt the revised budget, and shall file the revised budget with the county superintendent of schools. Prior to revising the budget, the governing board shall hold a public hearing regarding the proposed revisions, to be conducted in accordance with Section 42103. In addition, if the adopted budget is disapproved pursuant to subdivision (d), the governing board and the county superintendent of schools shall review the disapproval and the recommendations of the county superintendent of schools regarding revision

of the budget at the public hearing. The revised budget and supporting data shall be maintained and made available for public review.

(1) For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, each school district budget shall project the same level of revenue per unit of average daily attendance as it received in the 2010–11 fiscal year and shall maintain staffing and program levels commensurate with that level.

(2) For the 2011–12 fiscal year, the school district shall not be required to demonstrate that it is able to meet its financial obligations for the two subsequent fiscal years.

(f) On or before September 22, the county superintendent of schools shall provide a list to the Superintendent identifying all school districts for which budgets may be disapproved.

(g) The county superintendent of schools shall examine the revised budget to determine whether it (1) complies with the standards and criteria adopted by the state board pursuant to Section 33127 for application to final local educational agency budgets, (2) allows the district to meet its financial obligations during the fiscal year, (3) satisfies all conditions established by the county superintendent of schools in the case of a conditionally approved budget, and (4) is consistent with a financial plan that will enable the district to satisfy its multiyear financial commitments, and, not later than October 8, shall approve or disapprove the revised budget. If the county superintendent of schools disapproves the budget, he or she shall call for the formation of a budget review committee pursuant to Section 42127.1, unless the governing board of the school district and the county superintendent of schools agree to waive the requirement that a budget review committee be formed and the department approves the waiver after determining that a budget review committee is not necessary. Upon the grant of a waiver, the county superintendent immediately has the authority and responsibility provided in Section 42127.3. Upon approving a waiver of the budget review committee, the department shall ensure that a balanced budget is adopted for the school district by November 30. If no budget is adopted by November 30, the Superintendent may adopt a budget for the school district. The Superintendent shall report to the Legislature and the Director of Finance by December 10 if any district, including a district that has received a waiver of the budget review committee process, does not have an adopted budget by November 30. This report shall include the reasons why a budget has not been adopted by the deadline, the steps being taken to finalize budget adoption, the date the adopted budget is anticipated, and whether the Superintendent has or will exercise his or her authority to adopt a budget for the school district. For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, the county superintendent, as a condition on approval of a school district budget, shall not require a school district to project a lower level of revenue per unit of average daily attendance than it received in the 2010–11 fiscal year nor require the school district to

demonstrate that it is able to meet its financial obligations for the two subsequent fiscal years.

(h) Not later than October 8, the county superintendent of schools shall submit a report to the Superintendent identifying all school districts for which budgets have been disapproved or budget review committees waived. The report shall include a copy of the written response transmitted to each of those districts pursuant to subdivision (d).

(i) Notwithstanding any other provision of this section, the budget review for a school district shall be governed by paragraphs (1), (2), and (3) of this subdivision, rather than by subdivisions (e) and (g), if the governing board of the school district so elects and notifies the county superintendent in writing of that decision, not later than October 31 of the immediately preceding calendar year. On or before July 1, the governing board of a school district for which the budget review is governed by this subdivision, rather than by subdivisions (e) and (g), shall conduct a public hearing regarding its proposed budget in accordance with Section 42103.

(1) If the adopted budget of a school district is disapproved pursuant to subdivision (d), on or before September 8, the governing board of the school district, in conjunction with the county superintendent of schools, shall review the superintendent's recommendations at a regular meeting of the governing board and respond to those recommendations. The response shall include any revisions to the adopted budget and other proposed actions to be taken, if any, as a result of those recommendations.

(2) On or before September 22, the county superintendent of schools will provide a list to the Superintendent identifying all school districts for which a budget may be tentatively disapproved.

(3) Not later than October 8, after receiving the response required under paragraph (1), the county superintendent of schools shall review that response and either approve or disapprove the budget. If the county superintendent of schools disapproves the budget, he or she shall call for the formation of a budget review committee pursuant to Section 42127.1, unless the governing board of the school district and the county superintendent of schools agree to waive the requirement that a budget review committee be formed and the department approves the waiver after determining that a budget review committee is not necessary. Upon the grant of a waiver, the county superintendent has the authority and responsibility provided to a budget review committee in Section 42127.3. Upon approving a waiver of the budget review committee, the department shall ensure that a balanced budget is adopted for the school district by November 30. The Superintendent shall report to the Legislature and the Director of Finance by December 10 if any district, including a district that has received a waiver of the budget review committee process, does not have an adopted budget by November 30. This report shall include the reasons why a budget has not been adopted by the deadline, the steps being taken to finalize budget adoption, and the date the adopted budget is anticipated. For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, the county superintendent, as a condition on approval of a

school district budget, shall not require a school district to project a lower level of revenue per unit of average daily attendance than it received in the 2010–11 fiscal year nor require the school district to demonstrate that it is able to meet its financial obligations for the two subsequent fiscal years.

(4) Not later than 45 days after the Governor signs the annual Budget Act, the school district shall make available for public review any revisions in revenues and expenditures that it has made to its budget to reflect the funding made available by that Budget Act.

(j) Any school district for which the county board of education serves as the governing board is not subject to subdivisions (c) to (h), inclusive, but is governed instead by the budget procedures set forth in Section 1622.

SEC. 18. Section 42238.146 of the Education Code is amended to read:

42238.146. (a) (1) For the 2003–04 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 1.198 percent deficit factor.

(2) For the 2004–05 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 0.323 percent deficit factor.

(3) For the 2003–04 and 2004–05 fiscal years, the revenue limit for each school district determined pursuant to this article shall be further reduced by a 1.826 percent deficit factor.

(4) For the 2005–06 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 0.892 percent deficit factor.

(5) For the 2008–09 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 7.844 percent deficit factor.

(6) For the 2009–10 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 18.355 percent deficit factor.

(7) For the 2010–11 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 17.963 percent deficit factor.

(8) For the 2011–12 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 19.754 percent deficit factor.

(b) In computing the revenue limit for each school district for the 2006–07 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that school district had been determined for the 2003–04, 2004–05, and 2005–06 fiscal years without being reduced by the deficit factors specified in subdivision (a).

(c) In computing the revenue limit for each school district for the 2010–11 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that school district had been determined for the 2009–10 fiscal year without being reduced by the deficit factors specified in subdivision (a).

(d) In computing the revenue limit for each school district for the 2011–12 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that school district had been determined for the 2010–11 fiscal year without being reduced by the deficit factors specified in subdivision (a).

(e) In computing the revenue limit for each school district for the 2012–13 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that school district had been determined for the 2011–12 fiscal year without being reduced by the deficit factors specified in subdivision (a).

SEC. 19. Section 42251 is added to the Education Code, to read:

42251. (a) The Superintendent shall make the following calculations for the 2011–12 fiscal year:

(1) Determine the amount of funds that will be restricted after the Superintendent makes the deduction pursuant to Section 52335.3 for each county office of education pursuant to subdivision (e) of Section 2558 as of June 30, 2012.

(2) Divide fifty million dollars (\$50,000,000) by the statewide sum of the amounts determined pursuant to paragraph (1). If the fraction is greater than one it shall be deemed to be one.

(3) Multiply the fraction determined pursuant to paragraph (2) by the amount determined pursuant to paragraph (1) for each county office of education.

(b) The auditor-controller of each county shall distribute the amounts determined in paragraph (3) of subdivision (a)

to the Supplemental Revenue Augmentation Fund created within the county pursuant to Section 100.06 of the Revenue and Taxation Code. The aggregate amount of transfers required by this subdivision shall be made in two equal shares, with the first share being transferred no later than January 15, 2012, and the second share being transferred after that date but no later than May 1, 2012.

(c) The moneys transferred to the Supplemental Revenue Augmentation Fund in the 2011–12 fiscal year shall be transferred by the county office of education to the Controller, in amounts and for those purposes as directed by the Director of Finance, exclusively to reimburse the state for the costs of providing trial court services and costs until those moneys are exhausted.

SEC. 20. Section 42606 of the Education Code is repealed.

SEC. 21. Section 42606 is added to the Education Code, to read:

42606. (a) To the extent funds are provided, for the 2010–11 to the 2014–15 fiscal years, inclusive, the Superintendent shall allocate a supplemental categorical block grant to a charter school that began operation during or after the 2008–09 fiscal year. These supplemental categorical block grant funds may be used for any educational purpose. Commencing in the 2011–12 fiscal year, a locally or direct funded charter school that converted from a preexisting school between the 2008–09 and 2014–15 fiscal years, inclusive, is not eligible for funding specified in this section. A charter school that receives funding pursuant to this subdivision shall not

receive additional funding for programs specified in paragraph (2) of subdivision (a) of Section 42605, with the exception of the program funded pursuant to Item 6110-211-0001 of Section 2.00 of the annual Budget Act.

(b) (1) For the 2010–11 fiscal year, the supplemental categorical block grant shall equal one hundred twenty-seven dollars (\$127) per unit of charter school average daily attendance as determined at the 2010–11 second principal apportionment for charter schools commencing operations during or after the 2008–09 fiscal year. A locally funded charter school that converted from a preexisting school during or after the 2008–09 fiscal year is not eligible for funding specified in this section.

(2) For the 2011–12 to the 2014–15 fiscal years, inclusive, the supplemental categorical block grant shall equal one hundred twenty-seven dollars (\$127) per unit of charter school average daily attendance as determined at the current year second principal apportionment for charter schools commencing operations during or after the 2008–09 fiscal year. In lieu of this supplemental grant, a school district shall provide new conversion charter schools that commenced operations within the district during or after the 2008–09 fiscal year, one hundred twenty-seven dollars (\$127) per unit of charter school average daily attendance as determined at the current year second principal apportionment. This paragraph does not preclude a school district and a new conversion charter school from negotiating an alternative funding rate. Absent agreement from both parties on an alternative rate, the school district shall be obligated to provide funding at the one hundred twenty-seven dollars (\$127) per average daily attendance rate.

SEC. 22. Section 44955.5 of the Education Code is amended to read:

44955.5. (a) During the time period between five days after the enactment of the Budget Act and August 15 of the fiscal year to which that Budget Act applies, if the governing board of a school district determines that its total revenue limit per unit of average daily attendance for the fiscal year of that Budget Act has not increased by at least 2 percent, and if in the opinion of the governing board it is therefore necessary to decrease the number of permanent employees in the district, the governing board may terminate the services of any permanent or probationary certificated employees of the district, including employees holding a position that requires an administrative or supervisory credential. The termination shall be pursuant to Sections 44951 and 44955 but, notwithstanding anything to the contrary in Sections 44951 and 44955, in accordance with a schedule of notice and hearing adopted by the governing board.

(b) This section is inoperative from July 1, 2002, to July 1, 2003, inclusive, and from July 1, 2011, to July 1, 2012, inclusive.

SEC. 23. Section 46201.3 is added to the Education Code, to read:

46201.3. (a) For the 2011–12 school year, the minimum number of instructional days and minutes school districts, county offices of education, and charter schools are required to offer as set forth in Sections 41420, 46200, 46200.5, 46201, 46201.5, 46202, and 47612.5 shall be reduced by up to seven days.

(b) Implementation of the reduction in the number of instructional days offered by a school district, county office of education, and charter school that is subject to collective bargaining pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code shall be achieved through the bargaining process, provided that the agreement has been completed and reductions implemented no later than June 30, 2012.

(c) The revenue limit for each school district, county office of education, and charter school determined pursuant to Article 3 (commencing with Section 2550) of Chapter 12 of Part 2 of Division 1 of Title 1, Article 2 (commencing with Section 42238) of Chapter 7 of Part 24 of Division 3, and Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4 shall be reduced by the product of 4 percent and the fraction determined pursuant to paragraph (2).

(1) Subtract the revenue forecast determined pursuant to subdivision (a) of Section 3.94 of the Budget Act of 2011 from eighty-six billion four hundred fifty-two million five hundred thousand dollars (\$86,452,500,000).

(2) Divide the lesser of two billion dollars (\$2,000,000,000) or the amount calculated in paragraph (1) by two billion dollars (\$2,000,000,000).

(d) This section does not affect the number of instructional days or instructional minutes that may be reduced pursuant to Section 46201.2.

(e) The revenue limit reductions authorized by this section, when combined with the reductions applied under subdivision (c) of Section 3.94 of the Budget Act of 2011, may not be applied so as to reduce school funding below the requirements of Section 8 of Article XVI of the California Constitution based on the applicable revenues estimated by the Department of Finance pursuant to Section 3.94 of the Budget Act of 2011.

(f) This section shall be operative on February 1, 2012, only for the 2011–12 school year and only if subdivision (c) of Section 3.94 of the Budget Act of 2011 is operative.

SEC. 24. Section 56139 of the Education Code is amended to read:

56139. (a) The Superintendent is responsible for monitoring local educational agencies to ensure compliance with the requirement to provide mental health services to individuals with exceptional needs pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code and to ensure that funds provided for this purpose are appropriately utilized.

(b) The Superintendent shall submit a report to the Legislature by April 1, 2005, that includes all of the following:

(1) A description of the data that is currently collected by the department related to pupils served and services provided pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.

(2) A description of the existing monitoring processes used by the department to ensure that local educational agencies are complying with Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code, including the monitoring performed to ensure the appropriate use of funds for programs identified in Section 64000.

(3) Recommendations on the manner in which to strengthen and improve monitoring by the department of the compliance by a local educational agency with the requirements of Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code, on the manner in which to strengthen and improve collaboration and coordination with the State Department of Mental Health in monitoring and data collection activities, and on the additional data needed related to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.

(c) The Superintendent shall collaborate with the Director of Mental Health in preparing the report required pursuant to subdivision (b) and shall convene at least one meeting of appropriate stakeholders and organizations, including a representative from the State Department of Mental Health and mental health directors, to obtain input on existing data collection and monitoring processes, and on ways to strengthen and improve the data collected and monitoring performed.

(d) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 25. Section 56325 of the Education Code is amended to read:

56325. (a) (1) As required by subclause (I) of clause (i) of subparagraph (C) of paragraph (2) of subsection (d) of Section 1414 of Title 20 of the United States Code, the following shall apply to special education programs for individuals with exceptional needs who transfer from district to district within the state. In the case of an individual with exceptional needs who has an individualized education program and transfers into a district from a district not operating programs under the same local plan in which he or she was last enrolled in a special education program within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents, for a period not to exceed 30 days, by which time the local educational agency shall adopt the previously approved individualized education program or shall develop, adopt, and implement a new individualized education program that is consistent with federal and state law.

(2) In the case of an individual with exceptional needs who has an individualized education program and transfers into a district from a district operating programs under the same special education local plan area of the district in which he or she was last enrolled in a special education program within the same academic year, the new district shall continue, without delay, to provide services comparable to those described in the existing approved individualized education program, unless the parent and the local educational agency agree to develop, adopt, and implement a new individualized education program that is consistent with federal and state law.

(3) As required by subclause (II) of clause (i) of subparagraph (C) of paragraph (2) of subsection (d) of Section 1414 of Title 20 of the United States Code, the following shall apply to special education programs for individuals with exceptional needs who transfer from an educational agency located outside the State of California to a district within California. In the case of an individual with exceptional needs who transfers from district to district within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents, until the local educational agency conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the local educational agency, and develops a new individualized education program, if appropriate, that is consistent with federal and state law.

(b) (1) To facilitate the transition for an individual with exceptional needs described in subdivision (a), the new school in which the individual with exceptional needs enrolls shall take reasonable steps to promptly obtain the pupil's records, including the individualized education program and supporting documents and any other records relating to the provision of special education and related services to the pupil, from the previous school in which the pupil was enrolled, pursuant to paragraph (2) of subsection (a) of Section 99.31 of Title 34 of the Code of Federal Regulations.

(2) The previous school in which the individual with exceptional needs was enrolled shall take reasonable steps to promptly respond to the request from the new school.

(c) If whenever a pupil described in subdivision (a) was placed and residing in a residential nonpublic, nonsectarian school, prior to transferring to a district in another special education local plan area, and this placement is not eligible for funding pursuant to Section 56836.16, the special education local plan area that contains the district that made the residential nonpublic, nonsectarian school placement is responsible for the funding of the placement, including related services, for the remainder of the school year. An extended year session is included in the school year in which the session ends.

SEC. 26. Section 56331 of the Education Code is amended to read:

56331. (a) A pupil who is suspected of needing mental health services may be referred to a community mental health service in accordance with Section 7576 of the Government Code.

(b) Prior to referring a pupil to a county mental health agency for services, the local educational agency shall follow the procedures set forth in Section 56320 and conduct an assessment in accordance with Sections 300.301 to 300.306, inclusive, of Title 34 of the Code of Federal Regulations. If an individual with exceptional needs is identified as potentially requiring mental health services, the local educational agency shall request the participation of the county mental health agency in the individualized education program. A local educational agency shall provide any specially designed instruction

required by an individualized education program, including related services such as counseling services, parent counseling and training, psychological services, or social work services in schools as defined in Section 300.34 of Title 34 of the Code of Federal Regulations. If the individualized education program of an individual with exceptional needs includes a functional behavioral assessment and behavior intervention plan, in accordance with Section 300.530 of Title 34 of the Code of Federal Regulations, the local educational agency shall provide documentation upon referral to a county mental health agency. Local educational agencies shall provide related services, by qualified personnel, unless the individualized education program team designates a more appropriate agency for the provision of services. Local educational agencies and community mental health services shall work collaboratively to ensure that assessments performed prior to referral are as useful as possible to the community mental health service agency in determining the need for mental health services and the level of services needed.

(c) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 27. Section 60422.3 of the Education Code is amended and renumbered to read:

60049. (a) Notwithstanding subdivision (i) of Section 60200, Section 60422, or any other provision of law, for the 2008–09 to the 2014–15 fiscal years, inclusive, the governing board of a school district is not required to provide pupils with instructional materials by a specified period of time following adoption of those materials by the state board.

(b) Notwithstanding subdivision (a), this section does not relieve school districts of their obligations to provide every pupil with textbooks or instructional materials, as provided in Section 1240.3.

(c) This section does not relieve school districts of the obligation to hold a public hearing or hearings pursuant to subparagraphs (A) and (B) of paragraph (1) of subdivision (a) of Section 60119.

(d) This section shall become inoperative on July 1, 2015, and, as of January 1, 2016, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2016, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 28. Section 69432.7 of the Education Code is amended to read:

69432.7. As used in this chapter, the following terms have the following meanings:

(a) An “academic year” is July 1 to June 30, inclusive. The starting date of a session shall determine the academic year in which it is included.

(b) “Access costs” means living expenses and expenses for transportation, supplies, and books.

(c) “Award year” means one academic year, or the equivalent, of attendance at a qualifying institution.

(d) “College grade point average” and “community college grade point average” mean a grade point average calculated on the basis of all college work completed, except for nontransferable units and courses not counted in the computation for admission to a California public institution of higher education that grants a baccalaureate degree.

(e) “Commission” means the Student Aid Commission.

(f) “Enrollment status” means part- or full-time status.

(1) “Part time,” for purposes of Cal Grant eligibility, means 6 to 11 semester units, inclusive, or the equivalent.

(2) “Full time,” for purposes of Cal Grant eligibility, means 12 or more semester units or the equivalent.

(g) “Expected family contribution,” with respect to an applicant, shall be determined using the federal methodology pursuant to subdivision (a) of Section 69506 (as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.)) and applicable rules and regulations adopted by the commission.

(h) “High school grade point average” means a grade point average calculated on a 4.0 scale, using all academic coursework, for the sophomore year, the summer following the sophomore year, the junior year, and the summer following the junior year, excluding physical education, reserve officer training corps (ROTC), and remedial courses, and computed pursuant to regulations of the commission. However, for high school graduates who apply after their senior year, “high school grade point average” includes senior year coursework.

(i) “Instructional program of not less than one academic year” means a program of study that results in the award of an associate or baccalaureate degree or certificate requiring at least 24 semester units or the equivalent, or that results in eligibility for transfer from a community college to a baccalaureate degree program.

(j) “Instructional program of not less than two academic years” means a program of study that results in the award of an associate or baccalaureate degree requiring at least 48 semester units or the equivalent, or that results in eligibility for transfer from a community college to a baccalaureate degree program.

(k) “Maximum household income and asset levels” means the applicable household income and household asset levels for participants, including new applicants and renewing recipients, in the Cal Grant Program, as defined and adopted in regulations by the commission for the 2001–02 academic year, which shall be set pursuant to the following income and asset ceiling amounts:

CAL GRANT PROGRAM INCOME CEILINGS

	Cal Grant A, C, and T	Cal Grant B
Dependent and Independent students with dependents*		
Family Size		

Six or more	\$74,100	\$40,700
Five	\$68,700	\$37,700
Four	\$64,100	\$33,700
Three	\$59,000	\$30,300
Two	\$57,600	\$26,900
Independent		
Single, no dependents	\$23,500	\$23,500
Married	\$26,900	\$26,900

*Applies to independent students with dependents other than a spouse.

CAL GRANT PROGRAM ASSET CEILINGS

	Cal Grant A, C, and T	Cal Grant B
Dependent**	\$49,600	\$49,600
Independent	\$23,600	\$23,600

**Applies to independent students with dependents other than a spouse.

The commission shall annually adjust the maximum household income and asset levels based on the percentage change in the cost of living within the meaning of paragraph (1) of subdivision (e) of Section 8 of Article XIII B of the California Constitution. The maximum household income and asset levels applicable to a renewing recipient shall be the greater of the adjusted maximum household income and asset levels or the maximum household income and asset levels at the time of the renewing recipient’s initial Cal Grant award. For a recipient who was initially awarded a Cal Grant for an academic year before the 2011–12 academic year, the maximum household income and asset levels shall be the greater of the adjusted maximum household income and asset levels or the 2010–11 academic year maximum household income and asset levels. An applicant or renewal recipient who qualifies to be considered under the simplified needs test established by federal law for student assistance shall be presumed to meet the asset level test under this section. Prior to disbursing any Cal Grant funds, a qualifying institution shall be obligated, under the terms of its institutional participation agreement with the commission, to resolve any conflicts that may exist in the data the institution possesses relating to that individual.

(l) (1) “Qualifying institution” means an institution that complies with paragraphs (2) and (3) and is any of the following:

(A) A California private or independent postsecondary educational institution that participates in the Pell Grant Program and in at least two of the following federal campus-based student aid programs:

- (i) Federal Work-Study.
- (ii) Perkins Loan Program.
- (iii) Supplemental Educational Opportunity Grant Program.

(B) A nonprofit institution headquartered and operating in California that certifies to the commission that 10 percent of the institution's operating budget, as demonstrated in an audited financial statement, is expended for purposes of institutionally funded student financial aid in the form of grants, that demonstrates to the commission that it has the administrative capacity to administer the funds, that is accredited by the Western Association of Schools and Colleges, and that meets any other state-required criteria adopted by regulation by the commission in consultation with the Department of Finance. A regionally accredited institution that was deemed qualified by the commission to participate in the Cal Grant Program for the 2000–01 academic year shall retain its eligibility as long as it maintains its existing accreditation status.

(C) A California public postsecondary educational institution.

(2) (A) The institution shall provide information on where to access California license examination passage rates for the most recent available year from graduates of its undergraduate programs leading to employment for which passage of a California licensing examination is required, if that data is electronically available through the Internet Web site of a California licensing or regulatory agency. For purposes of this paragraph, "provide" may exclusively include placement of an Internet Web site address labeled as an access point for the data on the passage rates of recent program graduates on the Internet Web site where enrollment information is also located, on an Internet Web site that provides centralized admissions information for postsecondary educational systems with multiple campuses, or on applications for enrollment or other program information distributed to prospective students.

(B) The institution shall be responsible for certifying to the commission compliance with the requirements of subparagraph (A).

(3) (A) The commission shall certify by October 1 of each year the institution's latest three-year cohort default rate as most recently reported by the United States Department of Education.

(B) For purposes of the 2011–12 academic year, an otherwise qualifying institution with a 2008 three-year cohort default rate reported by the United States Department of Education as of February 28, 2011, that is equal to or greater than 24.6 percent shall be ineligible for initial and renewal Cal Grant awards at the institution, except as provided in subparagraph (F).

(C) For purposes of the 2012–13 academic year, and every academic year thereafter, an otherwise qualifying institution with a three-year cohort default rate that is equal to or greater than 30 percent, as certified by the commission on October 1, 2011, and every year thereafter, shall be ineligible

for initial and renewal Cal Grant awards at the institution, except as provided in subparagraph (F).

(D) (i) An otherwise qualifying institution that becomes ineligible under this paragraph for initial and renewal Cal Grant awards may regain its eligibility for the academic year following an academic year in which it satisfies the requirements established in subparagraph (B) or (C), as applicable.

(ii) If the United States Department of Education corrects or revises an institution's three-year cohort default rate that originally failed to satisfy the requirements established in subparagraph (B) or (C), as applicable, and the correction or revision results in the institution's three-year cohort default rate satisfying those requirements, that institution shall immediately regain its eligibility for the academic year to which the corrected or revised three-year cohort default rate would have been applied.

(E) An otherwise qualifying institution for which no three-year cohort default rate has been reported by the United States Department of Education shall be provisionally eligible to participate in the Cal Grant Program until a three-year cohort default rate has been reported for the institution by the United States Department of Education.

(F) An institution that is ineligible for initial and renewal Cal Grant awards at the institution under subparagraph (B) or (C) shall be eligible for renewal Cal Grant awards for recipients who were enrolled in the ineligible institution during the academic year before the academic year for which the institution is ineligible and who choose to renew their Cal Grant awards to attend the ineligible institution. Cal Grant awards subject to this subparagraph shall be reduced as follows:

(i) The maximum Cal Grant A and B awards specified in the annual Budget Act shall be reduced by 20 percent.

(ii) The reductions specified in this subparagraph shall not impact access costs as specified in subdivision (b) of Section 69435.

(G) Notwithstanding any other law, the requirements of this paragraph shall not apply to institutions with 40 percent or less of undergraduate students borrowing federal student loans, using information reported to the United States Department of Education for the academic year two years prior to the year in which the commission is certifying the three-year cohort default rate pursuant to subparagraph (A).

(H) By January 1, 2013, the Legislative Analyst shall submit to the Legislature a report on the implementation of this paragraph. The report shall be prepared in consultation with the commission, and shall include policy recommendations for appropriate measures of default risk and other direct or indirect measures of quality or effectiveness in educational institutions participating in the Cal Grant Program, and appropriate scores for those measures. It is the intent of the Legislature that appropriate policy and fiscal committees review the requirements of this paragraph and consider changes thereto.

(m) "Satisfactory academic progress" means those criteria required by applicable federal standards published in Title 34 of the Code of Federal

Regulations. The commission may adopt regulations defining “satisfactory academic progress” in a manner that is consistent with those federal standards.

SEC. 29. Section 76300 of the Education Code is amended to read:

76300. (a) The governing board of each community college district shall charge each student a fee pursuant to this section.

(b) (1) The fee prescribed by this section shall be thirty-six dollars (\$36) per unit per semester, effective with the fall term of the 2011–12 academic year.

(2) The board of governors shall proportionately adjust the amount of the fee for term lengths based upon a quarter system, and also shall proportionately adjust the amount of the fee for summer sessions, intersessions, and other short-term courses. In making these adjustments, the board of governors may round the per unit fee and the per term or per session fee to the nearest dollar.

(c) For the purposes of computing apportionments to community college districts pursuant to Section 84750.5, the board of governors shall subtract, from the total revenue owed to each district, 98 percent of the revenues received by districts from charging a fee pursuant to this section.

(d) The board of governors shall reduce apportionments by up to 10 percent to any district that does not collect the fees prescribed by this section.

(e) The fee requirement does not apply to any of the following:

(1) Students enrolled in the noncredit courses designated by Section 84757.

(2) California State University or University of California students enrolled in remedial classes provided by a community college district on a campus of the University of California or a campus of the California State University, for whom the district claims an attendance apportionment pursuant to an agreement between the district and the California State University or the University of California.

(3) Students enrolled in credit contract education courses pursuant to Section 78021, if the entire cost of the course, including administrative costs, is paid by the public or private agency, corporation, or association with which the district is contracting and if these students are not included in the calculation of the full-time equivalent students (FTES) of that district.

(f) The governing board of a community college district may exempt special part-time students admitted pursuant to Section 76001 from the fee requirement.

(g) (1) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a recipient of benefits under the Temporary Assistance to Needy Families program, the Supplemental Security Income/State Supplementary Program, or a general assistance program or has demonstrated financial need in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid.

(2) The governing board of a community college district also shall waive the fee requirements of this section for any student who demonstrates

eligibility according to income standards established by regulations of the board of governors.

(3) Paragraphs (1) and (2) may be applied to a student enrolled in the 2005–06 academic year if the student is exempted from nonresident tuition under paragraph (3) of subdivision (a) of Section 76140.

(h) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. “Active service of the state,” for the purposes of this subdivision, refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(i) The fee requirements of this section shall be waived for any student who is the surviving spouse or the child, natural or adopted, of a deceased person who met all of the requirements of Section 68120.

(j) The fee requirements of this section shall be waived for any student in an undergraduate program, including a student who has previously graduated from another undergraduate or graduate program, who is the dependent of any individual killed in the September 11, 2001, terrorist attacks on the World Trade Center and the Pentagon or the crash of United Airlines Flight 93 in southwestern Pennsylvania, if that dependent meets the financial need requirements set forth in Section 69432.7 for the Cal Grant A Program and either of the following applies:

(1) The dependent was a resident of California on September 11, 2001.

(2) The individual killed in the attacks was a resident of California on September 11, 2001.

(k) A determination of whether a person is a resident of California on September 11, 2001, for purposes of subdivision (j) shall be based on the criteria set forth in Chapter 1 (commencing with Section 68000) of Part 41 of Division 5 for determining nonresident and resident tuition.

(l) (1) “Dependent,” for purposes of subdivision (j), is a person who, because of his or her relationship to an individual killed as a result of injuries sustained during the terrorist attacks of September 11, 2001, qualifies for compensation under the federal September 11th Victim Compensation Fund of 2001 (Title IV (commencing with Section 401) of Public Law 107-42).

(2) A dependent who is the surviving spouse of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers provided in this section until January 1, 2013.

(3) A dependent who is the surviving child, natural or adopted, of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers under subdivision (j) until that person attains the age of 30 years.

(4) A dependent of an individual killed in the terrorist attacks of September 11, 2001, who is determined to be eligible by the California

Victim Compensation and Government Claims Board, is also entitled to the waivers provided in this section until January 1, 2013.

(m) (1) It is the intent of the Legislature that sufficient funds be provided to support the provision of a fee waiver for every student who demonstrates eligibility pursuant to subdivisions (g) to (j), inclusive.

(2) From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to 2 percent of the fees waived pursuant to subdivisions (g) to (j), inclusive. From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to ninety-one cents (\$0.91) per credit unit waived pursuant to subdivisions (g) to (j), inclusive. It is the intent of the Legislature that funds provided pursuant to this subdivision be used to support the determination of financial need and delivery of student financial aid services, on the basis of the number of students for whom fees are waived. It also is the intent of the Legislature that the funds provided pursuant to this subdivision directly offset mandated costs claimed by community college districts pursuant to Commission on State Mandates consolidated Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15 (Enrollment Fee Waivers). Funds allocated to a community college district for determination of financial need and delivery of student financial aid services shall supplement, and shall not supplant, the level of funds allocated for the administration of student financial aid programs during the 1992–93 fiscal year.

(n) The board of governors shall adopt regulations implementing this section.

(o) This section shall be inoperative and is repealed on January 1, 2012, only if Section 3.94 of the Budget Act of 2011 is operative.

SEC. 30. Section 76300 is added to the Education Code, to read:

76300. (a) The governing board of each community college district shall charge each student a fee pursuant to this section.

(b) (1) The fee prescribed by this section shall be forty-six dollars (\$46) per unit per semester, effective with the fall term of the 2011–12 academic year.

(2) The board of governors shall proportionately adjust the amount of the fee for term lengths based upon a quarter system, and also shall proportionately adjust the amount of the fee for summer sessions, intersessions, and other short-term courses. In making these adjustments, the board of governors may round the per unit fee and the per term or per session fee to the nearest dollar.

(c) For the purposes of computing apportionments to community college districts pursuant to Section 84750.5, the board of governors shall subtract, from the total revenue owed to each district, 98 percent of the revenues received by districts from charging a fee pursuant to this section.

(d) The board of governors shall reduce apportionments by up to 10 percent to any district that does not collect the fees prescribed by this section.

(e) The fee requirement does not apply to any of the following:

(1) Students enrolled in the noncredit courses designated by Section 84757.

(2) California State University or University of California students enrolled in remedial classes provided by a community college district on a campus of the University of California or a campus of the California State University, for whom the district claims an attendance apportionment pursuant to an agreement between the district and the California State University or the University of California.

(3) Students enrolled in credit contract education courses pursuant to Section 78021, if the entire cost of the course, including administrative costs, is paid by the public or private agency, corporation, or association with which the district is contracting and if these students are not included in the calculation of the full-time equivalent students (FTES) of that district.

(f) The governing board of a community college district may exempt special part-time students admitted pursuant to Section 76001 from the fee requirement.

(g) (1) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a recipient of benefits under the Temporary Assistance to Needy Families program, the Supplemental Security Income/State Supplementary Program, or a general assistance program or has demonstrated financial need in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid.

(2) The governing board of a community college district also shall waive the fee requirements of this section for any student who demonstrates eligibility according to income standards established by regulations of the board of governors.

(3) Paragraphs (1) and (2) may be applied to a student enrolled in the 2005–06 academic year if the student is exempted from nonresident tuition under paragraph (3) of subdivision (a) of Section 76140.

(h) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a dependent or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. “Active service of the state,” for the purposes of this subdivision, refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(i) The fee requirements of this section shall be waived for any student who is the surviving spouse or the child, natural or adopted, of a deceased person who met all of the requirements of Section 68120.

(j) The fee requirements of this section shall be waived for any student in an undergraduate program, including a student who has previously graduated from another undergraduate or graduate program, who is the dependent of any individual killed in the September 11, 2001, terrorist attacks on the World Trade Center and the Pentagon or the crash of United

Airlines Flight 93 in southwestern Pennsylvania, if that dependent meets the financial need requirements set forth in Section 69432.7 for the Cal Grant A Program and either of the following applies:

(1) The dependent was a resident of California on September 11, 2001.

(2) The individual killed in the attacks was a resident of California on September 11, 2001.

(k) A determination of whether a person is a resident of California on September 11, 2001, for purposes of subdivision (j) shall be based on the criteria set forth in Chapter 1 (commencing with Section 68000) of Part 41 of Division 5 for determining nonresident and resident tuition.

(l) (1) “Dependent,” for purposes of subdivision (j), is a person who, because of his or her relationship to an individual killed as a result of injuries sustained during the terrorist attacks of September 11, 2001, qualifies for compensation under the federal September 11th Victim Compensation Fund of 2001 (Title IV (commencing with Section 401) of Public Law 107-42).

(2) A dependent who is the surviving spouse of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers provided in this section until January 1, 2013.

(3) A dependent who is the surviving child, natural or adopted, of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers under subdivision (j) until that person attains 30 years of age.

(4) A dependent of an individual killed in the terrorist attacks of September 11, 2001, who is determined to be eligible by the California Victim Compensation and Government Claims Board, is also entitled to the waivers provided in this section until January 1, 2013.

(m) (1) It is the intent of the Legislature that sufficient funds be provided to support the provision of a fee waiver for every student who demonstrates eligibility pursuant to subdivisions (g) to (j), inclusive.

(2) From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to 2 percent of the fees waived pursuant to subdivisions (g) to (j), inclusive. From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to ninety-one cents (\$0.91) per credit unit waived pursuant to subdivisions (g) to (j), inclusive. It is the intent of the Legislature that funds provided pursuant to this subdivision be used to support the determination of financial need and delivery of student financial aid services, on the basis of the number of students for whom fees are waived. It also is the intent of the Legislature that the funds provided pursuant to this subdivision directly offset mandated costs claimed by community college districts pursuant to Commission on State Mandates consolidated Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15 (Enrollment Fee Waivers). Funds allocated to a community college district for determination of financial need and delivery of student financial aid services shall supplement, and shall not supplant, the level of funds allocated for the administration of student financial aid programs during the 1992–93 fiscal year.

(n) The board of governors shall adopt regulations implementing this section.

(o) This section shall become operative on January 1, 2012, only if Section 3.94 of the Budget Act of 2011 is operative.

SEC. 31. Section 7911.1 of the Family Code is amended to read:

7911.1. (a) Notwithstanding any other law, the State Department of Social Services or its designee shall investigate any threat to the health and safety of children placed by a California county social services agency or probation department in an out-of-state group home pursuant to the provisions of the Interstate Compact on the Placement of Children. This authority shall include the authority to interview children or staff in private or review their file at the out-of-state facility or wherever the child or files may be at the time of the investigation. Notwithstanding any other law, the State Department of Social Services or its designee shall require certified out-of-state group homes to comply with the reporting requirements applicable to group homes licensed in California pursuant to Title 22 of the California Code of Regulations for each child in care regardless of whether he or she is a California placement, by submitting a copy of the required reports to the Compact Administrator within regulatory timeframes. The Compact Administrator within one business day of receiving a serious events report shall verbally notify the appropriate placement agencies and within five working days of receiving a written report from the out-of-state group home, forward a copy of the written report to the appropriate placement agencies.

(b) Any contract, memorandum of understanding, or agreement entered into pursuant to paragraph (b) of Article 5 of the Interstate Compact on the Placement of Children regarding the placement of a child out of state by a California county social services agency or probation department shall include the language set forth in subdivision (a).

(c) The State Department of Social Services or its designee shall perform initial and continuing inspection of out-of-state group homes in order to either certify that the out-of-state group home meets all licensure standards required of group homes operated in California or that the department has granted a waiver to a specific licensing standard upon a finding that there exists no adverse impact to health and safety. Any failure by an out-of-state group home facility to make children or staff available as required by subdivision (a) for a private interview or make files available for review shall be grounds to deny or discontinue the certification. The State Department of Social Services shall grant or deny an initial certification or a waiver under this subdivision to an out-of-state group home facility that has more than six California children placed by a county social services agency or probation department by August 19, 1999. The department shall grant or deny an initial certification or a waiver under this subdivision to an out-of-state group home facility that has six or fewer California children placed by a county social services agency or probation department by February 19, 2000. Certifications made pursuant to this subdivision shall be reviewed annually.

(d) Within six months of the effective date of this section, a county shall be required to obtain an assessment and placement recommendation by a county multidisciplinary team for each child in an out-of-state group home facility. On or after March 1, 1999, a county shall be required to obtain an assessment and placement recommendation by a county multidisciplinary team prior to placement of a child in an out-of-state group home facility.

(e) Any failure by an out-of-state group home to obtain or maintain its certification as required by subdivision (c) shall preclude the use of any public funds, whether county, state, or federal, in the payment for the placement of any child in that out-of-state group home, pursuant to the Interstate Compact on the Placement of Children.

(f) (1) A multidisciplinary team shall consist of participating members from county social services, county mental health, county probation, county superintendents of schools, and other members as determined by the county.

(2) Participants shall have knowledge or experience in the prevention, identification, and treatment of child abuse and neglect cases, and shall be qualified to recommend a broad range of services related to child abuse or neglect.

(g) (1) The department may deny, suspend, or discontinue the certification of the out-of-state group home if the department makes a finding that the group home is not operating in compliance with the requirements of subdivision (c).

(2) Any judicial proceeding to contest the department's determination as to the status of the out-of-state group home certificate shall be held in California pursuant to Section 1085 of the Code of Civil Procedure.

(h) The certification requirements of this section shall not impact placements of emotionally disturbed children made pursuant to an individualized education program developed pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) if the placement is not funded with federal or state foster care funds.

(i) Only an out-of-state group home authorized by the Compact Administrator to receive state funds for the placement by a county social services agency or probation department of any child in that out-of-state group home from the effective date of this section shall be eligible for public funds pending the department's certification under this section.

SEC. 32. Section 7572 of the Government Code is amended to read:

7572. (a) A child shall be assessed in all areas related to the suspected disability by those qualified to make a determination of the child's need for the service before any action is taken with respect to the provision of related services or designated instruction and services to a child, including, but not limited to, services in the areas of occupational therapy and physical therapy. All assessments required or conducted pursuant to this section shall be governed by the assessment procedures contained in Article 2 (commencing with Section 56320) of Chapter 4 of Part 30 of Division 4 of Title 2 of the Education Code.

(b) Occupational therapy and physical therapy assessments shall be conducted by qualified medical personnel as specified in regulations

developed by the State Department of Health Services in consultation with the State Department of Education.

(c) A related service or designated instruction and service shall only be added to the child's individualized education program by the individualized education program team, as described in Part 30 (commencing with Section 56000) of Division 4 of Title 2 of the Education Code, if a formal assessment has been conducted pursuant to this section, and a qualified person conducting the assessment recommended the service in order for the child to benefit from special education. In no case shall the inclusion of necessary related services in a pupil's individualized education plan be contingent upon identifying the funding source. Nothing in this section shall prevent a parent from obtaining an independent assessment in accordance with subdivision (b) of Section 56329 of the Education Code, which shall be considered by the individualized education program team.

(1) If an assessment has been conducted pursuant to subdivision (b), the recommendation of the person who conducted the assessment shall be reviewed and discussed with the parent and with appropriate members of the individualized education program team prior to the meeting of the individualized education program team. When the proposed recommendation of the person has been discussed with the parent and there is disagreement on the recommendation pertaining to the related service, the parent shall be notified in writing and may require the person who conducted the assessment to attend the individualized education program team meeting to discuss the recommendation. The person who conducted the assessment shall attend the individualized education program team meeting if requested. Following this discussion and review, the recommendation of the person who conducted the assessment shall be the recommendation of the individualized education program team members who are attending on behalf of the local educational agency.

(2) If an independent assessment for the provision of related services or designated instruction and services is submitted to the individualized education program team, review of that assessment shall be conducted by the person specified in subdivision (b). The recommendation of the person who reviewed the independent assessment shall be reviewed and discussed with the parent and with appropriate members of the individualized education program team prior to the meeting of the individualized education program team. The parent shall be notified in writing and may request the person who reviewed the independent assessment to attend the individualized education program team meeting to discuss the recommendation. The person who reviewed the independent assessment shall attend the individualized education program team meeting if requested. Following this review and discussion, the recommendation of the person who reviewed the independent assessment shall be the recommendation of the individualized education program team members who are attending on behalf of the local agency.

(3) Any disputes between the parent and team members representing the public agencies regarding a recommendation made in accordance with paragraphs (1) and (2) shall be resolved pursuant to Chapter 5 (commencing

with Section 56500) of Part 30 of Division 4 of Title 2 of the Education Code.

(d) Whenever a related service or designated instruction and service specified in subdivision (b) is to be considered for inclusion in the child's individualized educational program, the local education agency shall invite the responsible public agency representative to meet with the individualized education program team to determine the need for the service and participate in developing the individualized education program. If the responsible public agency representative cannot meet with the individualized education program team, then the representative shall provide written information concerning the need for the service pursuant to subdivision (c). Conference calls, together with written recommendations, are acceptable forms of participation. If the responsible public agency representative will not be available to participate in the individualized education program meeting, the local educational agency shall ensure that a qualified substitute is available to explain and interpret the evaluation pursuant to subdivision (d) of Section 56341 of the Education Code. A copy of the information shall be provided by the responsible public agency to the parents or any adult pupil for whom no guardian or conservator has been appointed.

SEC. 33. Section 7572.5 of the Government Code is amended to read:

7572.5. (a) If an assessment is conducted pursuant to Article 2 (commencing with Section 56320) of Chapter 4 of Part 30 of Division 4 of Title 2 of the Education Code, which determines that a child is seriously emotionally disturbed, as defined in Section 300.8 of Title 34 of the Code of Federal Regulations, and any member of the individualized education program team recommends residential placement based on relevant assessment information, the individualized education program team shall be expanded to include a representative of the county mental health department.

(b) The expanded individualized education program team shall review the assessment and determine whether:

(1) The child's needs can reasonably be met through any combination of nonresidential services, preventing the need for out-of-home care.

(2) Residential care is necessary for the child to benefit from educational services.

(3) Residential services are available that address the needs identified in the assessment and that will ameliorate the conditions leading to the seriously emotionally disturbed designation.

(c) If the review required in subdivision (b) results in an individualized education program that calls for residential placement, the individualized education program shall include all of the items outlined in Section 56345 of the Education Code, and shall also include:

(1) Designation of the county mental health department as lead case manager. Lead case management responsibility may be delegated to the county welfare department by agreement between the county welfare department and the designated county mental health department. The county

mental health department shall retain financial responsibility for the provision of case management services.

(2) Provision for a review of the case progress, the continuing need for out-of-home placement, the extent of compliance with the individualized education program, and progress toward alleviating the need for out-of-home care, by the full individualized education program team at least every six months.

(3) Identification of an appropriate residential facility for placement with the assistance of the county welfare department as necessary.

(d) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 34. Section 7572.55 of the Government Code is amended to read:

7572.55. (a) Residential placements for a child with a disability who is seriously emotionally disturbed may be made out-of-state only after in-state alternatives have been considered and are found not to meet the child's needs and only when the requirements of Section 7572.5, and subdivision (e) of Section 56365 of the Education Code have been met. The local education agency shall document the alternatives to out-of-state residential placement that were considered and the reasons why they were rejected.

(b) Out-of-state placements shall be made only in a privately operated school certified by the California Department of Education.

(c) A plan shall be developed for using less restrictive alternatives and in-state alternatives as soon as they become available, unless it is in the best educational interest of the child to remain in the out-of-state school. If the child is a ward or dependent of the court, this plan shall be documented in the record.

(d) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 35. Section 7576 of the Government Code is amended to read:

7576. (a) The State Department of Mental Health, or a community mental health service, as described in Section 5602 of the Welfare and Institutions Code, designated by the State Department of Mental Health, is responsible for the provision of mental health services, as defined in regulations by the State Department of Mental Health, developed in consultation with the State Department of Education, if required in the individualized education program of a pupil. A local educational agency is not required to place a pupil in a more restrictive educational environment in order for the pupil to receive the mental health services specified in his or her individualized education program if the mental health services can be appropriately provided in a less restrictive setting. It is the intent of the Legislature that the local educational agency and the community mental health service vigorously attempt to develop a mutually satisfactory placement that is acceptable to the parent and addresses the educational and

mental health treatment needs of the pupil in a manner that is cost effective for both public agencies, subject to the requirements of state and federal special education law, including the requirement that the placement be appropriate and in the least restrictive environment. For purposes of this section, “parent” is as defined in Section 56028 of the Education Code.

(b) A local educational agency, individualized education program team, or parent may initiate a referral for assessment of the social and emotional status of a pupil, pursuant to Section 56320 of the Education Code. Based on the results of assessments completed pursuant to Section 56320 of the Education Code, an individualized education program team may refer a pupil who has been determined to be an individual with exceptional needs, as defined in Section 56026 of the Education Code, and who is suspected of needing mental health services to a community mental health service if the pupil meets all of the criteria in paragraphs (1) to (5), inclusive. Referral packages shall include all documentation required in subdivision (c), and shall be provided immediately to the community mental health service.

(1) The pupil has been assessed by school personnel in accordance with Article 2 (commencing with Section 56320) of Chapter 4 of Part 30 of Division 4 of Title 2 of the Education Code. Local educational agencies and community mental health services shall work collaboratively to ensure that assessments performed prior to referral are as useful as possible to the community mental health service in determining the need for mental health services and the level of services needed.

(2) The local educational agency has obtained written parental consent for the referral of the pupil to the community mental health service, for the release and exchange of all relevant information between the local educational agency and the community mental health service, and for the observation of the pupil by mental health professionals in an educational setting.

(3) The pupil has emotional or behavioral characteristics that satisfy all of the following:

(A) Are observed by qualified educational staff in educational and other settings, as appropriate.

(B) Impede the pupil from benefiting from educational services.

(C) Are significant as indicated by their rate of occurrence and intensity.

(D) Are associated with a condition that cannot be described solely as a social maladjustment or a temporary adjustment problem, and cannot be resolved with short-term counseling.

(4) As determined using educational assessments, the pupil’s functioning, including cognitive functioning, is at a level sufficient to enable the pupil to benefit from mental health services.

(5) The local educational agency, pursuant to Section 56331 of the Education Code, has provided appropriate counseling and guidance services, psychological services, parent counseling and training, or social work services to the pupil pursuant to Section 56363 of the Education Code, or behavioral intervention as specified in Section 56520 of the Education Code, as specified in the individualized education program and the individualized

education program team has determined that the services do not meet the educational needs of the pupil, or, in cases where these services are clearly inadequate or inappropriate to meet the educational needs of the pupil, the individualized education program team has documented which of these services were considered and why they were determined to be inadequate or inappropriate.

(c) If referring a pupil to a community mental health service in accordance with subdivision (b), the local educational agency or the individualized education program team shall provide the following documentation:

(1) Copies of the current individualized education program, all current assessment reports completed by school personnel in all areas of suspected disabilities pursuant to Article 2 (commencing with Section 56320) of Chapter 4 of Part 30 of Division 4 of Title 2 of the Education Code, and other relevant information, including reports completed by other agencies.

(2) A copy of the parent's consent obtained as provided in paragraph (2) of subdivision (b).

(3) A summary of the emotional or behavioral characteristics of the pupil, including documentation that the pupil meets the criteria set forth in paragraphs (3) and (4) of subdivision (b).

(4) A description of the counseling, psychological, and guidance services, and other interventions that have been provided to the pupil, as provided in the individualized education program of the pupil, including the initiation, duration, and frequency of these services, or an explanation of the reasons a service was considered for the pupil and determined to be inadequate or inappropriate to meet his or her educational needs.

(d) Based on preliminary results of assessments performed pursuant to Section 56320 of the Education Code, a local educational agency may refer a pupil who has been determined to be, or is suspected of being, an individual with exceptional needs, and is suspected of needing mental health services, to a community mental health service if a pupil meets the criteria in paragraphs (1) and (2). Referral packages shall include all documentation required in subdivision (e) and shall be provided immediately to the community mental health service.

(1) The pupil meets the criteria in paragraphs (2) to (4), inclusive, of subdivision (b).

(2) Counseling and guidance services, psychological services, parent counseling and training, social work services, and behavioral or other interventions as provided in the individualized education program of the pupil are clearly inadequate or inappropriate in meeting his or her educational needs.

(e) If referring a pupil to a community mental health service in accordance with subdivision (d), the local educational agency shall provide the following documentation:

(1) Results of preliminary assessments to the extent they are available and other relevant information including reports completed by other agencies.

(2) A copy of the parent's consent obtained as provided in paragraph (2) of subdivision (b).

(3) A summary of the emotional or behavioral characteristics of the pupil, including documentation that the pupil meets the criteria in paragraphs (3) and (4) of subdivision (b).

(4) Documentation that appropriate related educational and designated instruction and services have been provided in accordance with Sections 300.34 and 300.39 of Title 34 of the Code of Federal Regulations.

(5) An explanation of the reasons that counseling and guidance services, psychological services, parent counseling and training, social work services, and behavioral or other interventions as provided in the individualized education program of the pupil are clearly inadequate or inappropriate in meeting his or her educational needs.

(f) The procedures set forth in this chapter are not designed for use in responding to psychiatric emergencies or other situations requiring immediate response. In these situations, a parent may seek services from other public programs or private providers, as appropriate. This subdivision does not change the identification and referral responsibilities imposed on local educational agencies under Article 1 (commencing with Section 56300) of Chapter 4 of Part 30 of Division 4 of Title 2 of the Education Code.

(g) Referrals shall be made to the community mental health service in the county in which the pupil lives. If the pupil has been placed into residential care from another county, the community mental health service receiving the referral shall forward the referral immediately to the community mental health service of the county of origin, which shall have fiscal and programmatic responsibility for providing or arranging for the provision of necessary services. The procedures described in this subdivision shall not delay or impede the referral and assessment process.

(h) A county mental health agency does not have fiscal or legal responsibility for costs it incurs prior to the approval of an individualized education program, except for costs associated with conducting a mental health assessment.

(i) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 36. Section 7576.2 of the Government Code is amended to read:

7576.2. (a) The Director of the State Department of Mental Health is responsible for monitoring county mental health agencies to ensure compliance with the requirement to provide mental health services to disabled pupils pursuant to this chapter and to ensure that funds provided for this purpose are appropriately utilized.

(b) The Director of the State Department of Mental Health shall submit a report to the Legislature by April 1, 2005, that includes the following:

(1) A description of the data that is currently collected by the State Department of Mental Health related to pupils served and services provided pursuant to this chapter.

(2) A description of the existing monitoring process used by the State Department of Mental Health to ensure that county mental health agencies are complying with this chapter.

(3) Recommendations on the manner in which to strengthen and improve monitoring by the State Department of Mental Health of the compliance by a county mental health agency with the requirements of this chapter, on the manner in which to strengthen and improve collaboration and coordination with the State Department of Education in monitoring and data collection activities, and on the additional data needed related to this chapter.

(c) The Director of the State Department of Mental Health shall collaborate with the Superintendent of Public Instruction in preparing the report required pursuant to subdivision (b) and shall convene at least one meeting of appropriate stakeholders and organizations, including a representative from the State Department of Education, to obtain input on existing data collection and monitoring processes, and on ways to strengthen and improve the data collected and monitoring performed.

(d) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 37. Section 7576.3 of the Government Code is amended to read:

7576.3. (a) It is the intent of the Legislature that the Director of the State Department of Mental Health collaborate with an entity with expertise in children's mental health to collect, analyze, and disseminate best practices for delivering mental health services to disabled pupils. The best practices may include, but are not limited to:

(1) Interagency agreements in urban, suburban, and rural areas that result in clear identification of responsibilities between local educational agencies and county mental health agencies and result in efficient and effective delivery of services to pupils.

(2) Procedures for developing and amending individualized education programs that include mental health services that provide flexibility to educational and mental health agencies and protect the interests of children in obtaining needed mental health needs.

(3) Procedures for creating ongoing communication between the classroom teacher of the pupil and the mental health professional who is directing the mental health program for the pupil.

(b) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 38. Section 7576.5 of the Government Code is amended to read:

7576.5. (a) If funds are appropriated to local educational agencies to support the costs of providing services pursuant to this chapter, the local educational agencies shall transfer those funds to the community mental health services that provide services pursuant to this chapter in order to reduce the local costs of providing these services. These funds shall be used

exclusively for programs operated under this chapter and are offsetting revenues in any reimbursable mandate claim relating to special education programs and services.

(b) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 39. Section 7582 of the Government Code is amended to read:

7582. Assessments and therapy treatment services provided under programs of the State Department of Health Care Services, or its designated local agencies, rendered to a child referred by a local education agency for an assessment or a disabled child or youth with an individualized education program, shall be exempt from financial eligibility standards and family repayment requirements for these services when rendered pursuant to this chapter.

SEC. 40. Section 7585 of the Government Code is amended to read:

7585. (a) Whenever a department or local agency designated by that department fails to provide a related service or designated instruction and service required pursuant to Section 7575, and specified in the pupil's individualized education program, the parent, adult pupil, if applicable, or a local educational agency referred to in this chapter, shall submit a written notification of the failure to provide the service to the Superintendent of Public Instruction or the Secretary of California Health and Human Services.

(b) When either the Superintendent or the secretary receives a written notification of the failure to provide a service as specified in subdivision (a), a copy shall immediately be transmitted to the other party. The Superintendent, or his or her designee, and the secretary, or his or her designee, shall meet to resolve the issue within 15 calendar days of receipt of the notification. A written copy of the meeting resolution shall be mailed to the parent, the local educational agency, and affected departments, within 10 days of the meeting.

(c) If the issue cannot be resolved within 15 calendar days to the satisfaction of the Superintendent and the secretary, they shall jointly submit the issue in writing to the Director of the Office of Administrative Hearings, or his or her designee, in the Department of General Services.

(d) The Director of the Office of Administrative Hearings, or his or her designee, shall review the issue and submit his or her findings in the case to the Superintendent and the secretary within 30 calendar days of receipt of the case. The decision of the director, or his or her designee, shall be binding on the departments and their designated agencies who are parties to the dispute.

(e) If the meeting, conducted pursuant to subdivision (b), fails to resolve the issue to the satisfaction of the parent or local educational agency, either party may appeal to the director, whose decision shall be the final administrative determination and binding on all parties.

(f) Whenever notification is filed pursuant to subdivision (a), the pupil affected by the dispute shall be provided with the appropriate related service

or designated instruction and service pending resolution of the dispute, if the pupil had been receiving the service. The Superintendent and the secretary shall ensure that funds are available for the provision of the service pending resolution of the issue pursuant to subdivision (e).

(g) This section does not prevent a parent or adult pupil from filing for a due process hearing under Section 7586.

(h) The contract between the State Department of Education and the Office of Administrative Hearings for conducting due process hearings shall include payment for services rendered by the Office of Administrative Hearings which are required by this section.

SEC. 41. Section 7586.5 of the Government Code is amended to read:

7586.5. (a) Not later than January 1, 1988, the Superintendent of Public Instruction and the Secretary of the Health and Human Services Agency jointly shall submit to the Legislature and the Governor a report on the implementation of this chapter. The report shall include, but not be limited to, information regarding the number of complaints and due process hearings resulting from this chapter.

(b) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 42. Section 7586.6 of the Government Code is amended to read:

7586.6. (a) The Superintendent of Public Instruction and the Secretary of the Health and Human Services Agency shall ensure that the State Department of Education and the State Department of Mental Health enter into an interagency agreement by January 1, 1998. It is the intent of the Legislature that the agreement include, but not be limited to, procedures for ongoing joint training, technical assistance for state and local personnel responsible for implementing this chapter, protocols for monitoring service delivery, and a system for compiling data on program operations.

(b) It is the intent of the Legislature that the designated local agencies of the State Department of Education and the State Department of Mental Health update their interagency agreements for services specified in this chapter at the earliest possible time. It is the intent of the Legislature that the state and local interagency agreements be updated at least every three years or earlier as necessary.

(c) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 43. Section 7586.7 of the Government Code is amended to read:

7586.7. (a) The Superintendent of Public Instruction and the Secretary of the Health and Human Services Agency jointly shall prepare and implement within existing resources a plan for in-service training of state and local personnel responsible for implementing the provisions of this chapter.

(b) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 44. Section 7588 of the Government Code is repealed.

SEC. 45. Section 12440.1 of the Government Code is amended to read:

12440.1. (a) The trustees, in conjunction with the Controller, shall implement a process that allows any campus or other unit of the university to make payments of obligations of the university from its revolving fund directly to all of its vendors. Notwithstanding Article 5 (commencing with Section 16400) of Chapter 2 of Part 2 of Division 4 of Title 2, or any other law, the trustees may draw from funds appropriated to the university, for use as a revolving fund, amounts necessary to make payments of obligations of the university directly to vendors. In any fiscal year, the trustees shall obtain the approval of the Director of Finance to draw amounts in excess of 10 percent of the total appropriation to the university for that fiscal year for use as a revolving fund.

(b) Notwithstanding Sections 925.6, 12410, and 16403, or any other law, the trustees shall maintain payment records for three years and make those records available to the Controller for postaudit review, as needed.

(c) (1) Notwithstanding Section 8546.4 or any other law, the trustees shall contract with one or more public accounting firms to conduct a systemwide annual financial statement audit in accordance with generally accepted accounting principles (GAAP), as well as other required compliance audits without obtaining the approval of any other state officer or entity.

(2) The statement of net assets, statement of revenues, expenses, changes in net assets, and statement of cashflows of each campus shall be included as an addendum to the annual systemwide audit. Summary information on transactions with auxiliary organizations for each campus shall also be included in the addendum. Any additional information necessary shall be provided upon request.

(d) The internal and independent financial statement audits of the trustees shall test compliance with procurement procedures and the integrity of the payments made. The results of these audits shall be included in the biennial report required by Section 13405.

(e) As used in this section:

(1) "Trustees" means the Trustees of the California State University.

(2) "University" means the California State University.

SEC. 46. Section 17581.5 of the Government Code is amended to read:

17581.5. (a) A school district or community college district shall not be required to implement or give effect to the statutes, or a portion of the statutes, identified in subdivision (c) during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if all of the following apply:

(1) The statute or a portion of the statute, has been determined by the Legislature, the commission, or any court to mandate a new program or higher level of service requiring reimbursement of school districts or

community college districts pursuant to Section 6 of Article XIII B of the California Constitution.

(2) The statute, or a portion of the statute, or the test claim number utilized by the commission, specifically has been identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. For purposes of this paragraph, a mandate shall be considered specifically to have been identified by the Legislature only if it has been included within the schedule of reimbursable mandates shown in the Budget Act and it specifically is identified in the language of a provision of the item providing the appropriation for mandate reimbursements.

(b) Within 30 days after enactment of the Budget Act, the Department of Finance shall notify school districts of any statute or executive order, or portion thereof, for which reimbursement is not provided for the fiscal year pursuant to this section.

(c) This section applies only to the following mandates:

(1) School Bus Safety I (CSM-4433) and II (97-TC-22) (Chapter 642 of the Statutes of 1992; Chapter 831 of the Statutes of 1994; and Chapter 739 of the Statutes of 1997).

(2) County Treasury Withdrawals (96-365-03; and Chapter 784 of the Statutes of 1995 and Chapter 156 of the Statutes of 1996).

(3) Grand Jury Proceedings (98-TC-27; and Chapter 1170 of the Statutes of 1996, Chapter 443 of the Statutes of 1997, and Chapter 230 of the Statutes of 1998).

(4) Law Enforcement Sexual Harassment Training (97-TC-07; and Chapter 126 of the Statutes of 1993).

(5) Health Benefits for Survivors of Peace Officers and Firefighters (Chapter 1120 of the Statutes of 1996 and 97-TC-25).

(d) This section applies to the following mandates for the 2010–11, 2011–12, and 2012–13 fiscal years only:

(1) Removal of Chemicals (Chapter 1107 of the Statutes of 1984 and CSM 4211 and 4298).

(2) Scoliosis Screening (Chapter 1347 of the Statutes of 1980 and CSM 4195).

(3) Pupil Residency Verification and Appeals (Chapter 309 of the Statutes of 1995 and 96-384-01).

(4) Integrated Waste Management (Chapter 1116 of the Statutes of 1992 and 00-TC-07).

(5) Law Enforcement Jurisdiction Agreements (Chapter 284 of the Statutes of 1998 and 98-TC-20).

(6) Physical Education Reports (Chapter 640 of the Statutes of 1997 and 98-TC-08).

(7) 98.01.042.390-Sexual Assault Response Procedures (Chapter 423 of the Statutes of 1990 and 99-TC-12).

(8) 98.01.059.389-Student Records (Chapter 593 of the Statutes of 1989 and 02-TC-34).

SEC. 47. Section 5651 of the Welfare and Institutions Code is amended to read:

5651. The proposed annual county mental health services performance contract shall include all of the following:

(a) The following assurances:

(1) That the county is in compliance with the expenditure requirements of Section 17608.05.

(2) That the county shall provide services to persons receiving involuntary treatment as required by Part 1 (commencing with Section 5000) and Part 1.5 (commencing with Section 5585).

(3) That the county shall comply with all requirements necessary for Medi-Cal reimbursement for mental health treatment services and case management programs provided to Medi-Cal eligible individuals, including, but not limited to, the provisions set forth in Chapter 3 (commencing with Section 5700), and that the county shall submit cost reports and other data to the department in the form and manner determined by the department.

(4) That the local mental health advisory board has reviewed and approved procedures ensuring citizen and professional involvement at all stages of the planning process pursuant to Section 5604.2.

(5) That the county shall comply with all provisions and requirements in law pertaining to patient rights.

(6) That the county shall comply with all requirements in federal law and regulation pertaining to federally funded mental health programs.

(7) That the county shall provide all data and information set forth in Sections 5610 and 5664.

(8) That the county, if it elects to provide the services described in Chapter 2.5 (commencing with Section 5670), shall comply with guidelines established for program initiatives outlined in that chapter.

(9) Assurances that the county shall comply with all applicable laws and regulations for all services delivered.

(b) The county's proposed agreement with the department for state hospital usage as required by Chapter 4 (commencing with Section 4330) of Part 2 of Division 4.

(c) Any contractual requirements needed for any program initiatives utilized by the county contained within this part. In addition, any county may choose to include contract provisions for other state directed mental health managed programs within this performance contract.

(d) Other information determined to be necessary by the director, to the extent this requirement does not substantially increase county costs.

SEC. 48. Section 5701.3 of the Welfare and Institutions Code is amended to read:

5701.3. (a) Consistent with the annual Budget Act, this chapter shall not affect the responsibility of the state to fund psychotherapy and other mental health services required by Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code, and the state shall reimburse counties for all allowable costs incurred by counties in providing services pursuant to that chapter. The reimbursement provided pursuant to

this section for purposes of Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code shall be provided by the state through an appropriation included in either the annual Budget Act or other statute. Counties shall continue to receive reimbursement from specifically appropriated funds for costs necessarily incurred in providing psychotherapy and other mental health services in accordance with this chapter. For reimbursement claims for services delivered in the 2001–02 fiscal year and thereafter, counties are not required to provide any share of those costs or to fund the cost of any part of these services with money received from the Local Revenue Fund established by Chapter 6 (commencing with Section 17600) of Part 5 of Division 9.

(b) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 49. Section 5701.6 of the Welfare and Institutions Code is amended to read:

5701.6. (a) Counties may utilize money received from the Local Revenue Fund established by Chapter 6 (commencing with Section 17600) of Part 5 of Division 9 to fund the costs of any part of those services provided pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code. If money from the Local Revenue Fund is used by counties for those services, counties are eligible for reimbursement from the state for all allowable costs to fund assessments, psychotherapy, and other mental health services allowable pursuant to Section 300.24 of Title 34 of the Code of Federal Regulations and required by Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.

(b) This section is declaratory of existing law.

(c) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 50. Section 11323.2 of the Welfare and Institutions Code is amended to read:

11323.2. (a) Necessary supportive services shall be available to every participant in order to participate in the program activity to which he or she is assigned or to accept employment or the participant shall have good cause for not participating under subdivision (f) of Section 11320.3. As provided in the welfare-to-work plan entered into between the county and participant pursuant to this article, supportive services shall include all of the following:

(1) Child care.

(A) Paid child care shall be available to every participant with a dependent child in the assistance unit who needs paid child care if the child is 10 years of age or under, or requires child care or supervision due to a physical, mental, or developmental disability or other similar condition as verified by the county welfare department, or who is under court supervision.

(B) To the extent funds are available paid child care shall be available to a participant with a dependent child in the assistance unit who needs paid child care if the child is 11 or 12 years of age.

(C) Necessary child care services shall be available to every former recipient for up to two years, pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code.

(D) A child in foster care receiving benefits under Title IV-E of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.) or a child who would become a dependent child except for the receipt of federal Supplemental Security Income benefits pursuant to Title XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et seq.) shall be deemed to be a dependent child for the purposes of this paragraph.

(E) The provision of care and payment rates under this paragraph shall be governed by Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code. Parent fees shall be governed by subdivisions (g) and (h) of Section 8263 of the Education Code.

(2) Transportation costs, which shall be governed by regional market rates as determined in accordance with regulations established by the department.

(3) Ancillary expenses, which shall include the cost of books, tools, clothing specifically required for the job, fees, and other necessary costs.

(4) Personal counseling. A participant who has personal or family problems that would affect the outcome of the welfare-to-work plan entered into pursuant to this article shall, to the extent available, receive necessary counseling or therapy to help him or her and his or her family adjust to his or her job or training assignment.

(b) If provided in a county plan, the county may continue to provide case management and supportive services under this section to former participants who become employed. The county may provide these services for up to the first 12 months of employment to the extent they are not available from other sources and are needed for the individual to retain the employment.

SEC. 51. Section 18356.1 is added to the Welfare and Institutions Code, to read:

18356.1. This chapter shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 52. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services or the State Department of Education may implement Section 4, Sections 7 to 11, inclusive, and Section 50 of this act, through all-county letters, management bulletins, or other similar instructions.

SEC. 53. Notwithstanding any other law, the implementation of Section 4, Sections 7 to 11, inclusive, and Section 50 of this act is not subject to the appeal and resolution procedures for agencies that contract with the State Department of Education for the provision of child care services or the due process requirements afforded to families that are denied services specified in Chapter 19 (commencing with Section 18000) of Division 1 of Title 5 of the California Code of Regulations.

SEC. 54. It is the intent of the Legislature that funding provided in provisions 18 and 26 of Item 6110-161-0001 and provision 9 of Item 6110-161-0890 of Section 2.00 of the Budget Act of 2011 for educationally related mental health services, including out-of-home residential services for emotionally disturbed pupils, required by the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) shall be exclusively available for these services only for the 2011–12 and 2012–13 fiscal years.

SEC. 55. (a) It is the intent of the Legislature that the State Department of Education and the appropriate departments within the California Health and Human Services Agency modify or repeal regulations that are no longer supported by statute due to the amendments in Sections 24 to 26, inclusive, Section 32 to 44, inclusive, Sections 47 to 49, inclusive, and Section 51 of this act.

(b) The State Department of Education and the appropriate departments within the California Health and Human Services Agency shall review regulations to ensure the appropriate implementation of educationally related mental health services required by the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and Sections 24 to 26, inclusive, Section 32 to 44, inclusive, Sections 47 to 49, inclusive, and Section 51 of this act.

(c) The State Department of Education and the appropriate departments within the California Health and Human Services Agency may adopt regulations to implement Sections 24 to 26, inclusive, Section 32 to 44, inclusive, Sections 47 to 49, inclusive, and Section 51 of this act. The adoption, amendment, repeal, or re adoption of a regulation authorized by this section is deemed to address an emergency, for purposes of Sections 11346.1 and 11349.6 of the Government Code, and the State Department of Education and the appropriate departments within the California Health and Human Services Agency are hereby exempted, for this purpose, from the requirements of subdivision (b) of Section 11346.1 of the Government Code. For purposes of subdivision (e) of Section 11346.1 of the Government Code, the 180-day period, as applicable to the effective period of an emergency regulatory action and submission of specified materials to the Office of Administrative Law, is hereby extended to one year.

SEC. 56. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 57. There is hereby appropriated one thousand dollars (\$1,000) from the General Fund to the State Department of Education for purposes

of funding the award grants pursuant to Section 49550.3 of the Education Code to school districts, county superintendents of schools, or entities approved by the department for nonrecurring expenses incurred in initiating or expanding a school breakfast program or a summer food service program.

SEC. 58. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

O

Assembly Bill No. 602

CHAPTER 854

An act to amend Sections 44903.7, 48915.5, 56100, 56140, 56156.5, 56167, 56190, 56200, 56325, 56342, 56360, 56361, 56362, 56366.2, 56441.14, and 56500 of, to amend and repeal Sections 56210, 56213, 56214, 56214.5, 56217, 56218, 56364, and 56370 of, to amend, repeal, and add Sections 56211, 56212, 56425, 56425.5, 56426, 56426.1, 56426.2, 56426.25, 56426.4, 56427, 56429, and 56430 of, to add Sections 56364.5, 56366.9, and 56432 to, to add Chapter 2.5 (commencing with Section 56195) and Chapter 7.2 (commencing with Section 56836) to, and to add Article 1.1 (commencing with Section 56205) to Chapter 3 of, Part 30 of, to add and repeal Sections 56202 and 56832 of, to add and repeal Chapter 7.1 (commencing with Section 56835) of Part 30 of, to repeal Sections 56448 and 56449 of, to repeal Article 6 (commencing with Section 56170) of Chapter 2 of, to repeal Article 1 (commencing with Section 56200) and Article 2 (commencing with Section 56220) of Chapter 3 of, Part 30 of, and to repeal Chapter 4.3 (commencing with Section 56400) and Chapter 7 (commencing with Section 56700) of Part 30 of, the Education Code, relating to special education, and making an appropriation therefor.

[Approved by Governor October 10, 1997. Filed
with Secretary of State October 10, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 602, Davis. Poochigian and Davis Special Education Reform Act.

Existing law sets forth a method for determining apportionments for the purposes of special education programs operated by school districts, county superintendents of schools, and special education local plan areas (SELPAs). That method is based in part on amounts based on personnel costs that are computed pursuant to statutory formulas, amounts based on support services costs that are computed pursuant to statutory formulas, and amounts specifically computed for early education for individuals with exceptional needs younger than 3 years of age, nonpublic, nonsectarian schools and agencies, individuals having low-incidence disabilities, and licensed children's institutions. The number of instructional personnel services units that may be claimed are computed for teachers for special day classes and centers, instructional aides, and resource specialists, on the basis of the ratio of those positions to a specified number of pupils.

This bill would enact the Poochigian and Davis Special Education Reform Act and would make legislative findings and declarations with respect to the problems arising from the existing method of

financing special education and related services. The bill would declare the intent of the Legislature to establish a new method for financing special education that is based on the pupil population in each SELPA. The bill would further declare the intent of the Legislature that the new funding method, among other things, ensures greater equity in funding among SELPAs, avoids unnecessary complexity, requires fiscal and program accountability, and avoids financial incentives to inappropriately place pupils in special education. The bill would also contain a legislative finding and declaration that an areawide approach to special education services delivery through administration by SELPAs best serves differing population densities and provides local flexibility, as specified. The bill would also declare the intent of the Legislature to equalize funding among SELPAs.

This bill, to accomplish the intent of the Legislature, would do the following:

(1) This bill would repeal the existing method of computing special education apportionments and make numerous conforming changes to other provisions of law, including the repeal and amendment of supporting statutes relating to the funding of special education programs. The bill would set forth a new method for making apportionments, as follows:

(a) A method for computing one-time equalization adjustments to special education apportionments to school districts and county offices of education that is based upon computed amounts per each type of special education services unit would be established. The bill would require the Superintendent of Public Instruction (superintendent) to compute special education services unit rates (unit rates) for that purpose for teachers of special day classes and centers for pupils who are severely disabled, unit rates for instructional aides for pupils who are severely disabled, unit rates for teachers of special day classes and centers for pupils with exceptional needs who are not severely disabled, unit rates for instructional aides for pupils with exceptional needs who are not severely disabled, unit rates for resource specialists, and unit rates for designated instruction and services. Those unit rates would be based on amounts computed by the superintendent for the 1995–96 fiscal year. Those unit rates would be averaged for services to pupils who are not severely disabled, except with respect to the unit rates for instructional aides. The superintendent would be required to compute statewide average unit rates for the purposes of equalization adjustments. Based upon those computations, the superintendent would be required, for the 1997–98 fiscal year only, to make computations to determine the amount of equalization adjustments, if any, to be made to the special education funding. These equalization adjustments computed for the 1997–98 fiscal year would only be funded to the

extent funds are appropriated for that purpose and would not create any future entitlements for equalization.

(b) Commencing in the 1998–99 fiscal year and each fiscal year thereafter, allocations of funds would be made to SELPAs and the administrator of each SELPA would be responsible for the fiscal administration of the annual budget allocation plan for special education programs and the allocation of state and federal funds to the school districts and county offices of education composing the SELPA in accordance with the local plan.

(c) For the 1998–99 fiscal year, each SELPA would be entitled to, at a minimum, an amount equal to the amount received per unit of average daily attendance in the 1997–98 fiscal year from specified state, local, and federal revenues for the purpose of special education for preschool pupils (ages 3 to 5 years), special education for pupils enrolled in kindergarten and grades 1 to 12, inclusive, and the amounts received for equalization, as described in subdivision (a), as adjusted for inflation, and equalization to the statewide target amount, changes in enrollment, and for the incidence of special disabilities, if applicable.

(d) Commencing with the 1999–2000 fiscal year and each fiscal year thereafter, the amount of funding computed for each SELPA would be subject to adjustment for changes in enrollment, equalization to the statewide target amount, inflation, and for the incidence of special disabilities, as specified. For purposes of equalization, each SELPA that would receive an amount per unit of average daily attendance for a fiscal year, as defined, that is below the statewide target amount per unit of average daily attendance for SELPAs, as computed, would be entitled to an equalization adjustment for that fiscal year. Adjustments for equalization would continue through and including the fiscal year in which all SELPAs are funded, at a minimum, at the statewide target amount, as adjusted for inflation. The superintendent would be required to make various computations to determine the amounts available for the purposes of equalization and the amount of the equalization adjustment for each SELPA.

(e) Funding for licensed children’s institutions would continue to be computed as required by existing law.

(f) The method of funding for nonpublic, nonsectarian school contracts would be revised. The State Department of Education would be required to administer an extraordinary cost pool to protect SELPAs from the extraordinary costs associated with single placements in nonpublic, nonsectarian schools. The Office of the Legislative Analyst, the Department of Finance, and the State Department of Education would be required to conduct a study, as specified, of nonpublic school and nonpublic agency costs with a final report to the appropriate policy and fiscal committees of the Legislature on or before May 1, 1998.



(g) Low-incidence funding would continue to be computed as required by existing law.

(h) The method of allocating funds for regionalized operations and services and the direct instructional support of program specialists would be revised.

(2) This bill would require each SELPA to submit a revised local plan on or before the time it is required to submit a local plan as specified. Until the superintendent approves the revised local plan, the SELPA would be required to continue to operate under the reporting and accounting requirements prescribed by the State Department of Education for the special education finance provisions repealed by this bill. The department would be required to issue transition guidelines on the accounting requirements that SELPAs would be required to follow, including, but not necessarily limited to, guidelines pertaining to accounting for instructional personnel service units and caseloads. The bill would prohibit the State Board of Education from approving any proposal to divide a SELPA into 2 or more units unless either equalization among SELPAs has been achieved or the division has no net impact on state costs for special education, provided, however, that a proposal may be approved if it was initially submitted prior to January 1, 1997.

(3) This bill would require each SELPA to administer the revised local plans described in (2) and the allocation of funds. The bill would require SELPAs that do not have approved revised local plans to continue to distribute funds under the methods set forth in existing law, as specified.

(4) This bill would revise the requirements for a SELPA that requests a designation as a necessary small SELPA.

(5) This bill would repeal provisions requiring the termination of the state's participation in special education programs for individuals with exceptional needs between the ages of 3 and 5 years if certain conditions occur.

(6) This bill would make some of the numerous necessary conforming substantive and technical changes to provisions of law relating to special education.

(7) To the extent that this bill would place new requirements on SELPAs, school districts, and county offices of education with respect to governance of SELPAs and the distribution of funds to SELPAs, this bill would impose a state-mandated local program.

(8) The bill would make legislative findings and declarations that the federal Individuals with Disabilities Education Act, as amended by the Individuals with Disabilities Education Act Amendments of 1997, contains specified provisions and that state and local education agencies are required to abide by federal laws.

(9) This bill would require the Office of the Legislative Analyst, in conjunction with the Department of Finance and the State Department of Education, to conduct a study of the distribution of

severe and costly disabilities and the Office of the Legislative Analyst, the Department of Finance, and the State Department of Education to submit a report of their findings to the appropriate policy and fiscal committees of the Legislature on or before June 1, 1998.

(10) This bill would require the State Department of Education to convene a working group to develop recommendations for improving the compliance of state and local education agencies with state and federal special education laws and regulations and to submit a report of the recommendations to the appropriate policy and fiscal committees of the Legislature on or before September 1, 1998.

(11) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(12) This bill would provide that funding for this bill is contingent upon the enactment of an appropriation in the annual Budget Act, but would appropriate \$100,000 from specified federal funds for the purpose of the Office of the Legislative Analyst, the Department of Finance, and the State Department of Education conducting the study of nonpublic school and nonpublic agency costs and \$200,000 from specified federal funds for the purpose of the Office of the Legislative Analyst contracting for the request for proposal and study of the distribution of severe and costly disabilities.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. (a) This act shall be known and may be cited as the Poochigian and Davis Special Education Reform Act.

(b) The Legislature hereby finds and declares the following:

(1) On December 1, 1995, approximately 9.4 percent of the 5,467,224 pupils enrolled in kindergarten and grades 1 to 12, inclusive, in California required some form of special education programming or service.

(2) Significant inequities in funding for special education exist in California. Special education funding derives from the value of a local education agency's various instructional personnel services unit rates plus the funds it generates from multiplying the total unit values by the agency's support services ratio. Since these values and ratios vary greatly among the local education agencies, widely disparate funding amounts are generated for the same type of program among local education agencies.

(3) In the 1994-95 fiscal year, the following range in funding amounts existed for each of the four types of instructional personnel services units providing services to the nonseverely disabled:



Unit Type	Lowest	Highest
Special classes and centers	\$31,137	\$80,044
Resource specialists	\$26,064	\$84,579
Designated instruction and services	\$30,080	\$91,760
Instructional aides	\$ 9,601	\$49,883

(4) The range in funding amounts in the 1994–95 fiscal year was even greater for instructional personnel services units for special education services for severely disabled pupils in special education classes, as follows:

Unit Type	Lowest	Highest
Special classes and centers	\$31,137	\$89,181
Instructional aides	\$ 9,601	\$55,577

(5) Equalization aid has not been provided to correct the disparities in special education funding since the Master Plan for Special Education was enacted for statewide implementation in 1980. Consequently, funding figures, based primarily on expenditures made in the base year 1979–80, are still being used.

(6) In recent years, some additional money has been provided to school districts to equalize revenue limit funding for regular education programs, and school districts with lower base revenue limits have had those revenue limits increased, resulting in those school districts attaining a base revenue limit that is closer to the statewide average.

(7) In February 1994, the Legislative Analyst, in the “Analysis of the 1994–95 Budget Bill,” cited a number of major problems with the state’s current special education funding formula. Among the shortfalls cited included:

- (A) Unjustified funding variation among local education agencies.
- (B) Unnecessary complexity.
- (C) Constraint on local innovation and on responses to changing requirements.
- (D) Inappropriate fiscal incentives related to special education placements.

(8) The current method of funding special education programs unduly influences the manner and methods through which special education services are provided and inhibits the ability of local education agencies to appropriately individualize the provision of special education services to individuals with exceptional needs.

(9) Existing law provides for the annual calculation of additional instructional personnel services necessary to address the enrollment



growth in special education programs. Over the last four years, the number of additional instructional personnel service units actually funded to address the enrollment growth has been well under one-half the number for which the calculation provides:

Fiscal Year	Calculated Need	Amount Funded	Percent Funded
1993-94	\$ 87,259,893	\$ 30,376,332	34.8
1994-95	106,704,203	51,947,000	48.7
1995-96	99,634,692	31,589,000	31.7
1996-97	134,444,158	56,887,715	42.3

(10) Individuals with exceptional needs and their families are protected by provisions of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and federal regulations relating thereto. These protections include, but are not limited to, the following:

(A) Individuals with exceptional needs shall be identified, located, and appropriately evaluated in a nondiscriminatory manner.

(B) Individuals with exceptional needs have the right to a free appropriate public education pursuant to an individualized education program developed by local education agency representatives in partnership with the individual’s parents.

(C) Individuals with exceptional needs and their families shall receive prior notification whenever a local educational agency intends or refuses to initiate the evaluation of the individual with exceptional needs.

(D) Whenever a local educational agency intends to change the educational placement of an individual with exceptional needs, the individual with exceptional needs and his or her family may review the contents of any records or other materials used to make educational decisions regarding the individual with exceptional needs.

(E) Due process protections, including the protection of seeking redress in the courts.

(11) The protections set forth in paragraph (10) and other requirements of federal law and regulations shall not be adversely affected or negated by any changes to state law which may occur from this act.

SEC. 2. It is the intent of the Legislature, in enacting this act, to accomplish the following:

(a) To establish a funding mechanism that:



(1) Ensures greater equity in funding among special education local plan areas so that pupils with exceptional needs receive the necessary level of services regardless of their geographical location.

(2) Eliminates financial incentives to inappropriately place pupils in special education programs.

(3) Recognizes the interaction among funding for special education programs and services, revenue limits for school districts, and funding for categorical programs.

(4) Phases in the newly developed funding formula on a gradual basis so as not to disrupt educational services to pupils enrolled in general or special education programs.

(5) Requires fiscal and program accountability in a manner that ensures effective services are provided to pupils who require special education services in compliance with federal laws and regulations and ensures that federal and state funds are used for the intended special education purposes.

(6) Establishes a funding formula that is understandable and avoids unnecessary complexity.

(b) To recognize and establish the following principles to guide the new funding mechanism:

(1) Allocations to special education local plan areas encourage and support an areawide approach to service delivery that incorporates collaborative administration and coordination of special education services within an area, allows for the tailoring of the organizational structures to differing population densities and demographic attributes, and provides local flexibility for the planning and provision of special education services in an efficient and cost-effective manner.

(2) Allocations to special education local plan areas are best based on a neutral factor such as total pupil population in the special education local plan area.

(3) Local education agencies need the flexibility to adopt innovative approaches to the delivery of special education services.

(c) It is also the intent of the Legislature that alternative delivery systems that include effective schoolwide and districtwide screening practices, the development of effective teaching and intervention strategies, and regular and special education program collaboration, including team teaching, consultation, and home-school partnerships, be fully utilized in the identification process so as to prevent pupils from needing special education services.

(d) It is further the intent of the Legislature that the new funding mechanism based on total pupil population, does not create, in any way, a disincentive to identify and serve pupils with exceptional needs or eliminate or reduce the continuum of placement options.

SEC. 3. The Legislature further finds and declares as follows:

(a) It is the intent of the Legislature to equalize special education program funding imbalances among local education agencies in the

1997–98 fiscal year, pursuant to Chapter 7.1 (commencing with Section 56835) of Part 30 of the Education Code, only to the extent that funds are provided for that purpose in the Budget Act of 1997 or in this act. It is further the intent of the Legislature to implement a population-based funding formula in the 1998–99 fiscal year, pursuant to Chapter 7.2 (commencing with Section 56836) of Part 30 of the Education Code, to allocate special education program funds instead of instructional personnel service units to the special education local plan areas, and to equalize per-pupil funding among the special education local plan areas over a multiyear period, only to the extent that funds are appropriated for those purposes in the annual Budget Act.

(b) As part of the new special education funding system, this act proposes to achieve local administrative savings by simplifying the administrative processes of the current funding system that govern the activities of special education local plan areas, school districts, and county offices of education. Specifically, this act eliminates the process-intensive J-50 claim system that drains local resources away from providing services to completing numerous, lengthy reports in order to secure state funding for special education. To ensure program accountability when the resource-based funding system is replaced by the population-based funding system, this act also provides for additional information to be included in each local plan that will provide the public and other units of government specific information on how services shall be provided and funded. The Legislature finds and declares that the administrative savings resulting from this act will more than offset any increased costs from any new administrative workload resulting from this act.

(c) It is further the intent of the Legislature that the funds provided for equalization entitlements pursuant to this act shall fully compensate any mandated costs associated with maintaining pupil caseload for the purpose of any cost claim filed with the Commission on State Mandates.

SEC. 4. Section 44903.7 of the Education Code is amended to read:

44903.7. When a local plan for the education of individuals with exceptional needs is developed or revised pursuant to Chapter 2.5 (commencing with Section 56195) of Part 30, the following provisions shall apply:

(a) Whenever any certificated employee, who is performing service for one employer, is terminated, reassigned, or transferred, or becomes an employee of another employer because of the reorganization of special education programs pursuant to Chapter 797 of the Statutes of 1980, the employee shall be entitled to the following:

(1) The employee shall retain the seniority date of his or her employment with the district or county office from which he or she



was terminated, reassigned, or transferred, in accordance with Section 44847. In the case of termination, permanent employees shall retain the rights specified in Section 44956 or, in the case of probationary employees, Sections 44957 and 44958, with the district or county office initiating the termination pursuant to Section 44955.

(2) The reassignment, transfer, or new employment caused by the reorganization of special education programs pursuant to Chapter 797 of the Statutes of 1980, shall not affect the seniority or classification of certificated employees already attained in any school district that undergoes the reorganization. These employees shall have the same status with respect to their seniority or classification, with the new employer, including time served as probationary employees. The total number of years served as a certificated employee with the former district or county office shall be credited, year for year, for placement on the salary schedule of the new district or county office.

(b) All certificated employees providing service to individuals with exceptional needs shall be employed by a county office of education or an individual school district. Special education local plan areas or responsible local agencies resulting from local plans for the education of individuals with exceptional needs formulated in accordance with Part 30 (commencing with Section 56000) shall not be considered employers of certificated personnel for purposes of this section.

(c) Subsequent to the reassignment or transfer of any certificated employee as a result of the reorganization of special education programs, pursuant to Chapter 797 of the Statutes of 1980, that employee shall have priority, except as provided in subdivision (d), in being informed of and in filling certificated positions in special education in the areas in which the employee is certificated within the district or county office by which the certificated employee is then currently employed. This priority shall expire 24 months after the date of reassignment or transfer, and may be waived by the employee during that time period.

(d) A certificated employee who has served as a special education teacher in a district or county office and has been terminated from his or her employment by that district or county office pursuant to Section 44955, shall have first priority in being informed of and in filling vacant certificated positions in special education, for which the employee is certificated and was employed, in any other county office or school district that provides the same type of special education programs and services for the pupils previously served by the terminated employee. For a period of 39 months for permanent employees and 24 months for probationary employees from the date of termination, the employee shall have the first priority right to reappointment as provided in this section, if the employee has not attained the age of 65 years before reappointment.

SEC. 5. Section 48915.5 of the Education Code is amended to read:

48915.5. (a) In a matter involving a pupil with previously identified exceptional needs who is currently enrolled in a special education program, the governing board may order the pupil expelled pursuant to subdivision (b) or (d) of Section 48915 only if all of the following conditions are met:

(1) An individualized education program team meeting is held and conducted pursuant to Article 3 (commencing with Section 56340) of Chapter 2 of Part 30.

(2) The team determines that the misconduct was not caused by, or was not a direct manifestation of, the pupil's identified disability.

(3) The team determines that the pupil had been appropriately placed at the time the misconduct occurred.

The term "pupil with previously identified exceptional needs," as used in this section, means a pupil who meets the requirements of Section 56026 and who, at the time the alleged misconduct occurred, was enrolled in a special education program, including enrollment in nonpublic schools pursuant to Section 56365 and state special schools.

(b) For purposes of this section, all applicable procedural safeguards prescribed by federal and state law and regulations apply to proceedings to expel pupils with previously identified exceptional needs, except that, notwithstanding Section 56321, subdivision (e) of Section 56506, or any other provision of law, parental consent is not required prior to conducting a preexpulsion educational assessment pursuant to subdivision (e), or as a condition of the final decision of the local board to expel.

(c) Each local educational agency, pursuant to the requirements of Section 56195.8, shall develop procedures and timelines governing expulsion procedures for individuals with exceptional needs.

(d) The parent of each pupil with previously identified exceptional needs has the right to participate in the individualized education program team meeting conducted pursuant to subdivision (a) preceding the commencement of expulsion proceedings, following the completion of a preexpulsion assessment pursuant to subdivision (e), through actual participation, representation, or a telephone conference call. The meeting shall be held at a time and place mutually convenient to the parent and local educational agency within the period, if any, of the pupil's preexpulsion suspension. A telephone conference call may be substituted for the meeting. Each parent shall be notified of his or her right to participate in the meeting at least 48 hours prior to the meeting. Unless a parent has requested a postponement, the meeting may be conducted without the parent's participation, if the notice required by this subdivision has been provided. The notice shall specify that the meeting may be held without the parent's participation, unless the parent requests a postponement for up to three additional



schooldays pursuant to this subdivision. Each parent may request that the meeting be postponed for up to three additional schooldays. If a postponement has been granted, the local educational agency may extend any suspension of a pupil for the period of postponement if the pupil continues to pose an immediate threat to the safety of himself, herself, or others and the local educational agency notifies the parent that the suspension will be continued during the postponement. However, the suspension shall not be extended beyond 10 consecutive schooldays unless agreed to by the parent, or by a court order. If a parent who has received proper notice of the meeting refuses to consent to an extension beyond 10 consecutive schooldays and chooses not to participate, the meeting may be conducted without the parent's participation.

(e) In determining whether a pupil should be expelled, the individualized education program team shall base its decision on the results of a preexpulsion educational assessment conducted in accordance with the guidelines of Section 104.35 of Title 34 of the Code of Federal Regulations, which shall include a review of the appropriateness of the pupil's placement at the time of the alleged misconduct, and a determination of the relationship, if any, between the pupil's behavior and his or her disability.

In addition to the preexpulsion educational assessment results, the individualized education program team shall also review and consider the pupil's health records and school discipline records. The parent, pursuant to Section 300.504 of Title 34 of the Code of Federal Regulations, is entitled to written notice of the local educational agency's intent to conduct a preexpulsion assessment. The parent shall make the pupil available for the assessment at a site designated by the local educational agency without delay. The parent's right to an independent assessment under Section 56329 applies despite the fact that the pupil has been referred for expulsion.

(f) If the individualized education program team determines that the alleged misconduct was not caused by, or a direct manifestation of, the pupil's disability, and if it is determined that the pupil was appropriately placed, the pupil shall be subject to the applicable disciplinary actions and procedures prescribed under this article.

(g) The parent of each pupil with previously identified exceptional needs has the right to a due process hearing conducted pursuant to Section 1415 of Title 20 of the United States Code if the parent disagrees with the decision of the individualized education program team made pursuant to subdivision (f), or if the parent disagrees with the decision to rely upon information obtained, or proposed to be obtained, pursuant to subdivision (e).

(h) No expulsion hearing shall be conducted for an individual with exceptional needs until all of the following have occurred:

- (1) A preexpulsion assessment is conducted.



(2) The individualized education program team meets pursuant to subdivision (a).

(3) Due process hearings and appeals, if initiated pursuant to Section 1415 of Title 20 of the United States Code, are completed.

(i) Pursuant to subdivision (a) of Section 48918, the statutory times prescribed for expulsion proceedings for individuals with exceptional needs shall commence after the completion of paragraphs (1), (2), and (3) in subdivision (h).

(j) If an individual with exceptional needs is excluded from schoolbus transportation, the pupil is entitled to be provided with an alternative form of transportation at no cost to the pupil or parent.

SEC. 6. Section 56100 of the Education Code is amended to read:

56100. The State Board of Education shall do all of the following:

(a) Adopt rules and regulations necessary for the efficient administration of this part.

(b) Adopt criteria and procedures for the review and approval by the board of local plans. Local plans may be approved for up to four years.

(c) Adopt size and scope standards for determining the efficacy of local plans submitted by special education local plan areas, pursuant to subdivision (a) of Section 56195.1.

(d) Provide review, upon petition, to any district, special education local plan area, or county office that appeals a decision made by the department that affects its providing services under this part except a decision made pursuant to Chapter 5 (commencing with Section 56500).

(e) Review and approve a program evaluation plan for special education programs provided by this part in accordance with Chapter 6 (commencing with Section 56600). This plan may be approved for up to three years.

(f) Recommend to the Commission on Teacher Credentialing the adoption of standards for the certification of professional personnel for special education programs conducted pursuant to this part.

(g) Adopt regulations to provide specific procedural criteria and guidelines for the identification of pupils as individuals with exceptional needs.

(h) Adopt guidelines of reasonable pupil progress and achievement for individuals with exceptional needs. The guidelines shall be developed to aid teachers and parents in assessing an individual pupil's education program and the appropriateness of the special education services.

(i) In accordance with the requirements of federal law, adopt regulations for all educational programs for individuals with exceptional needs, including programs administered by other state or local agencies.

(j) Adopt uniform rules and regulations relating to parental due process rights in the area of special education.



(k) Adopt rules and regulations regarding the ownership and transfer of materials and equipment, including facilities, related to transfer of programs, reorganization, or restructuring of special education local plan areas.

SEC. 7. Section 56140 of the Education Code is amended to read:

56140. County offices shall do all of the following:

(a) Initiate and submit to the superintendent a countywide plan for special education which demonstrates the coordination of all local plans submitted pursuant to Section 56200 and which ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including, but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by county offices of education, and juvenile court schools, will have access to appropriate special education programs and related services. However, a county office shall not be required to submit a countywide plan when all the districts within the county elect to submit a single local plan.

(b) Within 45 days, approve or disapprove any proposed local plan submitted by a district or group of districts within the county or counties. Approval shall be based on the capacity of the district or districts to ensure that special education programs and services are provided to all individuals with exceptional needs.

(1) If approved, the county office shall submit the plan with comments and recommendations to the superintendent.

(2) If disapproved, the county office shall return the plan with comments and recommendations to the district. This district may immediately appeal to the superintendent to overrule the county office's disapproval. The superintendent shall make a decision on an appeal within 30 days of receipt of the appeal.

(3) A local plan may not be implemented without approval of the plan by the county office or a decision by the superintendent to overrule the disapproval of the county office.

(c) Participate in the state onsite review of the district's implementation of an approved local plan.

(d) Join with districts in the county which elect to submit a plan or plans pursuant to subdivision (c) of Section 56195.1. Any plan may include more than one county, and districts located in more than one county. Nothing in this subdivision shall be construed to limit the authority of a county office to enter into other agreements with these districts and other districts to provide services relating to the education of individuals with exceptional needs.

SEC. 8. Section 56156.5 of the Education Code is amended to read:

56156.5. (a) Each district, special education local plan area, or county office shall be responsible for providing appropriate education to individuals with exceptional needs residing in licensed

children’s institutions and foster family homes located in the geographical area covered by the local plan.

(b) In multidistrict and district and county office local plan areas, local written agreements shall be developed, pursuant to subdivision (f) of Section 56195.7, to identify the public education entities that will provide the special education services.

(c) If there is no local agreement, special education services for individuals with exceptional needs residing in licensed children’s institutions shall be the responsibility of the county office in the county in which the institution is located, if the county office is part of the special education local plan area, and special education services for individuals with exceptional needs residing in foster family homes shall be the responsibility of the district in which the foster family home is located. If a county office is not a part of the special education local plan area, special education services for individuals with exceptional needs residing in licensed children’s institutions, pursuant to this subdivision, shall be the responsibility of the responsible local agency or other administrative entity of the special education local plan area. This program responsibility shall continue until the time local written agreements are developed pursuant to subdivision (f) of Section 56195.7.

SEC. 9. Section 56167 of the Education Code is amended to read:

56167. (a) Individuals with exceptional needs who are placed in a public hospital, state licensed children’s hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes are the educational responsibility of the district, special education local plan area, or county office in which the hospital or facility is located, as determined in local written agreements pursuant to subdivision (e) of Section 56195.7.

(b) For the purposes of this part, “health facility” shall have the definition set forth in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code.

SEC. 10. Article 6 (commencing with Section 56170) of Chapter 2 of Part 30 of the Education Code is repealed.

SEC. 11. Section 56190 of the Education Code is amended to read:

56190. Each plan submitted under Section 56195.1 shall establish a community advisory committee. The committee shall serve only in an advisory capacity.

SEC. 12. Chapter 2.5 (commencing with Section 56195) is added to Part 30 of the Education Code, to read:

CHAPTER 2.5. GOVERNANCE

Article 1. Local Plans

56195. Each special education local plan area, as defined in subdivision (d) of Section 56195.1, shall administer local plans



submitted pursuant to Chapter 3 (commencing with Section 56200) and shall administer the allocation of funds pursuant to Chapter 7.2 (commencing with Section 56836).

56195.1. The governing board of a district shall elect to do one of the following:

(a) If of sufficient size and scope, under standards adopted by the board, submit to the superintendent a local plan for the education of all individuals with exceptional needs residing in the district in accordance with Chapter 3 (commencing with Section 56200).

(b) In conjunction with one or more districts, submit to the superintendent a local plan for the education of individuals with exceptional needs residing in those districts in accordance with Chapter 3 (commencing with Section 56200). The plan shall include, through joint powers agreements or other contractual agreements, all the following:

(1) Provision of a governance structure and any necessary administrative support to implement the plan.

(2) Establishment of a system for determining the responsibility of participating agencies for the education of each individual with exceptional needs residing in the special education local plan area.

(3) Designation of a responsible local agency or alternative administrative entity to perform functions such as the receipt and distribution of funds, provision of administrative support, and coordination of the implementation of the plan. Any participating agency may perform any of these services required by the plan.

(c) Join with the county office, to submit to the superintendent a local plan in accordance with Chapter 3 (commencing with Section 56200) to assure access to special education and services for all individuals with exceptional needs residing in the geographic area served by the plan. The county office shall coordinate the implementation of the plan, unless otherwise specified in the plan. The plan shall include, through contractual agreements, all of the following:

(1) Establishment of a system for determining the responsibility of participating agencies for the education of each individual with exceptional needs residing in the geographical area served by the plan.

(2) Designation of the county office, of a responsible local agency, or of any other administrative entity to perform functions such as the receipt and distribution of funds, provision of administrative support, and coordination of the implementation of the plan. Any participating agency may perform any of these services required by the plan.

(d) The service area covered by the local plan developed under subdivision (a), (b), or (c) shall be known as the special education local plan area.



(e) Nothing in this section shall be construed to limit the authority of a county office and a school district or group of school districts to enter into contractual agreements for services relating to the education of individuals with exceptional needs; provided that, except for instructional personnel service units serving infants, until a special education local plan area adopts a revised local plan approved pursuant to Section 56836.03, the county office of education or school district that reports a unit for funding shall be the agency that employs the personnel who staff the unit, unless the combined unit rate and support service ratio of the nonemploying agency is equal to or lower than that of the employing agency and both agencies agree that the nonemploying agency will report the unit for funding.

56195.3. In developing a local plan under Section 56195.1, each district shall do the following:

(a) Involve special and general teachers selected by their peers and parents selected by their peers in an active role.

(b) Cooperate with the county office and other school districts in the geographic areas in planning its option under Section 56195.1 and each fiscal year, notify the department, impacted special education local plan areas, and participating county offices of its intent to elect an alternative option from those specified in Section 56195.1, at least one year prior to the proposed effective date of the implementation of the alternative plan.

(c) Cooperate with the county office to assure that the plan is compatible with other local plans in the county and any county plan of a contiguous county.

(d) Submit to the county office for review any plan developed under subdivision (a) or (b) of Section 56195.1.

56195.5. (a) Each county office and district governing board shall have authority over the programs it directly maintains, consistent with the local plan submitted pursuant to Section 56195.1. In counties with more than one special education local plan area for which the county office provides services, relevant provisions of contracts between the county office and its employees governing wages, hours, and working conditions shall supersede like provisions contained in a plan submitted under Section 56195.1.

(b) Any county office or district governing board may provide for the education of individual pupils in special education programs maintained by other districts or counties, and may include within the special education programs pupils who reside in other districts or counties. Section 46600 shall apply to interdistrict attendance agreements for programs conducted pursuant to this part.



Article 2. Local Requirements

56195.7. In addition to the provisions required to be included in the local plan pursuant to Chapter 3 (commencing with Section 56200), each special education local plan area that submits a local plan pursuant to subdivision (b) of Section 56195.1 and each county office that submits a local plan pursuant to subdivision (c) of Section 56195.1 shall develop written agreements to be entered into by entities participating in the plan. The agreements need not be submitted to the superintendent. These agreements shall include, but not be limited to, the following:

(a) A coordinated identification, referral, and placement system pursuant to Chapter 4 (commencing with Section 56300).

(b) Procedural safeguards pursuant to Chapter 5 (commencing with Section 56500).

(c) Regionalized services to local programs, including, but not limited to, all of the following:

(1) Program specialist service pursuant to Section 56368.

(2) Personnel development, including training for staff, parents, and members of the community advisory committee pursuant to Article 3 (commencing with Section 56240).

(3) Evaluation pursuant to Chapter 6 (commencing with Section 56600).

(4) Data collection and development of management information systems.

(5) Curriculum development.

(6) Provision for ongoing review of programs conducted, and procedures utilized, under the local plan, and a mechanism for correcting any identified problem.

(d) A description of the process for coordinating services with other local public agencies that are funded to serve individuals with exceptional needs.

(e) A description of the process for coordinating and providing services to individuals with exceptional needs placed in public hospitals, proprietary hospitals, and other residential medical facilities pursuant to Article 5.5 (commencing with Section 56167) of Chapter 2.

(f) A description of the process for coordinating and providing services to individuals with exceptional needs placed in licensed children's institutions and foster family homes pursuant to Article 5 (commencing with Section 56155) of Chapter 2.

(g) A description of the process for coordinating and providing services to individuals with exceptional needs placed in juvenile court schools or county community schools pursuant to Section 56150.

(h) A budget for special education and related services that shall be maintained by the special education local plan area and be open to the public covering the entities providing programs or services

within the special education local plan area. The budget language shall be presented in a form that is understandable by the general public. For each local educational agency or other entity providing a program or service, the budget, at minimum, shall display the following:

(1) Expenditures by object code and classification for the previous fiscal year and the budget by the same object code classification for the current fiscal year.

(2) The number and type of certificated instructional and support personnel, including the type of class setting to which they are assigned, if appropriate.

(3) The number of instructional aides and other qualified classified personnel.

(4) The number of enrolled individuals with exceptional needs receiving each type of service provided.

56195.8. (a) Each entity providing special education under this part shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to subdivision (b) or (c) of Section 56195.1 or Section 56195.7. The policies need not be submitted to the superintendent.

(b) The policies shall include, but not be limited to, all of the following:

(1) Nonpublic, nonsectarian services, including those provided pursuant to Sections 56365 and 56366.

(2) Review, at a general education or special education teacher's request, of the assignment of an individual with exceptional needs to his or her class and a mandatory meeting of the individualized education program team if the review indicates a change in the pupil's placement, instruction, related services, or any combination thereof. The procedures shall indicate which personnel are responsible for the reviews and a timetable for completion of the review.

(3) Procedural safeguards pursuant to Chapter 5 (commencing with Section 56500).

(4) Resource specialists pursuant to Section 56362.

(5) Transportation, where appropriate, which describes how special education transportation is coordinated with regular home-to-school transportation. The policy shall set forth criteria for meeting the transportation needs of special education pupils. The policy shall include procedures to ensure compatibility between mobile seating devices, when used, and the securement systems required by Federal Motor Vehicle Safety Standard No. 222 (49 C.F.R. 571.222) and to ensure that schoolbus drivers are trained in the proper installation of mobile seating devices in the securement systems.

(6) Information on the number of individuals with exceptional needs who are being provided special education and related services.



(7) Caseloads pursuant to Chapter 4.45 (commencing with Section 56440) of Part 30. The policies, with respect to caseloads, shall not be developed until guidelines or proposed regulations are issued pursuant to Section 56441.7. The guidelines or proposed regulations shall be considered when developing the caseload policy. A statement of justification shall be attached if the local caseload policy exceeds state guidelines or proposed regulations.

(c) The policies may include, but are not limited to, provisions for involvement of district and county governing board members in any due process hearing procedure activities conducted pursuant to, and consistent with, state and federal law.

56195.9. The plan for special education shall be developed and updated cooperatively by a committee of representatives of special and regular teachers and administrators selected by the groups they represent and with participation by parent members of the community advisory committee, or parents selected by the community advisory committee, to ensure adequate and effective participation and communication.

SEC. 13. Section 56200 of the Education Code is amended to read:

56200. Each local plan submitted to the superintendent under this part shall contain all the following:

(a) Compliance assurances, including general compliance with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and this part.

(b) A description of services to be provided by each district and county office. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.

(c) (1) A description of the governance and administration of the plan, including the role of county office and district governing board members.

(2) Multidistrict plans, submitted pursuant to subdivision (b) or (c) of Section 56170, shall specify the responsibilities of each participating county office and district governing board in the policymaking process, the responsibilities of the superintendents of each participating district and county in the implementation of the plan, and the responsibilities of district and county administrators of special education in coordinating the administration of the local plan.

(d) Copies of joint powers agreements or contractual agreements, as appropriate, for districts and counties that elect to enter into those agreements pursuant to subdivision (b) or (c) of Section 56170.

(e) An annual budget plan to allocate instructional personnel service units, support services, and transportation services directly to entities operating those services and to allocate regionalized services funds to the county office, responsible local agency, or other

alternative administrative structure. The annual budget plan shall be adopted at a public hearing held by the district, special education local plan area, or county office, as appropriate. Notice of this hearing shall be posted in each school in the local plan area at least 15 days prior to the hearing. The annual budget plan may be revised during the fiscal year, and these revisions may be submitted to the superintendent as amendments to the allocations set forth in the plan. However, the revisions shall, prior to submission to the superintendent, be approved according to the policymaking process, established pursuant to paragraph (2) of subdivision (c).

(f) Verification that the plan has been reviewed by the community advisory committee and that the committee had at least 30 days to conduct this review prior to submission of the plan to the superintendent.

(g) A description of the identification, referral, assessment, instructional planning, implementation, and review in compliance with Chapter 4 (commencing with Section 56300).

(h) A description of the process being utilized to meet the requirements of Section 56303.

(i) A description of the process being utilized to meet the requirements of the California Early Intervention Services Act, Title 14 (commencing with Section 95000) of the Government Code.

SEC. 14. Section 56202 is added to the Education Code, to read:

56202. This article shall only apply to districts, county offices, and special education local plan areas that have not had a revised local plan approved pursuant to Section 56836.03.

This article shall become inoperative on July 1, 2003, and, as of January 1, 2004, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2004, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 15. Article 1.1 (commencing with Section 56205) is added to Chapter 3 of Part 30 of the Education Code, to read:

Article 1.1. State Requirements

56205. Each special education local plan area shall submit a local plan to the superintendent under this part. The local plan shall contain all the following:

(a) Compliance assurances, including general compliance with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), federal regulations relating thereto, and this part.

(b) (1) A description of the governance and administration of the plan, including identification of the governing body of a multidistrict plan or the individual responsible for administration in a single



district plan, and a description of the elected officials to whom the governing body or individual is responsible.

(2) A description of the regionalized operations and services listed in Section 56836.23 and the direct instructional support provided by program specialists in accordance with Section 56368 to be provided through the plan.

(3) Multidistrict plans, submitted pursuant to subdivision (b) or (c) of Section 56195.1, shall specify the responsibilities of each participating county office and district governing board in the policymaking process, the responsibilities of the superintendents of each participating district and county in the implementation of the plan, and the responsibilities of district and county administrators of special education in coordinating the administration of the local plan.

(4) Multidistrict plans, submitted pursuant to subdivision (b) or (c) of Section 56195.1, shall identify the respective roles of the administrative unit and the administrator of the special education local plan area and the individual local education agencies within the special education local plan area in relation to the following:

(A) The hiring, supervision, evaluation, and discipline of the administrator of the special education local plan area and staff employed by the administrative unit in support of the local plan.

(B) The allocation from the state of federal and state funds to the special education local plan area or to local education agencies within the special education local plan area.

(C) The operation of special education programs.

(D) Monitoring the appropriate use of federal, state, and local funds allocated for special education programs.

(E) The preparation of program and fiscal reports required of the special education local plan area by the state.

(5) The description of the governance and administration of the plan, and the policymaking process, shall be consistent with subdivision (f) of Section 56001, subdivision (a) of Section 56195.3, and Section 56195.9 and shall reflect a schedule of regular consultations regarding policy and budget development with representatives of special and regular teachers and administrators selected by the groups they represent and parent members of the community advisory committee established pursuant to Article 7 (commencing with Section 56190) of Chapter 2.

(c) A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the plan, may address questions or concerns to the governing body or individual identified in paragraph (1) of subdivision (b).

(d) A description of an alternative resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision,

and other activities specified within the plan. Any arbitration shall be conducted by the department.

(e) Copies of joint powers agreements or contractual agreements, as appropriate, for districts and counties that elect to enter into those agreements pursuant to subdivision (b) or (c) of Section 56195.1.

(f) An annual budget allocation plan that shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school in the local plan area at least 15 days prior to the hearing. The annual budget allocation plan may be revised during any fiscal year, and these revisions may be submitted to the superintendent as amendments to the allocations set forth in the local plan. However, the revisions shall, prior to submission to the superintendent, be approved according to the policymaking process established pursuant to paragraph (3) of subdivision (b) and consistent with subdivision (f) of Section 56001 and Section 56222. The annual budget plan shall separately identify the allocations for all of the following:

(1) Funds received in accordance with Chapter 7.2 (commencing with Section 56836).

(2) Administrative costs of the plan.

(3) Special education services to pupils with severe disabilities and low incidence disabilities.

(4) Special education services to pupils with nonsevere disabilities.

(5) Supplemental aids and services to meet the individual needs of pupils placed in regular education classrooms and environments.

(6) Regionalized operations and services, and direct instructional support by program specialists in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2.

(7) The use of property taxes allocated to the special education local plan area pursuant to Section 2572.

(g) An annual service plan shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school in the special education local plan area at least 15 days prior to the hearing. The annual service plan may be revised during any fiscal year, and these revisions may be submitted to the superintendent as amendments to the plan. However, the revisions shall, prior to submission to the superintendent, be approved according to the policymaking process established pursuant to paragraph (3) of subdivision (b) and consistent with subdivision (f) of Section 56001 and Section 56222. The annual service plan shall include a description of services to be provided by each district and county office, including the nature of the services and the location at which the services will be provided, including alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by county offices of education, and juvenile court schools regardless



of whether the district or county office of education is participating in the local plan. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.

(h) Verification that the plan has been reviewed by the community advisory committee and that the committee had at least 30 days to conduct this review prior to submission of the plan to the superintendent.

(i) A description of the identification, referral, assessment, instructional planning, implementation, and review in compliance with Chapter 4 (commencing with Section 56300).

(j) A description of the process being utilized to meet the requirements of Section 56303.

(k) A description of the process being utilized to meet the requirements of the California Early Intervention Services Act, Title 14 (commencing with Section 95000) of the Government Code.

(l) The local plan, budget allocation plan, and annual service plan shall be written in language that is understandable to the general public.

56206. As a part of the local plan submitted pursuant to Section 56205, each special education local plan area shall describe how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve pupils in isolated sites and maximizes the opportunities to serve pupils in the least restrictive environments.

56207. (a) No educational programs and services already in operation in school districts or a county office of education pursuant to Part 30 (commencing with Section 56000) shall be transferred to another school district or a county office of education or from a county office of education to a school district unless the special education local plan area has developed a plan for the transfer which addresses, at a minimum, all of the following:

- (1) Pupil needs.
- (2) The availability of the full continuum of services to affected pupils.
- (3) The functional continuation of the current individualized education programs of all affected pupils.
- (4) The provision of services in the least restrictive environment from which affected pupils can benefit.
- (5) The maintenance of all appropriate support services.
- (6) The assurance that there will be compliance with all federal and state laws and regulations and special education local plan area policies.
- (7) The means through which parents and staff were represented in the planning process.

(b) The date on which the transfer will take effect may be no earlier than the first day of the second fiscal year beginning after the date on which the sending or receiving agency has informed the other agency and the governing body or individual identified in paragraph (1) of subdivision (b) of Section 56205, unless the governing body or individual identified in paragraph (1) of subdivision (b) of Section 56205 unanimously approves the transfer taking effect on the first day of the first fiscal year following that date.

(c) If either the sending or receiving agency disagree with the proposed transfer, the matter shall be resolved by the alternative resolution process established pursuant to subdivision (d) of Section 56205.

56208. This article shall apply to special education local plan areas that are submitting a revised local plan for approval pursuant to Section 56836.03 or that have an approved revised local plan pursuant to Section 56836.03.

SEC. 16. Section 56210 of the Education Code is amended to read:

56210. (a) It is the intent of the Legislature in enacting this article to ensure that individuals with exceptional needs residing in special education local plan areas with small or sparse populations have equitable access to the programs and services they may require. It is further the intent of the Legislature to provide a guaranteed minimum level of authorized instructional personnel service units to special education local plan areas with small or sparse populations and the means through which these special education local plan areas may achieve planned orderly growth and maintenance of services through the local planning process. It is also the intent of the Legislature to relieve special education local plan areas with small or sparse populations from the burdensome dependency upon the annual waiver authority of Sections 56728.6, 56728.8, and 56761 so that individuals with exceptional needs residing in those areas may have equitable access to required programs and services.

(b) It is the further intent of the Legislature in enacting this article that special education local plan areas with small or sparse populations be provided with supplemental funding to facilitate their ability to perform the regionalized service functions listed in Section 56780 and provide the direct instructional support of program specialists in accordance with Section 56368.

(c) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 17. Section 56211 of the Education Code is amended to read:

56211. (a) A special education local plan area submitting a local plan, pursuant to subdivision (c) of Section 56195.1, which includes all of the school districts located in the county submitting the plan, except those participating in a countywide special education local



plan area located in an adjacent county, and which meets the criteria for special education local plan areas with small or sparse populations set forth in Section 56212, is eligible to request that designation in its local plan application and may request exemption for the three-year period covered by its approved plan from compliance with one or more of the standards, ratios, and criteria specified in subdivision (b). In requesting the designation in its local plan application, the special education local plan area shall include a maintenance of service section, pursuant to Section 56213, in which it may request authorization to operate pursuant to the provisions of this article for the three-year period covered by its approved local plan. Each request shall specify which of the standards, ratios, proportions, and criteria for which any exemption is requested, and why compliance with the standards, ratios, proportions, and criteria would prevent the provision of a free appropriate public education or would create undue hardship.

(b) An eligible special education local plan area submitting a local plan application pursuant to this section may request exemption from the standards, ratios, and criteria set forth in Sections 56728.6, 56728.8 and 56760 pertaining to the authorization, recapture, retention, and operation of instructional personnel service units.

(c) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 18. Section 56211 is added to the Education Code, to read:

56211. A special education local plan area submitting a local plan, pursuant to subdivision (c) of Section 56195.1, which includes all of the school districts located in the county submitting the plan, except those participating in a countywide special education local plan area located in an adjacent county, and which meets the criteria for special education local plan areas with small populations set forth in Section 56212, is eligible to request that designation in its local plan application.

This section shall become operative on July 1, 1998.

SEC. 19. Section 56212 of the Education Code is amended to read:

56212. An eligible special education local plan area, which submits a local plan under the provisions of Section 56211, may request designation as a small or sparsely populated special education local plan area in one of the following categories:

(a) A necessary small special education local plan area in which the total enrollment in kindergarten and grades 1 to 12, inclusive, is less than 15,000, and which includes all of the school districts located in the county or counties participating in the local plan.

(b) A sparsely populated special education local plan area in which the total enrollment in kindergarten and grades 1 to 12, inclusive, is less than 25,000, in which the combined pupil density

ratio is not more than 20 pupils in those grades per square mile, and which includes all of the school districts located in the county submitting the plan except those that are participants in a countywide special education local plan area located in an adjacent county.

(c) A special education local plan area with a sparsely populated county in which a special education local plan area includes all of the districts in two or more adjacent counties and in which at least one of the counties would have met the criteria set forth in subdivision (a) or (b) of this section if the districts and the county office of education had elected to submit a single county plan.

(d) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 20. Section 56212 is added to the Education Code, to read:

56212. An eligible special education local plan area, which submits a local plan under the provisions of Section 56211, may request designation as a necessary small special education local plan area if its total reported units of average daily attendance in kindergarten and grades 1 to 12, inclusive, is less than 15,000, and if it includes all of the school districts located in the county or counties participating in the local plan.

This section shall become operative on July 1, 1998.

SEC. 21. Section 56213 of the Education Code is amended to read:

56213. (a) Each eligible special education local plan area that submits a local plan pursuant to Section 56211 and that elects exemptions from the standards, ratios, proportions, and criteria set forth in Sections 56728.6, 56728.8, and 56760 pertaining to the authorization, recapture, retention, and operation of instructional personnel service units shall, for the duration of its local plan, retain, as minimum annual authorization, the number of authorized instructional personnel service units, and portions thereof, that it reported as operated at the second principal apportionment of the fiscal year immediately preceding the initial year of implementation of the local plan submitted pursuant to this article.

(b) In addition to the contents required to be included in the local plan pursuant to Section 56200, a local plan application submitted pursuant to this article shall include a maintenance of service section in which the eligible special education local plan area shall project the type and total number of additional instructional personnel service units, and portions thereof, it will require for each year of the duration of the local plan, the locations in which instructional personnel service units will be utilized, their estimated caseloads, and a description of the services to be provided.

(c) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that



becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 22. Section 56214 of the Education Code is amended to read:

56214. Each small or sparsely populated special education local plan area which anticipates that its service needs will require instructional personnel service units, or portions thereof, in excess of those authorized in its approved local plan may submit, prior to March 1 of any year, an amendment to the maintenance of service section of its local plan in which it may request an increase in its total number of authorized instructional personnel service units beginning in the following year. The amendment shall project the type and total number of additional instructional personnel service units, and portions thereof, the small or sparsely populated special education local plan area will require for each remaining year of the duration of the local plan, the locations in which additional instructional personnel service units will be utilized, their estimated caseloads, and a description of the services to be provided.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 23. Section 56214.5 of the Education Code is amended to read:

56214.5. A special education local plan area which ceases meeting the criteria set forth in Sections 56211 and 56212 during any year in which the local plan area is implementing an approved local plan pursuant to this article shall retain the exemptions authorized pursuant to Section 56213 and the then current level of authorized instructional personnel service units for the following year.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 24. Section 56217 of the Education Code is amended to read:

56217. Plans and amendments submitted pursuant to this article shall be approved by the State Board of Education prior to the implementation of those plans and amendments.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 25. Section 56218 of the Education Code is amended to read:

56218. Instructional personnel service units authorized pursuant to this article shall not increase the statewide total number of instructional personnel service units for the purposes of state apportionments unless an appropriation specifically for an increase in the number of instructional personnel service units is made in the

annual Budget Act or other legislation. If an appropriation is made, instructional personnel service units authorized pursuant to this article shall be included in the increased number of units and shall be funded only by the appropriation and no other funds may be apportioned for them.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 26. Article 2 (commencing with Section 56220) of Chapter 3 of Part 30 of the Education Code is repealed.

SEC. 27. Section 56325 of the Education Code is amended to read:

56325. (a) Whenever a pupil transfers into a school district from a school district not operating programs under the same local plan in which he or she was last enrolled in a special education program, the administrator of a local program under this part shall ensure that the pupil is immediately provided an interim placement for a period not to exceed 30 days. The interim placement must be in conformity with an individualized education program, unless the parent or guardian agrees otherwise. The individualized education program implemented during the interim placement may be either the pupil's existing individualized education program, implemented to the extent possible within existing resources, which may be implemented without complying with subdivision (a) of Section 56321, or a new individualized education program developed pursuant to Section 56321.

(b) Before the expiration of the 30-day period, the interim placement shall be reviewed by the individualized education program team and a final recommendation shall be made by the team in accordance with the requirements of this chapter. The team may utilize information, records, and reports from the school district or county program from which the pupil transferred.

(c) Whenever a pupil described in subdivision (a) is placed and residing in a residential nonpublic, nonsectarian school, the special education local plan area making that placement shall continue to be responsible for the funding of the placement for the remainder of the school year.

SEC. 28. Section 56342 of the Education Code is amended to read:

56342. The individualized education program team shall review the assessment results, determine eligibility, determine the content of the individualized education program, consider local transportation policies and criteria developed pursuant to paragraph (5) of subdivision (b) of Section 56195.8, and make program placement recommendations.

Prior to recommending a new placement in a nonpublic, nonsectarian school, the individualized education program team shall submit the proposed recommendation to the local governing



board of the district and special education local plan area for review and recommendation regarding the cost of the placement.

The local governing board shall complete its review and make its recommendations, if any, at the next regular meeting of the board. A parent or representative shall have the right to appear before the board and submit written and oral evidence regarding the need for nonpublic school placement for his or her child. Any recommendations of the board shall be considered at an individualized education program team meeting, to be held within five days of the board's review.

Notwithstanding Section 56344, the time limit for the development of an individualized education program shall be waived for a period not to exceed 15 additional days to permit the local governing board to meet its review and recommendation requirements.

SEC. 29. Section 56360 of the Education Code is amended to read:

56360. Each special education local plan area shall ensure that a continuum of program options is available to meet the needs of individuals with exceptional needs for special education and related services, as required by the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and federal regulations relating thereto.

SEC. 30. Section 56361 of the Education Code is amended to read:

56361. The continuum of program options shall include, but not necessarily be limited to, all of the following or any combination of the following:

(a) Regular education programs consistent with subparagraph (B) of paragraph (5) of Section 1412 and clause (iv) of subparagraph (C) of paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code and implementing regulations.

(b) A resource specialist program pursuant to Section 56362.

(c) Designated instruction and services pursuant to Section 56363.

(d) Special classes and centers pursuant to Section 56364.

(e) Nonpublic, nonsectarian school services pursuant to Section 56365.

(f) State special schools pursuant to Section 56367.

(g) Instruction in settings other than classrooms where specially designed instruction may occur.

(h) Itinerant instruction in classrooms, resource rooms, and settings other than classrooms where specially designed instruction may occur to the extent required by federal law or regulation.

(i) Instruction using telecommunication, and instruction in the home, in hospitals, and in other institutions to the extent required by federal law or regulation.

SEC. 31. Section 56362 of the Education Code is amended to read:

56362. (a) The resource specialist program shall provide, but not be limited to, all of the following:

(1) Provision for a resource specialist or specialists who shall provide instruction and services for those pupils whose needs have been identified in an individualized education program developed by the individualized education program team and who are assigned to regular classroom teachers for a majority of a schoolday.

(2) Provision of information and assistance to individuals with exceptional needs and their parents.

(3) Provision of consultation, resource information, and material regarding individuals with exceptional needs to their parents and to regular staff members.

(4) Coordination of special education services with the regular school programs for each individual with exceptional needs enrolled in the resource specialist program.

(5) Monitoring of pupil progress on a regular basis, participation in the review and revision of individualized education programs, as appropriate, and referral of pupils who do not demonstrate appropriate progress to the individualized education program team.

(6) Emphasis at the secondary school level on academic achievement, career and vocational development, and preparation for adult life.

(b) The resource specialist program shall be under the direction of a resource specialist who is a credentialed special education teacher, or who has a clinical services credential with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing and who has demonstrated the competencies for a resource specialist, as established by the Commission on Teacher Credentialing.

(c) Caseloads for resource specialists shall be stated in the local policies developed pursuant to Section 56195.8 and in accordance with regulations established by the board. No resource specialist shall have a caseload which exceeds 28 pupils.

(d) Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes.

(e) Resource specialists shall not enroll a pupil for a majority of a schoolday without prior approval by the superintendent.

(f) At least 80 percent of the resource specialists within a local plan shall be provided with an instructional aide.

SEC. 32. Section 56364 of the Education Code is amended to read:

56364. (a) Special classes and centers that enroll pupils with similar and more intensive educational needs shall be available. The classes and centers shall enroll the pupils when the nature or severity of the disability precludes their participation in the regular school program for a majority of a schoolday. Special classes and centers and other removal of individuals with exceptional needs from the regular education environment shall occur only when education in regular



classes with the use of supplementary aids and services cannot be achieved satisfactorily due to the nature or severity of the exceptional need.

In providing or arranging for the provision of activities, each public agency shall ensure that each individual with exceptional needs participates in those activities with nondisabled pupils to the maximum extent appropriate to the needs of the individual with exceptional needs, including nonacademic and extracurricular services and activities. Special classes and centers shall meet standards adopted by the board.

(b) This section shall not apply to any special education local plan area that has a revised local plan approved pursuant to Section 56836.03. This section shall apply to special education local plan areas that have not had a revised local plan approved pursuant to that section.

(c) This section shall become inoperative on July 1, 2003, and, as of January 1, 2004, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2004, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 33. Section 56364.5 is added to the Education Code, to read:

56364.5. (a) Special classes and centers that enroll pupils with similar and more intensive educational needs shall be available. The classes and centers shall enroll pupils when the nature or severity of the disability precludes their participation in the regular school program for all or significant portions of a schoolday. Special classes and centers and other removal of individuals with exceptional needs from the regular education environment shall occur only when education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily due to the nature or severity of the exceptional needs.

(b) In providing or arranging for the provision of activities, each public agency shall ensure that each individual with exceptional needs participates in those activities with nondisabled pupils to the maximum extent appropriate to the needs of the individual with exceptional needs, including nonacademic and extracurricular services and activities. Special classes and centers shall meet standards adopted by the board.

(c) This section shall only apply to special education local plan areas that have had a revised local plan approved pursuant to Section 56836.03.

SEC. 34. Section 56366.2 of the Education Code is amended to read:

56366.2. (a) A district, special education local plan area, county office, nonpublic, nonsectarian school, or nonpublic, nonsectarian agency may petition the superintendent to waive one or more of the requirements under Sections 56365, 56366, 56366.3, 56366.6, and

56366.7. The petition shall state the reasons for the waiver request, and shall include the following:

(1) Sufficient documentation to demonstrate that the waiver is necessary to the content and implementation of a specific pupil's individualized education program and the pupil's current placement.

(2) The period of time that the waiver will be effective during any one school year.

(3) Documentation and assurance that the waiver does not abrogate any right provided individuals with exceptional needs and their parents or guardians under state or federal law, and does not hinder the compliance of a district, special education local plan area, or county office with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and federal regulations relating thereto.

(b) No waiver shall be granted for reimbursement of those costs prohibited under Article 4 (commencing with Section 56836.20) of Chapter 7.2 of Part 30 or for the certification requirements pursuant to Section 56366.1 unless approved by the board pursuant to Section 56101.

(c) In submitting the annual report on waivers granted under Section 56101 and this section to the State Board of Education, the superintendent shall specify information related to the provision of special education and related services to individuals with exceptional needs through contracts with nonpublic, nonsectarian schools and agencies located in the state, nonpublic, nonsectarian school and agency placements in facilities located out of state, and the specific section waived pursuant to this section.

SEC. 35. Section 56366.9 is added to the Education Code, to read:

56366.9. A licensed children's institution at which individuals with exceptional needs reside shall not require as a condition of residential placement that it provide the appropriate educational programs to those individuals through a nonpublic, nonsectarian school or agency owned or operated by a licensed children's institution. Those services may only be provided if the special education local plan area determines that alternative educational programs are not available.

SEC. 36. Section 56370 of the Education Code is amended to read:

56370. A transfer of special education programs from a school district to the county superintendent of schools or to other school districts, or from the county superintendent of schools to school districts, shall not be approved by the Superintendent of Public Instruction if the transfer would result in diminishing the level of services or the opportunity of the affected pupils to interact with the



general school population, as required in the individualized education programs of the affected pupils.

This section shall not apply to any special education local plan area that has a revised local plan approved pursuant to Section 56836.03. This section shall apply to special education local plan areas that have not had a revised local plan approved pursuant to this section.

This section shall become inoperative on July 1, 2003, and, as of January 1, 2004, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2004, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 37. Chapter 4.3 (commencing with Section 56400) of Part 30, of the Education Code is repealed.

SEC. 38. Section 56425 of the Education Code is amended to read:

56425. As a condition of receiving state aid pursuant to this part, each district, special education local plan area, or county office that operated early education programs for individuals with exceptional needs younger than three years of age, as defined in Section 56026, and that received state or federal aid for special education for those programs in the 1980–81 fiscal year, shall continue to operate early education programs in the 1981–82 fiscal year and each fiscal year thereafter.

If a district or county office offered those programs in the 1980-81 fiscal year but in a subsequent year transfers the programs to another district or county office in the special education local plan area, the district or county office shall be exempt from the provisions of this section in any year when the programs are offered by the district or county office to which they were transferred.

A district, special education local plan area, or county office that is required to offer a program pursuant to this section shall be eligible for funding pursuant to Chapter 7 (commencing with Section 56700) of Part 30.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 39. Section 56425 is added to the Education Code, to read:

56425. As a condition of receiving state aid pursuant to this part, each district, special education local plan area, or county office that operated early education programs for individuals with exceptional needs younger than three years of age, as defined in Section 56026, and that received state or federal aid for special education for those programs in the 1980–81 fiscal year, shall continue to operate early education programs in the 1981–82 fiscal year and each fiscal year thereafter.

If a district or county office offered those programs in the 1980-81 fiscal year but in a subsequent year transfers the programs to another district or county office in the special education local plan area, the

district or county office shall be exempt from the provisions of this section in any year when the programs are offered by the district or county office to which they were transferred.

A district, special education local plan area, or county office that is required to offer a program pursuant to this section shall be eligible for funding pursuant to Section 56432.

This section shall become operative on July 1, 1998.

SEC. 40. Section 56425.5 of the Education Code is amended to read:

56425.5. The Legislature hereby finds and declares that early education programs for infants identified as individuals with exceptional needs that provide educational services with active parent involvement can significantly reduce the potential impact of many disabling conditions, and positively influence later development when the child reaches schoolage.

Early education programs funded pursuant to Sections 56427, 56428, and 56728.8 shall provide a continuum of program options provided by a transdisciplinary team to meet the multiple and varied needs of infants and their families. Recognizing the parent as the infant's primary teacher, it is the Legislature's intent that early education programs shall include opportunities for the family to receive home visits and to participate in family involvement activities pursuant to Sections 56426.1 and 56426.4. It is the intent of the Legislature that, as an infant grows older, program emphasis would shift from home-based services to a combination of home-based and group services.

It is further the intent of the Legislature that services rendered by state and local agencies serving infants with exceptional needs and their families be coordinated and maximized.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 41. Section 56425.5 is added to the Education Code, to read:

56425.5. The Legislature hereby finds and declares that early education programs for infants identified as individuals with exceptional needs that provide educational services with active parent involvement, can significantly reduce the potential impact of many disabling conditions, and positively influence later development when the child reaches schoolage.

Early education programs funded pursuant to Sections 56427, 56428, and 56432 shall provide a continuum of program options provided by a transdisciplinary team to meet the multiple and varied needs of infants and their families. Recognizing the parent as the infant's primary teacher, it is the Legislature's intent that early education programs shall include opportunities for the family to receive home visits and to participate in family involvement



activities pursuant to Sections 56426.1 and 56426.4. It is the intent of the Legislature that, as an infant grows older, program emphasis would shift from home-based services to a combination of home-based and group services.

It is further the intent of the Legislature that services rendered by state and local agencies serving infants with exceptional needs and their families be coordinated and maximized.

This section shall become operative on July 1, 1998.

SEC. 42. Section 56426 of the Education Code is amended to read:

56426. An early education program shall include services specially designed to meet the unique needs of infants, from birth to three years of age, and their families. The primary purpose of an early education program is to enhance development of the infant. To meet this purpose, the program shall focus upon the infant and his or her family, and shall include home visits, group services, and family involvement activities. Early education programs funded pursuant to Sections 56427, 56428, and 56728.8 shall include, as program options, home-based services pursuant to Section 56426.1, and home-based and group services pursuant to Section 56426.2 and shall be provided in accordance with the Individuals with Disabilities Education Act (20 U.S.C. Secs. 1471 to 1485, incl.), and the California Early Intervention Services Act, Title 14 (commencing with Section 95000) of the Government Code.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 43. Section 56426 is added to the Education Code, to read:

56426. An early education program shall include services specially designed to meet the unique needs of infants, from birth to three years of age, and their families. The primary purpose of an early education program is to enhance development of the infant. To meet this purpose, the program shall focus upon the infant and his or her family, and shall include home visits, group services, and family involvement activities. Early education programs funded pursuant to Sections 56427, 56428, and 56432 shall include, as program options, home-based services pursuant to Section 56426.1, and home-based and group services pursuant to Section 56426.2 and shall be provided in accordance with the Individuals with Disabilities Education Act (20 U.S.C. Secs. 1471 to 1485, incl.), and the California Early Intervention Services Act, Title 14 (commencing with Section 95000) of the Government Code.

This section shall become operative on July 1, 1998.

SEC. 44. Section 56426.1 of the Education Code is amended to read:

56426.1. (a) Home-based early education services funded pursuant to Sections 56427, 56428, and 56728.8 shall include, but not be limited to, all of the following:

(1) Observing the infant’s behavior and development in his or her natural environment.

(2) Presenting activities that are developmentally appropriate for the infant and are specially designed, based on the infant’s exceptional needs, to enhance the infant’s development. Those activities shall be developed to conform with the infant’s individualized family service plan and to ensure that they do not conflict with his or her medical needs.

(3) Modeling and demonstrating developmentally appropriate activities for the infant to the parents, siblings, and other caregivers, as designated by the parent.

(4) Interacting with the family members and other caregivers, as designated by the parent, to enhance and reinforce their development of skills necessary to promote the infant’s development.

(5) Discussing parental concerns related to the infant and the family, and supporting parents in coping with their infant’s needs.

(6) Assisting parents to solve problems, to seek other services in their community, and to coordinate the services provided by various agencies.

(b) The frequency of home-based services shall be once or twice a week, depending on the needs of the infant and the family.

(c) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 45. Section 56426.1 is added to the Education Code, to read:

56426.1. (a) Home-based early education services funded pursuant to Sections 56427, 56428, and 56432 shall include, but not be limited to, all of the following:

(1) Observing the infant’s behavior and development in his or her natural environment.

(2) Presenting activities that are developmentally appropriate for the infant and are specially designed, based on the infant’s exceptional needs, to enhance the infant’s development. Those activities shall be developed to conform with the infant’s individualized family service plan and to ensure that they do not conflict with his or her medical needs.

(3) Modeling and demonstrating developmentally appropriate activities for the infant to the parents, siblings, and other caregivers, as designated by the parent.

(4) Interacting with the family members and other caregivers, as designated by the parent, to enhance and reinforce their development of skills necessary to promote the infant’s development.



(5) Discussing parental concerns related to the infant and the family, and supporting parents in coping with their infant's needs.

(6) Assisting parents to solve problems, to seek other services in their community, and to coordinate the services provided by various agencies.

(b) The frequency of home-based services shall be once or twice a week, depending on the needs of the infant and the family.

(c) This section shall become operative on July 1, 1998.

SEC. 46. Section 56426.2 of the Education Code is amended to read:

56426.2. (a) Early education services funded pursuant to Sections 56427, 56428, and 56728.8 shall be provided through both home visits and group settings with other infants, with or without the parent. Home-based and group services shall include, but not be limited to, all of the following:

(1) All services identified in subdivision (a) of Section 56426.1.

(2) Group and individual activities that are developmentally appropriate and specially designed, based on the infant's exceptional needs, to enhance the infant's development. Those activities shall be developed to conform with the infant's individualized family service plan and to ensure that they do not conflict with his or her medical needs.

(3) Opportunities for infants to socialize and participate in play and exploration activities.

(4) Transdisciplinary services by therapists, psychologists, and other specialists as appropriate.

(5) Access to various developmentally appropriate equipment and specialized materials.

(6) Opportunities for family involvement activities, including parent education and parent support groups.

(b) Services provided in a center under this chapter shall not include child care or respite care.

(c) The frequency of group services shall not exceed three hours a day for up to, and including, three days a week, and shall be determined on the basis of the needs of the infant and the family.

(d) The frequency of home visits provided in conjunction with group services shall range from one to eight visits per month, depending on the needs of the infant and the family.

(e) Group services shall be provided on a ratio of no more than four infants to one adult.

(f) Parent participation in group services shall be encouraged.

(g) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 47. Section 56426.2 is added to the Education Code, to read:

56426.2. (a) Early education services funded pursuant to Sections 56427, 56428, and 56432 shall be provided through both home visits and group settings with other infants, with or without the parent. Home-based and group services shall include, but not be limited to, all of the following:

(1) All services identified in subdivision (a) of Section 56426.1.

(2) Group and individual activities that are developmentally appropriate and specially designed, based on the infant's exceptional needs, to enhance the infant's development. Those activities shall be developed to conform with the infant's individualized family service plan and to ensure that they do not conflict with his or her medical needs.

(3) Opportunities for infants to socialize and participate in play and exploration activities.

(4) Transdisciplinary services by therapists, psychologists, and other specialists as appropriate.

(5) Access to various developmentally appropriate equipment and specialized materials.

(6) Opportunities for family involvement activities, including parent education and parent support groups.

(b) Services provided in a center under this chapter shall not include child care or respite care.

(c) The frequency of group services shall not exceed three hours a day for up to, and including, three days a week, and shall be determined on the basis of the needs of the infant and the family.

(d) The frequency of home visits provided in conjunction with group services shall range from one to eight visits per month, depending on the needs of the infant and the family.

(e) Group services shall be provided on a ratio of no more than four infants to one adult.

(f) Parent participation in group services shall be encouraged.

(g) This section shall become operative on July 1, 1998.

SEC. 48. Section 56426.25 of the Education Code is amended to read:

56426.25. The maximum service levels set forth in Sections 56426.1 and 56426.2 apply only for purposes of the allocation of funds for early education programs pursuant to Sections 56427, 56428, and 56728.8, and may be exceeded by a district, special education local plan area, or county office, in accordance with the infants' individualized family service plan, provided that no change in the level of entitlement to state funding under this part thereby results.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 49. Section 56426.25 is added to the Education Code, to read:



56426.25. The maximum service levels set forth in Sections 56426.1 and 56426.2 apply only for purposes of the allocation of funds for early education programs pursuant to Sections 56427, 56428, and 56432, and may be exceeded by a district, special education local plan area, or county office, in accordance with the infants' individualized family service plan, provided that no change in the level of entitlement to state funding under this part thereby results.

This section shall become operative on July 1, 1998.

SEC. 50. Section 56426.4 of the Education Code is amended to read:

56426.4. (a) Family involvement activities funded pursuant to Sections 56427, 56428, and 56728.8 shall support family members in meeting the practical and emotional issues and needs of raising their infant. These activities may include, but are not limited to, the following:

(1) Educational programs that present information or demonstrate techniques to assist the family to promote their infant's development.

(2) Parent education and training to assist families in understanding, planning for, and meeting the unique needs of their infant.

(3) Parent support groups to share similar experiences and possible solutions.

(4) Instruction in making toys and other materials appropriate to their infant's exceptional needs and development.

(b) The frequency of family involvement activities shall be at least once a month.

(c) Participation by families in family involvement activities shall be voluntary.

(d) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 51. Section 56426.4 is added to the Education Code, to read:

56426.4. (a) Family involvement activities funded pursuant to Sections 56427, 56428, and 56432 shall support family members in meeting the practical and emotional issues and needs of raising their infant. These activities may include, but are not limited to, the following:

(1) Educational programs that present information or demonstrate techniques to assist the family to promote their infant's development.

(2) Parent education and training to assist families in understanding, planning for, and meeting the unique needs of their infant.

(3) Parent support groups to share similar experiences and possible solutions.

(4) Instruction in making toys and other materials appropriate to their infant's exceptional needs and development.

(b) The frequency of family involvement activities shall be at least once a month.

(c) Participation by families in family involvement activities shall be voluntary.

(d) This section shall become operative on July 1, 1998.

SEC. 52. Section 56427 of the Education Code is amended to read:

56427. (a) Not less than two million three hundred twenty-four thousand dollars (\$2,324,000) of the federal discretionary funds appropriated to the State Department of Education under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) in any fiscal year shall be expended for early education programs for infants with exceptional needs and their families, until the department determines, and the Legislature concurs, that the funds are no longer needed for that purpose.

(b) Programs ineligible to receive funding pursuant to Section 56425 or 56728.8 may receive funding pursuant to subdivision (a).

(c) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 53. Section 56427 is added to the Education Code, to read:

56427. (a) Not less than two million three hundred twenty-four thousand dollars (\$2,324,000) of the federal discretionary funds appropriated to the State Department of Education under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) in any fiscal year shall be expended for early education programs for infants with exceptional needs and their families, until the department determines, and the Legislature concurs, that the funds are no longer needed for that purpose.

(b) Programs ineligible to receive funding pursuant to Section 56425 or 56432 may receive funding pursuant to subdivision (a).

(c) This section shall become operative on July 1, 1998.

SEC. 54. Section 56429 of the Education Code is amended to read:

56429. In order to assure the maximum utilization and coordination of local early education services, eligibility for the receipt of funds pursuant to Section 56425, 56427, 56428, or 56728.8 is conditioned upon the approval by the superintendent of a local plan for early education services, which approval shall apply for not less than one, nor more than four years. The local plan shall identify existing public and private early education services, and shall include an interagency plan for the delivery of early education services in accordance with the California Early Intervention Services Act, Title 14 (commencing with Section 95000) of the Government Code.

This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that



becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 55. Section 56429 is added to the Education Code, to read:

56429. In order to assure the maximum utilization and coordination of local early education services, eligibility for the receipt of funds pursuant to Section 56425, 56427, 56428, or 56432 is conditioned upon the approval by the superintendent of a local plan for early education services, which approval shall apply for not less than one, nor more than four, years. The local plan shall identify existing public and private early education services, and shall include an interagency plan for the delivery of early education services in accordance with the California Early Intervention Services Act, Title 14 (commencing with Section 95000) of the Government Code.

This section shall become operative on July 1, 1998.

SEC. 56. Section 56430 of the Education Code is amended to read:

56430. (a) Early education services may be provided by any of the following methods:

- (1) Directly by a local educational agency.
- (2) Through an interagency agreement between a local educational agency and another public agency.
- (3) Through a contract with another public agency pursuant to Section 56369.
- (4) Through a contract with a certified nonpublic, nonsectarian school, or nonpublic, nonsectarian agency pursuant to Section 56366.
- (5) Through a contract with a nonsectarian hospital in accordance with Section 56361.5.

(b) Contracts or agreements with agencies identified in subdivision (a) for early education services are strongly encouraged when early education services are currently provided by another agency, and when found to be a cost-effective means of providing the services. The placement of individual infants under the contract shall not require specific approval by the governing board of the district or the county office.

(c) Early education services provided under this chapter shall be funded pursuant to Sections 56427, 56428, and 56728.8. Early education programs shall not be funded pursuant to any of Sections 56740 to 56743, inclusive.

(d) This section shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 57. Section 56430 is added to the Education Code, to read:

56430. (a) Early education services may be provided by any of the following methods:

- (1) Directly by a local educational agency.
- (2) Through an interagency agreement between a local educational agency and another public agency.

(3) Through a contract with another public agency pursuant to Section 56369.

(4) Through a contract with a certified nonpublic, nonsectarian school, or nonpublic, nonsectarian agency pursuant to Section 56366.

(5) Through a contract with a nonsectarian hospital in accordance with Section 56361.5.

(b) Contracts or agreements with agencies identified in subdivision (a) for early education services are strongly encouraged when early education services are currently provided by another agency, and when found to be a cost-effective means of providing the services. The placement of individual infants under the contract shall not require specific approval by the governing board of the district or the county office.

(c) Early education services provided under this chapter shall be funded pursuant to Sections 56427, 56428, and 56432.

(d) This section shall become operative on July 1, 1998.

SEC. 58. Section 56432 is added to the Education Code, to read:

56432. (a) For the 1998–99 fiscal year and each fiscal year thereafter, a special education local plan area shall be eligible for state funding of those instructional personnel service units operated and fundable for services to individuals with exceptional needs younger than three years of age at the second principal apportionment of the prior fiscal year, as long as the pupil count of these pupils divided by the number of instructional personnel service units is not less than the following:

(1) For special classes and centers—12, based on the unduplicated pupil count.

(2) For resource specialist programs—24, based on the unduplicated pupil count.

(3) For designated instruction and services—12, based on the unduplicated pupil count, or 39, based on the duplicated pupil count.

(b) A special education local plan area shall be eligible for state funding of instructional personnel service units for services to individuals with exceptional needs younger than three years of age in excess of the number of instructional personnel service units operated and fundable at the second principal apportionment of the prior fiscal year only with the authorization of the superintendent.

(c) The superintendent shall base the authorization of funding for special education local plan areas pursuant to this section, including the reallocation of instructional personnel service units, upon criteria that shall include, but not be limited to, the following:

(1) Changes in the total number of pupils younger than three years of age enrolled in special education programs.

(2) High- and low-average caseloads per instructional personnel service unit for each instructional setting.



(d) Infant programs in special classes and centers funded pursuant to this item shall be supported by two aides, unless otherwise required by the superintendent.

(e) Infant services in resource specialist programs funded pursuant to this item shall be supported by one aide.

(f) When units are allocated pursuant to this subdivision, the superintendent shall allocate only the least expensive unit appropriate.

(g) Notwithstanding Sections 56211 and 56212, a special education local plan area may apply for, and the superintendent may grant, a waiver of any of the standards and criteria specified in this section if compliance would prevent the provision of a free, appropriate public education or would create undue hardship. In granting the waivers, the superintendent shall give priority to the following factors:

(1) Applications from special education local plan areas for waivers for a period not to exceed three years to specifically maintain or increase the level of special education services necessary to address the special education service requirements of individuals with exceptional needs residing in sparsely populated districts or attending isolated schools designated in the application.

(A) Sparsely populated districts are school districts that meet one of the following conditions:

(i) A school district or combination of contiguous school districts in which the total enrollment is less than 600 pupils, kindergarten and grades 1 to 12, inclusive, and in which one or more of the school facilities is an isolated school.

(ii) A school district or combination of contiguous school districts in which the total pupil density ratio is less than 15 pupils, kindergarten and grades 1 to 12, inclusive, per square mile and in which one or more of the school facilities is an isolated school.

(B) Isolated schools are schools with enrollments of less than 600 pupils, kindergarten and grades 1 to 12, inclusive, that meet one or more of the following conditions:

(i) The school is located more than 45 minutes average driving time over commonly used and well-traveled roads from the nearest school, including schools in adjacent special education local plan areas, with an enrollment greater than 600 pupils, kindergarten and grades 1 to 12, inclusive.

(ii) The school is separated, by roads that are impassable for extended periods of time due to inclement weather, from the nearest school, including schools in adjacent special education local plan areas, with an enrollment greater than 600 pupils, kindergarten and grades 1 to 12, inclusive.

(iii) The school is of a size and location that, when its enrollment is combined with the enrollments of the two largest schools within an average driving time of not more than 30 minutes over commonly used and well-traveled roads, including schools in adjacent special

education local plan areas, the combined enrollment is less than 600 pupils, kindergarten and grades 1 to 12, inclusive.

(iv) The school is the one of normal attendance for a severely disabled individual, as defined in Section 56030.5, or an individual with a low-incidence disability, as defined in Section 56026.5, who otherwise would be required to be transported more than 75 minutes, average one-way driving time over commonly used and well-traveled roads, to the nearest appropriate program.

(2) The location of licensed children’s institutions, foster family homes, residential medical facilities, or similar facilities that serve children younger than three years of age and are within the boundaries of a local plan if 3 percent or more of the local plan’s unduplicated pupil count resides in those facilities.

(h) By authorizing units pursuant to this section, the superintendent shall not increase the statewide total number of instructional personnel service units for purposes of state apportionments unless an appropriation specifically for growth in the number of instructional personnel service units is made in the annual Budget Act or other legislation. If that growth appropriation is made, units authorized by the superintendent pursuant to this section are subject to the restrictions that the units shall be funded only by that growth appropriation and no other funds may be apportioned for the units.

(i) The superintendent shall monitor the use of instructional personnel service units retained or authorized by the granting of waivers pursuant to subdivision (h) to ensure that the instructional personnel service units are used in a manner wholly consistent with the basis for the waiver request.

(j) This section shall become operative on July 1, 1998.

SEC. 59. Section 56441.14 of the Education Code is amended to read:

56441.14. Criteria and options for meeting the special education transportation needs of individuals with exceptional needs between the ages of three and five, inclusive, shall be included in the local transportation policy required pursuant to paragraph (5) of subdivision (b) of Section 56195.8.

SEC. 60. Section 56448 of the Education Code is repealed.

SEC. 61. Section 56449 of the Education Code is repealed.

SEC. 62. Section 56500 of the Education Code is amended to read:

56500. As used in this chapter, “public education agency” means a district, special education local plan area, or county office, depending on the category of local plan elected by the governing board of a school district pursuant to Section 56195.1, or any other public agency providing special education or related services.

SEC. 63. Section 56832 is added to the Education Code, to read:

56832. (a) This chapter shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute,



that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

(b) Notwithstanding subdivision (a), this chapter, as it existed on December 31, 1998, shall apply until June 30, 2001, for the purpose of recertifications of amounts funded under this chapter.

SEC. 64. Chapter 7.1 (commencing with Section 56835) is added to Part 30 of the Education Code, to read:

CHAPTER 7.1. EQUALIZATION FOR 1997–98 FISCAL YEAR

56835. It is the intent of the Legislature in enacting this chapter to provide a mechanism for computing a one-time equalization adjustment for local educational agencies providing special education and related services. It is further the intent of the Legislature to make equalization adjustments pursuant to this chapter for the 1997–98 fiscal year only to the extent funds are appropriated for that purpose. This chapter shall not be construed to establish any equalization entitlement in any fiscal year subsequent to the 1997–98 fiscal year.

56835.01. For the purposes of computing equalization adjustments for the 1997–98 fiscal year, the superintendent shall make the following computations to determine the special education services unit rates for services provided to pupils who are severely disabled and pupils who are not severely disabled for each district and each county office as follows:

(a) To determine the special education services unit rate for teachers of special day classes and centers for pupils who are severely disabled for the school district or county office of education, make the following computations:

(1) Add one to the support services quotient for severely disabled pupils for the annual apportionment for the 1995–96 fiscal year computed pursuant to subdivision (c) of Section 56737 and subdivision (c) of Section 56828, if applicable.

(2) Multiply the sum computed in paragraph (1) by the instructional personnel services unit rate for special day classes computed for the annual apportionment for the 1995–96 fiscal year pursuant to the applicable provisions of subdivision (a) of Section 56721, subdivision (a) of Section 56722, Sections 56723 and 56724, and subdivision (c) of Section 56828.

(3) Subtract the amount computed in subdivision (c) from the rate computed in paragraph (2). This is the special education services unit rate for teachers of special day classes and centers for pupils who are severely disabled to be used for the purpose of computing equalization adjustments for the district or county office pursuant to this chapter.

(b) For the purpose of computing, pursuant to subdivision (d), the average special education services unit rate for services to pupils



who are not severely disabled, make the following computations for each district and county office:

(1) Determine the special education services unit rate for teachers of special day classes and centers for pupils with exceptional needs who are not severely disabled by making the following computations:

(A) Add one to the support services quotient for pupils with exceptional needs who are not severely disabled for the annual apportionment for the 1995–96 fiscal year computed pursuant to subdivision (b) of Section 56737 and subdivision (c) of Section 56828, if applicable.

(B) Multiply the sum computed in subparagraph (A) by the instructional personnel services unit rate for special day classes computed for the annual apportionment for the 1995–96 fiscal year pursuant to the applicable provisions of subdivision (a) of Section 56721, subdivision (a) of 56722, Sections 56723 and 56724, and subdivision (c) of Section 56828.

(C) Multiply the number of instructional personnel services units for teachers of special day classes and centers for pupils who are not severely disabled reported for the district or county office for the annual apportionment for the 1995–96 fiscal year by the rate computed in subparagraph (B).

(2) Determine the special education services unit rate for resource specialists for the district or county office by making the following computations:

(A) Add one to the support services quotient for pupils with exceptional needs who are not severely disabled for the annual apportionment for the 1995–96 fiscal year computed pursuant to subdivision (b) of Section 56737 and subdivision (c) of Section 56828, if applicable.

(B) Multiply the sum computed in subparagraph (A) by the instructional personnel services unit rate for resource specialists computed for the annual apportionment for the 1995–96 fiscal year pursuant to the applicable provisions of subdivision (b) of Section 56721, subdivisions (d) and (e) of Section 56722, Sections 56723 and 56724, and subdivision (c) of Section 56828.

(C) Multiply the number of instructional personnel services units for resource specialists reported for the district or county office for the annual apportionment for the 1995–96 fiscal year by the rate computed in subparagraph (B).

(3) Determine the special education services unit rate for designated instruction and services by making the following computations:

(A) Add one to the support services quotient for pupils with exceptional needs who are not severely disabled computed for the annual apportionment for the 1995–96 fiscal year pursuant to



subdivision (b) of Section 56737 and subdivision (c) of Section 56828, if applicable.

(B) Multiply the sum computed in subparagraph (A) by the instructional personnel services unit rate for designated instruction and services computed for the annual apportionment for the 1995–96 fiscal year pursuant to the applicable provisions of subdivision (c) of Section 56721, subdivision (f) of Section 56722, Sections 56723 and 56724, and subdivision (c) of Section 56828.

(C) Multiply the number of instructional personnel services units for designated instruction and services reported for the district or county office for the annual apportionment for the 1995–96 fiscal year by the rate computed in subparagraph (B).

(c) For each district and county office, divide the amount computed pursuant to Article 6 (commencing with Section 56750) of Chapter 6 for the district or county office by the total number of instructional personnel services units reported for the types of special education services units specified in subdivision (a) and paragraphs (1), (2), and (3) of subdivision (b) for the annual apportionment for the 1995–96 fiscal year.

(d) For each district and county office, to determine the average special education services unit rate for services to pupils who are not severely disabled, make the following computations:

(1) Add the amounts computed for services to pupils who are not severely disabled pursuant to subparagraph (C) of paragraph (1), subparagraph (C) of paragraph (2), and subparagraph (C) of paragraph (3) of subdivision (b).

(2) Add the total number of instructional personnel services units for teachers of special day classes and centers for pupils who are not severely disabled, resource specialists, and designated instruction and services reported for the district or county office for the annual apportionment for the 1995–96 fiscal year.

(3) Divide the amount computed in paragraph (1) by the number computed in paragraph (2).

(4) Subtract the amount computed in subdivision (c) from the rate computed in paragraph (3). This is the average special education services unit rate for services to pupils who are not severely disabled for the district or county office.

56835.02. For the purposes of computing equalization adjustments for the 1997–98 fiscal year, the superintendent shall make the following computations to determine the special education services unit rates for instructional aides for pupils with exceptional needs for each district and each county office:

(a) To determine the special education services unit rate for instructional aides for pupils who are severely disabled for the district or county office, make the following computations:

(1) Add one to the support services quotient for severely disabled pupils for the annual apportionment for the 1995–96 fiscal year

computed pursuant to subdivision (c) of Section 56737 and subdivision (c) of Section 56828, if applicable.

(2) Multiply the sum computed in paragraph (1) by the instructional personnel services unit rate for instructional aides computed for the annual apportionment for the 1995–96 fiscal year pursuant to the applicable provisions of subdivision (d) of Section 56721, Sections 56722, 56723, and 56724, and subdivision (c) of Section 56828.

(b) To determine the unit rate for instructional aides for pupils with exceptional needs who are not severely disabled for the district or county office, make the following computations:

(1) Add one to the support services quotient for pupils with exceptional needs who are not severely disabled for the annual apportionment for the 1995–96 fiscal year computed pursuant to subdivision (b) of Section 56737 and subdivision (c) of Section 56828, if applicable.

(2) Multiply the sum computed in paragraph (1) by the instructional personnel services unit rate for instructional aides computed for the annual apportionment for the 1995–96 fiscal year pursuant to the applicable provisions of subdivision (d) of Section 56721, Sections 56722, 56723, and 56724, and subdivision (c) of Section 56828.

56835.03. For the 1997–98 fiscal year only, the superintendent shall make the following computations to determine the amounts of the equalization adjustment, if any, for the types of special education services units described in Sections 56835.01 and 56835.02 for each district and county office:

(a) To arrive at the statewide average unit rate for each type of special education services unit for the 1995–96 fiscal year, as computed for districts and county offices pursuant to Sections 56835.01 and 56835.02, perform the following computations:

(1) Make the following computations to determine the statewide average unit rates for districts for the following types of special education services units:

(A) To determine the statewide average unit rate for teachers of special day classes and centers for pupils who are severely disabled:

(i) Multiply the special education services unit rate for teachers of special day classes and centers for pupils who are severely disabled computed for each district pursuant to subdivision (a) of Section 56835.01 by the total number of instructional personnel services units reported for teachers of special day classes and centers for pupils who are severely disabled for the district for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each district computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for teachers of special day classes and centers for pupils who are severely



disabled reported for each district for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(B) To determine the statewide average unit rate for special education services to pupils who are not severely disabled:

(i) Multiply the average special education services unit rate for services to pupils who are not severely disabled computed for each district pursuant to subdivision (d) of Section 56835.01 by the total number of instructional personnel services units for pupils who are not severely disabled reported for the district for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each district computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for special education services to pupils who are not severely disabled reported for each district for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(C) To determine the statewide average unit rate for instructional aides for pupils who are severely disabled:

(i) Multiply the special education services unit rate for instructional aides for pupils who are severely disabled computed for each district pursuant to subdivision (a) of Section 56835.02 by the total number of instructional personnel services units for instructional aides for pupils who are severely disabled reported for the district for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each district computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for instructional aides for pupils who are severely disabled reported for each district for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(D) To determine the statewide average unit rate for instructional aides for pupils who are not severely disabled:

(i) Multiply the special education services unit rate for instructional aides for pupils who are not severely disabled computed for each district pursuant to subdivision (b) of Section 56835.02 by the total number of instructional personnel services units for instructional aides for pupils who not are severely disabled reported for the district for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each district computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for instructional aides for pupils who are not severely disabled reported for each district for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(2) Make the following computations to determine the statewide average special education services unit rates for county offices for the following types of special education services units:

(A) To determine the statewide average unit rate for teachers of special day classes and centers for pupils who are severely disabled:

(i) Multiply the special education services unit rate for teachers of special day classes and centers for pupils who are severely disabled computed for each county office pursuant to subdivision (a) of Section 56835.01 by the total number of instructional personnel services units reported for teachers of special day classes and centers for pupils who are severely disabled for the county office for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each county office computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for teachers of special day classes and centers for pupils who are severely disabled reported for each county office for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(B) To determine the statewide average unit rate for special education services to pupils who are not severely disabled:

(i) Multiply the average special education services unit rate for services to pupils who are not severely disabled computed for each county office pursuant to subdivision (d) of Section 56835.01 by the total number of instructional personnel services units reported for pupils who are not severely disabled reported for the county office for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each county office computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for special education services to pupils who are not severely disabled reported for each county office for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(C) To determine the statewide average unit rate for instructional aides for pupils who are severely disabled:

(i) Multiply the special education services unit rate for instructional aides for pupils who are severely disabled computed for each county office pursuant to subdivision (a) of Section 56835.02 by



the total number of instructional personnel services units for instructional aides for pupils who are severely disabled reported for the county office for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each county office computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for instructional aides for pupils who are severely disabled reported for each county office for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(D) To determine the statewide average unit rate for instructional aides for pupils who are not severely disabled:

(i) Multiply the special education services unit rate for instructional aides for pupils who are not severely disabled computed for each county office pursuant to subdivision (b) of Section 56835.02 by the total number of instructional personnel services units for instructional aides for pupils who are not severely disabled reported for the county office for the annual apportionment for the 1995–96 fiscal year.

(ii) Total the products for each county office computed pursuant to clause (i).

(iii) Total the number of instructional personnel services units for instructional aides for pupils who are not severely disabled reported for each county office for the annual apportionment for the 1995–96 fiscal year.

(iv) Divide the sum computed pursuant to clause (ii) by the sum computed pursuant to clause (iii).

(b) Make the following computations to determine the difference between the unit rate computed for each type of special education services unit for each district and county office and the statewide average unit rate computed in subdivision (a) for each type of special education services unit for districts and county offices:

(1) For each district, make the following computations:

(A) Subtract the special education services unit rate for teachers of special day classes and centers for pupils who are severely disabled computed for the district pursuant to subdivision (a) of Section 56835.01 from the statewide average unit rate for teachers of special day classes and centers for pupils who are severely disabled computed pursuant to subparagraph (A) of paragraph (1) of subdivision (a).

(B) Subtract the average special education services unit rate for services to pupils who are not severely disabled computed for the district pursuant to subdivision (d) of Section 56835.01 from the statewide average unit rate for services to pupils who are not severely



disabled computed pursuant to subparagraph (B) of paragraph (1) of subdivision (a).

(C) Subtract the special education services unit rate for instructional aides for pupils who are severely disabled computed for the district pursuant to subdivision (a) of Section 56835.02 from the statewide average unit rate for instructional aides for pupils who are severely disabled computed pursuant to subparagraph (C) of paragraph (1) of subdivision (a).

(D) Subtract the special education services unit rate for instructional aides for pupils who are not severely disabled computed for the district pursuant to subdivision (b) of Section 56835.02 from the statewide average unit rate for instructional aides for pupils who are not severely disabled computed pursuant to subparagraph (D) of paragraph (1) of subdivision (a).

(2) For each county office, make the following computations:

(A) Subtract the special education services unit rate for teachers of special day classes and centers for pupils who are severely disabled computed for the county office pursuant to subdivision (a) of Section 56835.01 from the statewide average unit rate for teachers of special day classes and centers for pupils who are severely disabled computed pursuant to subparagraph (A) of paragraph (2) of subdivision (a).

(B) Subtract the average special education services unit rate for services to pupils who are not severely disabled computed for the county office pursuant to subdivision (d) of Section 56835.01 from the statewide average unit rate for services to pupils who are not severely disabled computed pursuant to subparagraph (B) of paragraph (2) of subdivision (a).

(C) Subtract the special education services unit rate for instructional aides for pupils who are severely disabled computed for the county office pursuant to subdivision (a) of Section 56835.02 from the statewide average unit rate for instructional aides for pupils who are severely disabled computed pursuant to subparagraph (C) of paragraph (2) of subdivision (a).

(D) Subtract the special education services unit rate for instructional aides for pupils who are not severely disabled computed for the county office pursuant to subdivision (b) of Section 56835.02 from the statewide average unit rate for instructional aides for pupils who are not severely disabled computed pursuant to subparagraph (D) of paragraph (2) of subdivision (a).

(c) For each district and county office, multiply the difference in the unit rate determined for each type of special education services unit pursuant to subdivision (b) by the total number of units of that type of special education services unit that were reported for the district or county office at the annual apportionment for the 1995–96 fiscal year.



(d) For each district and county office, add the amounts computed pursuant to subdivision (c) for the district or county office that are zero or greater. Each district and county office having an amount that is zero or greater shall receive an equalization adjustment in the amount computed pursuant to subdivision (g).

(e) Total the amounts computed pursuant to subdivision (d) for each district and county office to determine the total statewide amount necessary to fully fund this section in the 1997–98 fiscal year.

(f) Divide the amount that is actually appropriated for the 1997–98 fiscal year for the purpose of equalization pursuant to this chapter by the amount computed pursuant to subdivision (e) to determine the percentage of the amount computed for each district and county office pursuant to subdivision (d) that will be funded pursuant to this section.

(g) For the 1997–98 fiscal year to determine the amount of the equalization adjustment to apportion to each eligible district and county office pursuant to this section, multiply the amount computed pursuant to subdivision (d) by the percentage computed pursuant to subdivision (f). The superintendent shall apportion an equalization adjustment for the 1997–98 fiscal year in the amount equal to that product to the district or county office.

56835.04. (a) The data certified by the State Department of Education to the Controller for the 1995–96 fiscal year with respect to apportionments computed under Chapter 7 (commencing with Section 56700) shall be used for the purposes of making computations based upon the 1995–96 fiscal year pursuant to this chapter.

(b) For purposes of this chapter, information reported “for the 1995–96 annual apportionment” means the data meeting the requirements of subdivision (a), as certified in March 1997.

56835.05. (a) The department shall continuously monitor and review all special education programs approved under this chapter to assure that all funds appropriated to districts and county offices under this chapter are expended for the purposes intended.

(b) Funds apportioned to districts and county offices pursuant to this chapter shall be expended exclusively for programs operated under this part.

56835.06. Regardless of when this act becomes effective, it is the intent of the Legislature to make the apportionments for the equalization adjustments computed pursuant to this chapter for the entire 1997–98 fiscal year.

56835.07. This chapter shall become inoperative on July 1, 1998, and, as of January 1, 1999, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 1999, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 65. Chapter 7.2 (commencing with Section 56836) is added to Part 30 of the Education Code, to read:

CHAPTER 7.2. SPECIAL EDUCATION FUNDING

Article 1. Administration

56836. Commencing with the 1998–99 fiscal year and for each fiscal year thereafter, apportionments to special education local plan areas for special education programs operated by, and services provided by, districts, county offices, and special education local plan areas shall be computed pursuant to this chapter.

56836.01. Commencing with the 1998–99 fiscal year and each fiscal year thereafter, the administrator of each special education local plan area, in accordance with the local plan approved by the superintendent, shall be responsible for the following:

(a) The fiscal administration of the annual budget allocation plan for special education programs of school districts and county superintendents of schools composing the special education local plan area.

(b) The allocation of state and federal funds allocated to the special education local plan area for the provision of special education and related services by those entities.

(c) The reporting and accounting requirements prescribed by this part.

56836.02. (a) The superintendent shall apportion funds from Section A of the State School Fund to districts and county offices of education in accordance with the allocation plan adopted pursuant to subdivision (f) of Section 56205, unless the local plan approved by the superintendent specified that they be apportioned to the administrative unit of the special education local plan area. If the local plan specifies that the funds be apportioned to the administrative unit of the special education local plan area, the administrator of the special education local plan area shall, upon receipt, distribute the funds in accordance with the allocation plan adopted pursuant to subdivision (f) of Section 56205. Unless the local plan approved by the superintendent specifies an alternative method of distributing state and local funds among the participating local educational agencies, the funds shall be distributed by the special education local plan area as allocated instructional personnel service units and operated as computed in Chapter 7 (commencing with Section 56700) as that chapter existed on December 31, 1998, or Chapter 7.1 (commencing with Section 56835).

(b) The superintendent shall apportion funds for regionalized services and program specialists from Section A of the State School Fund to the administrative unit of each special education local plan area. Upon receipt, the administrator of a special education local plan area shall direct the administrative unit of the special education local plan area to distribute the funds in accordance with the allocation plan adopted pursuant to subdivision (f) of Section 56205.



56836.03. (a) On or after January 1, 1998, each special education local plan area shall submit a revised local plan. Each special education local plan area shall submit its revised local plan not later than the time it is required to submit its local plan pursuant to subdivision (b) of Section 56100 and the revised local plan shall meet the requirements of Chapter 3 (commencing with Section 56200).

(b) Until the superintendent has approved the revised local plan and the special education local plan area begins to operate under the revised local plan, each special education local plan area shall continue to operate under the programmatic, reporting, and accounting requirements prescribed by the State Department of Education for the purposes of Chapter 7 (commencing with Section 56700) as that chapter existed on December 31, 1998. The department shall develop transition guidelines, and, as necessary, transition forms, to facilitate a transition from the reporting and accounting methods required for Chapter 7 (commencing with Section 56700) as that chapter existed on December 31, 1998, and related provisions of this part, to the reporting and accounting methods required for this chapter. Under no circumstances shall the transition guidelines exceed the requirements of the provisions described in paragraphs (1) and (2). The transition guidelines shall, at a minimum, do the following:

(1) Describe the method for accounting for the instructional service personnel units and caseloads, as required by Chapter 7 (commencing with Section 56700) as that chapter existed on December 31, 1998.

(2) Describe the accounting that is required to be made, if any, for the purposes of Sections 56030, 56140, 56156.5, 56361.5, 56362, 56363.3, 56365.5, 56366.2, 56366.3, 56370, 56441.5, 56441.7, and 56447.

(c) Commencing with the 1997–98 fiscal year, through and including the fiscal year in which equalization among special education local plan areas has been achieved, the board shall not approve any proposal to divide a special education local plan area into two or more units, unless the division has no net impact on state costs for special education; provided, however, that the board may approve a proposal that was initially submitted to the department prior to January 1, 1997.

56836.04. (a) The superintendent shall continuously monitor and review all special education programs approved under this part to assure that all funds appropriated to special education local plan areas under this part are expended for the purposes intended.

(b) Funds apportioned to special education local plan areas pursuant to this chapter shall be expended exclusively for programs operated under this part.

56836.05. Apportionments made under this part shall be made by the superintendent as early as practicable in the fiscal year. Upon order of the superintendent, the Controller shall draw warrants upon

the money appropriated, in favor of the eligible special education local plan areas.

Article 2. Computation of Apportionments

56836.06. For the purposes of this article, the following terms or phrases shall have the following meanings, unless the context clearly requires otherwise:

(a) "Average daily attendance reported for the special education local plan area" means the total of the following:

(1) The total number of units of average daily attendance reported for the second principal apportionment pursuant to Section 41601 for all pupils enrolled in the district or districts that are a part of the special education local plan area.

(2) The total number of units of average daily attendance reported pursuant to Section 41601 for all pupils enrolled in schools operated by the county office or offices that compose the special education local plan area, or for those county offices that are a part of more than one special education local plan area, that portion of the average daily attendance of pupils enrolled in the schools operated by the county office that are under the jurisdiction of the special education local plan area.

(b) "Special education local plan area" includes the school district or districts and county office or offices of education composing the special education local plan area.

(c) "The fiscal year in which equalization among special education local plan areas has been achieved" means the first fiscal year in which each special education local plan area is funded at or above the statewide target amount per unit of average daily attendance, as computed pursuant to Section 56836.11.

56836.08. (a) For the 1998–99 fiscal year, the superintendent shall make the following computations to determine the amount of funding for each special education local plan area:

(1) Add the amount of funding per unit of average daily attendance computed for the special education local plan area pursuant to paragraph (1) of subdivision (a) of Section 56836.10 to the inflation adjustment computed pursuant to subdivision (d) for the 1998–99 fiscal year.

(2) Multiply the amount computed in paragraph (1) by the units of average daily attendance reported for the special education local plan area for the 1997–98 fiscal year.

(3) Add the actual amount of the equalization adjustment, if any, computed for the 1998–99 fiscal year pursuant to Section 56836.14 to the amount computed in paragraph (2).

(4) Add or subtract, as appropriate, the adjustment for growth computed pursuant to Section 56836.15 from the amount computed in paragraph (3).



(5) Add the special disabilities adjustment computed pursuant to Article 2.5 (commencing with Section 56836.155).

(b) For the 1999–2000 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the amount of funding for each special education local plan area for the fiscal year in which the computation is made:

(1) Add the amount of funding per unit of average daily attendance computed for the special education local plan area for the prior fiscal year pursuant to Section 56836.10 to the inflation adjustment computed pursuant to subdivision (d) for the fiscal year in which the computation is made.

(2) Multiply the amount computed in paragraph (1) by the units of average daily attendance reported for the special education local plan area for the prior fiscal year.

(3) Add the actual amount of the equalization adjustment, if any, computed for the special education local plan area for the fiscal year in which the computation is made pursuant to Section 56836.14 to the amount computed in paragraph (2).

(4) Add or subtract, as appropriate, the adjustment for growth or decline in enrollment, if any, computed for the special education local plan area for the fiscal year in which the computation is made pursuant to Section 56836.15 from the amount computed in paragraph (3).

(5) Add the special disabilities adjustment computed pursuant to Article 2.5 (commencing with Section 56836.155) and increased pursuant to subparagraph (D) if the adjusted funding per unit of average daily attendance of the special education local plan area is below the statewide target amount per unit of average daily attendance as determined pursuant to subparagraphs (A) to (C), inclusive, as follows:

(A) Calculate the adjusted amount of funding per unit of average daily attendance for each special education local plan area, measured in dollars and cents, using the methodology contained in subdivision (a) of Section 56836.10, except that the amount used from the computation in Section 56836.09 shall be reduced by the amount computed pursuant to Article 2.5 (commencing with Section 56836.155).

(B) Determine the statewide target amount per unit of average daily attendance, measured in dollars and cents and rounded up to the nearest 50 cents (\$0.50), as computed pursuant to subdivision (a) of Section 56836.11.

(C) The adjusted funding per unit of average daily attendance is below the statewide target amount if the amount calculated pursuant to subparagraph (A), subtracted from the amount calculated pursuant to subparagraph (B), yields a positive value.

(D) If the computation made pursuant to subparagraph (C) yields a positive value, increase the special disabilities adjustment in

the 1999–2000 fiscal year and each year thereafter by the percent increase in growth in average daily attendance reported by the special education local plan area and the inflation factor computed pursuant to subdivision (b) of Section 42238.1 for the applicable fiscal year.

(E) Inclusion of the special disabilities adjustment in the total funding of a special education local plan area shall neither change nor be included in the computation of equalization funding pursuant to Section 56836.12 or the computations made after this computation that precede the computation in Section 56836.12.

(c) For the 1998–99 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the amount of General Fund moneys that the special education local plan area may claim:

(1) Add the total of the amount of property taxes allocated to the special education local plan area pursuant to Section 2572 for the fiscal year in which the computation is made to the amount of federal funds allocated to the special education local plan area pursuant to Part B of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) for the fiscal year in which the computation is made.

(2) Add the amount of funding computed for the special education local plan area pursuant to subdivision (a) for the 1998–99 fiscal year, and commencing with the 1999–2000 fiscal year and each fiscal year thereafter, the amount computed for the fiscal year in which the computations were made pursuant to subdivision (b) to the amount of funding computed for the special education local plan area pursuant to Article 3 (commencing with Section 56836.16).

(3) Subtract the sum computed in paragraph (1) from the sum computed in paragraph (2).

(d) For the 1998–99 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the inflation adjustment for the fiscal year in which the computation is made:

(1) For the 1998–99 fiscal year, multiply the statewide target amount per unit of average daily attendance for special education local plan areas for the 1997–98 fiscal year computed pursuant to paragraph (3) of Section 56836.11 by the inflation factor computed pursuant to subdivision (b) of Section 42238.1 for the 1998–99 fiscal year.

(2) For the 1999–2000 fiscal year and each fiscal year thereafter, multiply the statewide target amount per unit of average daily attendance for special education local plan areas for the prior fiscal year computed pursuant to Section 56836.11 by the inflation factor computed pursuant to subdivision (b) of Section 42238.1 for the fiscal year in which the computation is made.

56836.09. For the purpose of computing the amount to apportion to each special education local plan area for the 1998–99 fiscal year,



the superintendent shall compute the total amount of funding received by the special education local plan area for the 1997–98 fiscal year as follows:

(a) Add the following amounts that were received for the 1997–98 fiscal year:

(1) The total amount of federal funds available to the state pursuant to Part B of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) allocated to the special education local plan area for the purposes of special education for individuals with exceptional needs enrolled in kindergarten and grades 1 to 12, inclusive.

(2) The total amount of federal funds available to the state pursuant to Part B of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) allocated to the special education local plan area for the purposes of providing preschool and related services to individuals with exceptional needs who are ages 3 to 5 years, inclusive, pursuant to Chapter 4.45 (commencing with Section 56440).

(3) The total amount of property taxes allocated to the special education local plan area pursuant to Section 2572.

(4) The total amount of General Fund moneys allocated to the special education local plan area pursuant to Chapter 7 (commencing with Section 56700) plus the total amount received for equalization pursuant to Chapter 7.1 (commencing with Section 56835), as those chapters existed on December 31, 1998.

(5) The total amount of General Fund moneys and federal funds available to the state pursuant to Part B of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) allocated to another special education local plan area for any pupils with exceptional needs who are served by the other special education local plan area but who are residents of the special education local plan area for which this computation is being made.

(b) Add the following amounts received in the 1997–98 fiscal year:

(1) The total amount determined for the special education local plan area for the purpose of providing nonpublic, nonsectarian school services to licensed children’s institutions, foster family homes, residential medical facilities, and other similar facilities for the 1997–98 fiscal year pursuant to Article 3 (commencing with Section 56836.16).

(2) The total amount of General Fund moneys and federal funds available to the state pursuant to Part B of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) allocated for any pupils with exceptional needs who are served by the special education local plan area but who do not reside within the boundaries of the special education local plan area.

(3) The total amount of General Fund moneys allocated to the special education local plan area to perform the regionalized



operations and services functions listed in Article 6 (commencing with Section 56836.23) and to provide the direct instructional support of program specialists in accordance with Section 56368.

(4) The total amount of General Fund moneys allocated to the special education local plan area for individuals with exceptional needs younger than three years of age pursuant to Chapter 7 (commencing with Section 56700), as that chapter existed on December 31, 1998.

(5) The total amount of General Fund moneys allocated to local education agencies within the special education local plan area pursuant to Section 56771, as that section existed on December 31, 1998, for specialized books, materials, and equipment for pupils with low-incidence disabilities.

(c) Subtract the sum computed in subdivision (b) from the sum computed in subdivision (a).

56836.10. (a) The superintendent shall make the following computations to determine the amount of funding per unit of average daily attendance for each special education local plan area for the 1998–99 fiscal year:

(1) Divide the amount of funding for the special education local plan area computed for the 1997–98 fiscal year pursuant to Section 56836.09 by the number of units of average daily attendance reported for the special education local plan area for the 1997–98 fiscal year.

(2) Add the amount computed in paragraph (1) to the inflation adjustment computed pursuant to subdivision (d) of Section 56836.08 for the 1998–99 fiscal year.

(b) Commencing with the 1999–2000 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the amount of funding per unit of average daily attendance for each special education local plan area for the fiscal year in which the computation is made:

(1) For the 1999–2000 fiscal year, divide the amount of funding for the special education local plan area computed for the 1998–99 fiscal year pursuant to subdivision (a) of Section 56836.08 by the number of units of average daily attendance reported for the special education local plan area for the 1998–99 fiscal year.

(2) For the 2000–01 fiscal year, and each fiscal year thereafter, divide the amount of funding for the special education local plan area computed for the prior fiscal year pursuant to subdivision (b) of Section 56836.08 by the number of units of average daily attendance reported for the special education local plan area for the prior fiscal year.

56836.11. (a) For the purpose of computing the equalization adjustment for special education local plan areas for the 1998–99 fiscal year, the superintendent shall make the following computations to determine the statewide target amount per unit of average daily attendance for special education local plan areas:



(1) Total the amount of funding computed for each special education local plan area pursuant to Section 56836.09 for the 1997–98 fiscal year.

(2) Total the number of units of average daily attendance reported for each special education local plan area for the 1997–98 fiscal year.

(3) Divide the sum computed in paragraph (1) by the sum computed in paragraph (2) to determine the statewide target amount for the 1997–98 fiscal year.

(4) Add the amount computed in paragraph (3) to the inflation adjustment computed pursuant to subdivision (d) of Section 56836.08 for the 1998–99 fiscal year to determine the statewide target amount for the 1998–99 fiscal year.

(b) Commencing with the 1999–2000 fiscal year and each fiscal year thereafter, to determine the statewide target amount per unit of average daily attendance for special education local plan areas, the superintendent shall multiply the statewide target amount per unit of average daily attendance computed for the prior fiscal year pursuant to this section by one plus the inflation factor computed pursuant to subdivision (b) of Section 42238.1 for the fiscal year in which the computation is made.

56836.12. (a) For the purpose of computing the equalization adjustment for special education local plan areas for the 1998–99 fiscal year, the superintendent shall make the following computations to determine the amount that each special education local plan area that has an amount per unit of average daily attendance that is below the statewide target amount per unit of average daily attendance may request as an equalization adjustment:

(1) Subtract the amount per unit of average daily attendance computed for the special education local plan area pursuant to subdivision (a) of Section 56836.10 from the statewide target amount per unit of average daily attendance determined pursuant to subdivision (a) of Section 56836.11.

(2) If the remainder computed in paragraph (1) is greater than zero, multiply that remainder by the number of units of average daily attendance reported for the special education local plan area for the 1997–98 fiscal year.

(b) Commencing with the 1999–2000 fiscal year, through and including the fiscal year in which equalization among the special education local plan areas has been achieved, the superintendent shall make the following computations to determine the amount that each special education local plan area that has an amount per unit of average daily attendance that is below the statewide target amount per unit of average daily attendance may request as an equalization adjustment:

(1) Add to the amount per unit of average daily attendance computed for the special education local plan area pursuant to

subdivision (b) of Section 56836.10 for the fiscal year in which the computation is made the inflation adjustment computed pursuant to subdivision (d) of Section 56836.08 for the fiscal year in which the computation is made.

(2) Subtract the amount computed pursuant to paragraph (1) from the statewide target amount per unit of average daily attendance computed pursuant to subdivision (b) of Section 56936.11 for the fiscal year in which the computation is made.

(3) If the remainder computed in paragraph (2) is greater than zero, multiply that remainder by the number of units of average daily attendance reported for the special education local plan area for the prior fiscal year.

56836.13. Commencing with the 1998–99 fiscal year, through and including the fiscal year in which equalization among the special education local plan areas has been achieved, the superintendent shall make the following computations to determine the amount available for making equalization adjustments for the fiscal year in which the computation is made:

(a) Determine the amounts of funds equal to the increase in federal funds, if any, appropriated in the annual Budget Act for the purposes of equalizing funding for special education local plan areas pursuant to this chapter. The increase shall be computed by subtracting the amount of federal funds available to the state pursuant to Part B of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) for the fiscal year in which the computation is made from the amount available to the state from those funds for the prior fiscal year.

(b) Subtract the amount computed in subdivision (a) from the amount of funds provided for increased costs to the state in administering the special education program.

(c) Add to the amount in subdivision (b), the amount of additional funds, if any, appropriated in the fiscal year for which the computation is made in the annual Budget Act for the purposes of equalizing funding for special education local plan areas pursuant to this chapter.

56836.14. Commencing with the 1998–99 fiscal year, through and including the fiscal year in which equalization among the special education local plan areas has been achieved, the superintendent shall make the following computations to determine the actual amount of the equalization adjustment for each special education local plan area that has an amount per unit of average daily attendance that is below the statewide target amount per unit of average daily attendance:

(a) Add the amount determined for each special education local plan area pursuant to Section 56836.12 for the fiscal year in which the computation is made to determine the total statewide aggregate amount necessary to fund each special education local plan area at



the statewide target amount per unit of average daily attendance for special education local plan areas.

(b) Divide the amount computed in subdivision (a) by the amount computed pursuant to Section 56836.13 to determine the percentage of the total amount of funds necessary to fund each special education local plan area at the statewide target amount per unit of average daily attendance for special education local plan areas that are actually available for that purpose.

(c) To determine the amount to allocate to the special education local plan area for a special education local plan area equalization adjustment, multiply the amount computed for the special education local plan area pursuant to Section 56836.12, if any, by the percentage determined in subdivision (b).

56836.15. (a) In order to mitigate the effects of any declining enrollment, commencing in the 1998-99 fiscal year, and each fiscal year thereafter, the superintendent shall calculate allocations to special education local plan areas based on the average daily attendance reported for the special education local plan area for the fiscal year in which the computation is made or the prior fiscal year, whichever is greater. However, the prior fiscal year average daily attendance reported for the special education local plan area shall be adjusted for any loss or gain of average daily attendance reported for the special education local plan area due to a reorganization or transfer of territory in the special education local plan area.

(b) If in the fiscal year for which the computation is made, the number of units of average daily attendance upon which allocations to the special education local plan area are based is greater than the number of units of average daily attendance upon which allocations to the special education local plan area were based in the prior fiscal year, the special education local plan area shall be allocated a growth adjustment equal to the product determined by multiplying the amounts determined under paragraphs (1) and (2).

(1) The statewide target amount per unit of average daily attendance for special education local plan areas determined pursuant to Section 56836.11.

(2) The difference between the number of units of average daily attendance upon which allocations to the special education local plan area are based for the fiscal year in which the computation is made and the number of units of average daily attendance upon which allocations to the special education local plan area were based for the prior fiscal year.

(c) If in the fiscal year for which the computation is made, the number of units of average daily attendance upon which allocations to the special education local plan area are based is less than the number of units of average daily attendance upon which allocations to the special education local plan area were based in the prior fiscal year, the special education local plan area shall receive a funding



reduction equal to the product determined by multiplying the amounts determined under paragraphs (1) and (2):

(1) The amount of funding per unit of average daily attendance computed for the special education local plan area for the prior fiscal year.

(2) The difference between the number of units of average daily attendance upon which allocations to the special education local plan area are based for the fiscal year in which the computation is made and the number of units of average daily attendance upon which allocations to the special education local plan area were based for the prior fiscal year.

Article 2.5. Computation of Adjustment

56836.155. (a) For the 1998–99 fiscal year, prior to calculating the apportionment in Article 2 (commencing with Section 56836.06), the superintendent shall perform the following calculation:

(1) Determine for each special education local plan area the number of pupils with exceptional needs with the special disabilities specified in subdivision (b) for pupils residing in the special education local plan area based on the April 1996 pupil count.

(2) Determine for each special education local plan area the total reported incidence of all disabilities for pupils of age 3 to 22 years, inclusive, excluding pupils in placements as described in paragraph (1) of subdivision (b).

(3) Determine the statewide total of reported incidence of special disabilities determined pursuant to paragraph (1).

(4) Determine the statewide total reported incidence of all disabilities determined pursuant to paragraph (2).

(b) For the purposes of paragraph (1) of subdivision (a), the superintendent shall use the count of all pupils with exceptional needs of age 3 to 22 years, inclusive, exclusive of placements in paragraph (1) and inclusive of the disabilities in paragraph (2).

(1) Pupils in state operated programs, nonpublic schools, and out-of-home placements.

(2) Pupils with low-incidence disabilities of autistic, hard of hearing, deaf, visually impaired, deaf, blind, and severe orthopedic impairment, except that, for the purposes of subdivision (a), pupils in the disability category of orthopedic impairment shall be used in the absence of special education local plan area counts of only severe orthopedic impairment. To the count of low-incidence disabilities, also add pupils in the disability category of traumatic brain injury.

(c) Calculate, for each special education local plan area, the reported incidence of special disabilities as a percentage of its total reported incidence of all disabilities by dividing the amount in paragraph (1) of subdivision (a) by the amount in paragraph (2) of



subdivision (a). The percentage amount is to be expressed to the accuracy of one hundredth of a percentage point.

(d) Calculate the statewide total of reported incidence of special disabilities as a percent of the statewide total incidence of all disabilities by dividing the amount in paragraph (3) of subdivision (a) by the amount in paragraph (4) of subdivision (a). The percent amount is to be expressed to the accuracy of one hundredth of a percentage point.

(e) For each special education local plan area whose percentage of special disabilities calculated pursuant to subdivision (c) is greater than the statewide percent of special disabilities pursuant to subdivision (d), determine the number of excess pupils in the special education local plan area as follows:

(1) Multiply the statewide percent of special disabilities calculated in subdivision (d) by the count by the special education local plan area of all disabilities determined pursuant to paragraph (2) of subdivision (a).

(2) Subtract the amount calculated in paragraph (1) from the count by the special education local plan area of special disabilities determined pursuant to paragraph (1) of subdivision (a). Round this number to the nearest whole number.

(f) Multiply the number of excess pupils calculated in subdivision (e) by one thousand dollars (\$1,000). This is the amount that each special education local plan area having excess pupils is to receive as a special disabilities adjustment in the 1998–99 fiscal year and that is to be included in the total amount of funding received by the special education local plan area pursuant to Section 56836.08.

Article 3. Licensed Children's Institutions

56836.16. (a) For the 1980–81 fiscal year and each fiscal year thereafter, the superintendent shall apportion to each district and county superintendent providing programs pursuant to Article 5 (commencing with Section 56155) of Chapter 2 an amount equal to the difference, if any, between (1) the costs of master contracts with nonpublic, nonsectarian schools and agencies to provide special education instruction, designated instruction and services, or both, to pupils in licensed children's institutions, foster family homes, residential medical facilities, and other similar facilities funded under this chapter, and (2) the state and federal income received by the district or county superintendent for providing these programs. The sum of the excess cost, plus any state or federal income for these programs, shall not exceed the cost of master contracts with nonpublic, nonsectarian schools and agencies to provide special education and designated instruction and services for these pupils, as determined by the superintendent.



(b) The cost of master contracts with nonpublic, nonsectarian schools and agencies that a district or county office of education reports under this section shall not include any of the following costs that a district, county office, or special education local plan area may incur:

- (1) Administrative or indirect costs for the local education agency.
- (2) Direct support costs for the local education agency.
- (3) Transportation costs provided either directly, or through a nonpublic, nonsectarian school or agency master contract or individual services agreement for use of services or equipment owned, leased, or contracted, by a district, special education local plan area, or county office for any pupils enrolled in nonpublic, nonsectarian schools or agencies, unless provided directly or subcontracted by that nonpublic, nonsectarian school or agency pursuant to subdivisions (a) and (b) of Section 56366.
- (4) Costs for services routinely provided by the district or county office including the following, unless the board grants a waiver under 56101:
 - (A) School psychologist services other than those described in Sections 56324 and 56363 and included in a master contract and individual services agreement under subdivision (a) of Section 56366.
 - (B) School nurse services other than those described in Sections 49423.5, 56324, and 56363 and included in a master contract and individual services agreement under subdivision (a) of Section 56366.
 - (C) Language, speech, and hearing services other than those included in a master contract and individual services agreement under subdivision (a) of Section 56366.
 - (D) Modified, specialized, or adapted physical education services other than those included in a master contract and individual services agreement under subdivision (a) of Section 56366.
 - (E) Other services not specified by a pupil's individualized education program or funded by the state on a caseload basis.
- (5) Costs for nonspecial education programs or settings, including those provided for individuals with exceptional needs between the ages of birth and five years, inclusive, pursuant to Sections 56431 and 56441.8.
- (6) Costs for nonpublic, nonsectarian school or agency placements outside of the state unless the board has granted a waiver pursuant to subdivisions (e) and (f) of Section 56365.
- (7) Costs for related nonpublic, nonsectarian school pupil assessments by a school psychologist or school nurse pursuant to Sections 56320 and 56324.
- (8) Costs for services that the nonpublic, nonsectarian school or agency is not certified to provide.
- (9) Costs for services provided by personnel who do not meet the requirements specified in subdivision (l) of Section 56366.1.
- (10) Costs for services provided by public school employees.



(d) A nonpublic, nonsectarian school or agency shall not claim and is not entitled to receive reimbursement for attendance unless the site where the pupil is receiving special education or designated instruction and services is certified.

56836.17. (a) The superintendent may reimburse each district and county office of education providing programs pursuant to Article 5 (commencing with Section 56155) of Chapter 2 for assessment and identification costs for pupils in licensed children's institutions, foster family homes, residential medical facilities, and other similar facilities who are placed in state-certified nonpublic, nonsectarian schools.

(b) Actual costs under this section shall not include either administrative or indirect costs, or any proration of support costs.

(c) The total amount reimbursed statewide under this section shall not exceed the amount appropriated for these purposes in any fiscal year. If the superintendent determines that this amount is insufficient to reimburse all claims, the superintendent shall prorate the deficiency among all districts or county offices submitting claims.

56836.18. (a) The superintendent shall establish and maintain an emergency fund for the purpose of providing relief to special education local plan areas when a licensed children's institution, foster family home, residential medical facility, or other similar facility serving individuals with exceptional needs opens or expands in a special education local plan area during the course of the school year which impacts the special education local plan area, or when a pupil is placed in a facility for which no public or state-certified nonpublic program exists within the special education local plan area in which the pupil's individualized education program can be implemented during the course of the school year and impacts the educational program.

(b) The special education local plan area in which the impaction occurs shall be responsible for submitting a written request to the superintendent for emergency funding. The written request shall contain, at a minimum, all of the following:

(1) Specific information on the new or expanded licensed children's institution, foster family home, residential medical facility, or other similar facility described in subdivision (a), including information on the new unserved or underserved pupils residing in the facility, or specific information relating to the new unserved or underserved pupils residing in those facilities.

(2) The identification of the steps undertaken demonstrating that no public special education program exists within the special education local plan area capable of programmatically meeting the needs of the identified pupils.

(3) A plan from the special education local plan area describing the services to be provided.

(c) The superintendent shall approve, modify, or disapprove the written request for emergency funding within 30 days of the receipt of the written request and shall notify the special education local plan area administrator, in writing, of the final decision.

(d) It is the intent of the Legislature that appropriations necessary to fund these emergency situations shall be included in the Budget Act for each fiscal year.

Article 4. Nonpublic, Nonsectarian School Contracts

56836.20. (a) The cost of master contracts with nonpublic, nonsectarian schools and agencies that a special education local plan area enters into shall not include any of the following costs that a special education local plan area may incur:

(1) Administrative or indirect costs of the special education local plan area.

(2) Direct support costs for the special education local plan area.

(3) Transportation costs provided either directly, or through a nonpublic, nonsectarian school or agency contract for use of services or equipment owned, leased, or contracted, by a special education local plan area for any pupils enrolled in nonpublic, nonsectarian schools or agencies, unless provided directly or subcontracted by that nonpublic, nonsectarian school or agency pursuant to subdivisions (a) and (b) of Section 56366.

(4) Costs for services routinely provided by the special education local plan area including the following, unless the board grants a waiver under Section 56101:

(A) School psychologist services other than those described in Sections 56324 and 56363 and included in a master contract and individual services agreement under subdivision (a) of Section 56366.

(B) School nurse services other than those described in Sections 49423.5, 56324, and 56363 and included in a master contract and individual services agreement under subdivision (a) of Section 56366.

(C) Language, speech, and hearing services other than those included in a master contract and individual services agreement under subdivision (a) of Section 56366.

(D) Modified, specialized, or adapted physical education services other than those included in a master contract and individual services agreement under subdivision (a) of Section 56366.

(E) Other services not specified by a pupil's individualized education program or funded by the state on a caseload basis.

(5) Costs for nonspecial education programs or settings, including those provided for individuals with exceptional needs between the ages of birth and five years, inclusive, pursuant to Sections 56431 and 56441.8.



(6) Costs for nonpublic, nonsectarian school or agency placements outside of the state unless the board has granted a waiver pursuant to subdivisions (e) and (f) of Section 56365.

(7) Costs for related nonpublic, nonsectarian school pupil assessments by a school psychologist or school nurse pursuant to Sections 56320 and 56324.

(8) Costs for services that the nonpublic, nonsectarian school or agency is not certified to provide.

(9) Costs for services provided by personnel who do not meet the requirements specified in subdivision (l) of Section 56366.1.

(10) Costs for services provided by public school employees.

(b) A nonpublic, nonsectarian school or agency shall not claim and is not entitled to receive reimbursement for attendance unless the site where the pupil is receiving special education or designated instruction and services is certified.

56836.21. (a) The State Department of Education shall administer an extraordinary cost pool to protect special education local plan areas from the extraordinary costs associated with single placements in nonpublic, nonsectarian schools. Funds shall be appropriated for this purpose in the annual Budget Act. Special education local plan areas shall be eligible for reimbursement from this pool in accordance with this section.

(b) The threshold amount for claims under this section shall be the lesser of the following:

(1) One percent of the allocation calculated pursuant to Section 56836.08 for the special education local plan area for the current fiscal year for any special education local plan area that meets the criteria in subdivision (a) of Section 56212.

(2) The State Department of Education shall calculate the average cost of a nonpublic, nonsectarian school placement in the 1997–98 fiscal year. This amount shall be multiplied by 2.5, then by one plus the inflation factor computed pursuant to Section 42238.1, to obtain the alternative threshold amount for claims in the 1998–99 fiscal year. In subsequent fiscal years, the alternative threshold amount shall be the alternative threshold amount for the prior fiscal year multiplied by one plus the inflation factor computed pursuant to Section 42238.1.

(c) Special education local plan areas shall be eligible to submit claims for costs of any nonpublic, nonsectarian school placements exceeding the threshold amount on forms developed by the State Department of Education. All claims for a fiscal year shall be submitted by November 30 following the close of the fiscal year. If the total amount claimed by special education local plan areas exceeds the amount appropriated, the claims shall be prorated.

Article 5. Low Incidence Funding

56836.22. (a) Commencing with the 1985–86 fiscal year, and for each fiscal year thereafter, funds to support specialized books, materials, and equipment as required under the individualized education program for each pupil with low incidence disabilities, as defined in Section 56026.5, shall be determined by dividing the total number of pupils with low incidence disabilities in the state, as reported on December 1 of the prior fiscal year, into the annual appropriation provided for this purpose in the Budget Act.

(b) The per-pupil entitlement determined pursuant to subdivision (a) shall be multiplied by the number of pupils with low incidence disabilities in each special education local plan area to determine the total funds available for each local plan.

(c) The superintendent shall apportion the amount determined pursuant to subdivision (b) to the special education local plan area for purposes of purchasing and coordinating the use of specialized books, materials, and equipment.

(d) As a condition of receiving these funds, the special education local plan area shall ensure that the appropriate books, materials, and equipment are purchased, that the use of the equipment is coordinated as necessary, and that the books, materials, and equipment are reassigned to local educational agencies within the special education local plan area once the agency that originally received the books, materials, and equipment no longer needs them.

(e) It is the intent of the Legislature that special education local plan areas share unused specialized books, materials, and equipment with neighboring special education local plan areas.

Article 6. Program Specialists and Administration of Regionalized Operations and Services

56836.23. Funds for regionalized operations and services and the direct instructional support of program specialists shall be apportioned to the special education local plan areas. As a condition to receiving those funds, the special education local plan area shall assure that all functions listed below are performed in accordance with the description set forth in its local plan adopted pursuant to subdivision (c) of Section 56205:

(a) Coordination of the special education local plan area and the implementation of the local plan.

(b) Coordinated system of identification and assessment.

(c) Coordinated system of procedural safeguards.

(d) Coordinated system of staff development and parent education.

(e) Coordinated system of curriculum development and alignment with the core curriculum.



(f) Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism.

(g) Coordinated system of data collection and management.

(h) Coordination of interagency agreements.

(i) Coordination of services to medical facilities.

(j) Coordination of services to licensed children's institutions and foster family homes.

(k) Preparation and transmission of required special education local plan area reports.

(l) Fiscal and logistical support of the community advisory committee.

(m) Coordination of transportation services for individuals with exceptional needs.

(n) Coordination of career and vocational education and transition services.

(o) Assurance of full educational opportunity.

(p) Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.01.

(q) Direct instructional program support that may be provided by program specialists in accordance with Section 56368.

56836.24. Commencing with the 1998–99 fiscal year and each year thereafter, the superintendent shall make the following computations to determine the amount of funding for the purposes specified in Section 56836.23 to apportion to each special education local plan area for the fiscal year in which the computation is made:

(a) For the 1998–99 fiscal year the superintendent shall make the following computations:

(1) Multiply the total amount of state General Fund money allocated to the special education local plan areas in the 1997–98 fiscal year, for the purposes of Article 9 (commencing with Section 56780) of Chapter 7, as that chapter existed on December 31, 1998, by one plus the inflation factor computed pursuant to subdivision (b) of Section 42238.1 for the 1998–99 fiscal year.

(2) Divide the amount calculated in paragraph (1) by the units of average daily attendance reported for the special education local plan area for the 1997–98 fiscal year.

(3) To determine the amount to be allocated to each special education local plan area in the 1998–99 fiscal year, the superintendent shall multiply the amount computed in paragraph (2) by the number of units of average daily attendance reported for the special education local plan area for the 1998–99 fiscal year, except that a special education local plan area designated as a necessary small special education local plan area in accordance with Section 56212 and reporting fewer than 15,000 units of average daily attendance for the 1998–99 fiscal year shall be deemed to have 15,000



units of average daily attendance, and no special education local plan area shall receive less than it received in the 1997–98 fiscal year.

(b) For the 1999–2000 fiscal year and each fiscal year thereafter, the superintendent shall make the following calculations:

(1) Multiply the amount determined in paragraph (2) of subdivision (a) by one plus the inflation factor computed pursuant to subdivision (b) of Section 42238.1 for the current fiscal year.

(2) Multiply the amount determined in paragraph (1) by the number of units of average daily attendance reported for the special education local plan area for the current fiscal year, except that a special education local plan area designated as a necessary small special education local plan area in accordance with Section 56212 and reporting fewer than 15,000 units of average daily attendance for the current fiscal year shall be deemed to have 15,000 units of average daily attendance.

56836.25. Funds received pursuant to this article shall be expended for the purposes specified in Section 56836.23.

SEC. 66. (a) The Legislature finds and declares as follows:

(1) The individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), as amended by the Individuals with Disabilities Education Act Amendments of 1997 (105 P.L. 17), effective in part upon enactment and in part as further specified in the act, provides as follows:

“Sec. 612. STATE ELIGIBILITY.

(a) In general.--A State is eligible for assistance under this part for a fiscal year if the State demonstrates to the satisfaction of the Secretary that the State has in effect policies and procedures to ensure that it meets each of the following conditions:

[Language Omitted]

(5) LEAST RESTRICTIVE ENVIRONMENT-

(A) IN GENERAL-To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

(B) ADDITIONAL REQUIREMENT-

(i) IN GENERAL-If the State uses a funding mechanism by which the State distributes State funds on the basis of the type of setting in which a child is served, the funding mechanism does not result in placements that violate the requirements of subparagraph (A).

(ii) ASSURANCE-If the State does not have policies and procedures to ensure compliance with clause (i), the State shall provide the Secretary an assurance that it will revise the funding



mechanism as soon as feasible to ensure that such mechanism does not result in such placements.

[Language Omitted]”

(16) PERFORMANCE GOALS AND INDICATORS—The State—

(A) has established goals for the performance of children with disabilities in the State that—

(i) will promote the purposes of this Act, as stated in section 601(d); and

(ii) are consistent, to the maximum extent appropriate, with other goals and standards for children established by the State;

(B) has established performance indicators the State will use to assess progress toward achieving those goals that, at a minimum, address the performance of children with disabilities on assessments, drop-out rates, and graduation rates;

(C) will, every two years, report to the Secretary and the public on the progress of the State, and of children with disabilities in the State, toward meeting the goals established under subparagraph (A); and

(D) based on its assessment of that progress, will revise its State improvement plan under subpart 1 of part D as may be needed to improve its performance, if the State receives assistance under that subpart.

(17) PARTICIPATION IN ASSESSMENTS—

(A) IN GENERAL—Children with disabilities are included in general State and district-wide assessment programs, with appropriate accommodations, where necessary. As appropriate, the State or local education agency—

(i) develops guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in State and district-wide assessment programs; and

(ii) develops and, beginning not later than July 1, 2000, conducts those alternate assessments.

(B) REPORTS—The State educational agency makes available to the public, and reports to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following:

(i) The number of children with disabilities participating in regular assessments.

(ii) The number of those children participating in alternate assessments.

(iii) (I) The performance of those children on regular assessments (beginning not later than July 1, 1998) and on alternate assessments (not later than July 1, 2000), if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual children.

(II) Data relating to the performance of children described under subclause (I) shall be disaggregated—

- (aa) for assessments conducted after July 1, 1998; and
- (bb) for assessments conducted before July 1, 1998, if the State is required to disaggregate such data prior to July 1, 1998.

[Language Omitted]”

“Sec. 616. WITHHOLDING AND JUDICIAL REVIEW

(a) WITHHOLDING OF PAYMENTS-

(1) IN GENERAL-Whenever the Secretary, after reasonable notice and opportunity for hearing to the State educational agency involved (and to any local educational agency or State agency affected by any failure described in subparagraph (B)), finds—

(A) that there has been a failure by the State to comply substantially with any provision of this part; or

(B) that there is a failure to comply with any condition of a local educational agency’s or State agency’s eligibility under this part, including the terms of any agreement to achieve compliance with this part within the timelines specified in the agreement; the Secretary shall, after notifying the State educational agency, withhold, in whole or in part, any further payments to the State under this part, or refer the matter for appropriate enforcement action, which may include referral to the Department of Justice.

(2) NATURE OF WITHHOLDING-If the Secretary withholds further payments under paragraph (1), the Secretary may determine that such withholding will be limited to programs or projects, or portions thereof affected by the failure, or that the State educational agency shall not make further payments under this part to specified local educational agencies or State agencies affected by the failure. Until the Secretary is satisfied that there is no longer any failure to comply with the provisions of this part, as specified in subparagraph (A) or (B) of paragraph (1), payments to the State under this part shall be withheld in whole or in part, or payments by the State educational agency under this part shall be limited to local educational agencies and State agencies whose actions did not cause or were not involved in the failure, as the case may be. Any State educational agency, State agency, or local educational agency that has received notice under paragraph (1) shall, by means of a public notice, take such measures as may be necessary to bring the pendency of an action pursuant to this subsection to the attention of the public within the jurisdiction of such agency.”

[Language Omitted]”

(2) State and local education agencies are required to abide by federal laws that are in effect.

(b) This section shall remain in effect only if the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), as amended by the Individuals with Disabilities Education Act Amendments of 1997 (105 P.L. 17), is not further amended or repealed, and this section is repealed upon any further amendment or repeal of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et



seq.), as amended by the Individuals with Disabilities Education Act Amendments of 1997 (105 P.L. 17).

(c) It is the intent of the Legislature that this section be reenacted to incorporate any changes to the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), as amended by the Individuals with Disabilities Education Act Amendments of 1997 (105 P.L. 17), as soon as possible after the amendment of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), as amended by the Individuals with Disabilities Education Act Amendments of 1997 (105 P.L. 17).

SEC. 67. (a) The Office of the Legislative Analyst, in conjunction with the Department of Finance and the State Department of Education, shall conduct a study to gather, analyze, and report on data that would indicate the extent to which the incidence of disabilities, that are medically defined or severe and significantly above-average in cost, or both, are evenly or unevenly distributed among the population of special education local plan areas. The Office of the Legislative Analyst shall contract for both the development of the request for proposal for the study and for the study itself. The Office of the Legislative Analyst, the Department of Finance, and the State Department of Education, shall submit a report of the contractor's findings and recommendations no later than June 1, 1998, to the Governor and the appropriate policy and fiscal committees of the California State Senate and the California State Assembly. The report shall include, if feasible and appropriate, a method to adjust the funding formula contained in Chapter 7.2 (commencing with Section 56836) of Part 30 of the Education Code in order to recognize the distribution of disabilities that are medically defined or severe and significantly above-average in cost, or both, among the special education local plan areas. The report shall use the definition of severe orthopedic impairment developed by the State Department of Education pursuant to Section 70.

(b) There is hereby appropriated to the State Department of Education for transfer to the Office of the Legislative Analyst for the 1997-98 fiscal year the sum of two hundred thousand dollars (\$200,000) from supplemental federal special education grant funds for Part B of the Individuals with Disabilities Education Act. The funds are only to be used for the purpose of contracting for the request for proposal and study in subdivisions (a) and (b) and for the purpose of paying any necessary overhead associated with the supervision of the independent contracts. Provision 1 of Item 6110-161-0890 of the 1997-98 Budget Act on funds received over the amount of federal funds budgeted shall only apply to the balance of supplemental federal special education grant funds for Part B of the Individuals with Disabilities Education Act remaining after the appropriation made by this subdivision is deducted from that supplemental funding.



(c) Of the amount needed to fully fund the equalization formula in Article 2 (commencing with Section 56836.06) of Chapter 7.2 of Part 30 of the Education Code as it read on January 1, 1998, fifteen million dollars (\$15,000,000) shall be available for an adjustment to that formula pursuant to the results of the study required pursuant to Section 67. The amount actually required to fully fund the adjustment enacted by an act of the Legislature subsequent to the results of the study shall be funded in whole in the 1998–99 fiscal year if eighty million dollars (\$80,000,000), or more, in federal funds becomes available, or proportionately less if less federal funds are available, during years of equalization carried out pursuant to Article 2 (commencing with Section 56836.06) of Chapter 7.2 of Part 30 of the Education Code. At the time an adjustment is enacted, the formula in Article 2 (commencing with Section 56836.06) of Chapter 7.2 of Part 30 of the Education Code shall also be amended in an act other than the Budget Act to reduce the full funding level by the total cost of the adjustment which may be more or less than fifteen million dollars (\$15,000,000) such that the total cost of the formula in Article 2 (commencing with Section 56836.06) of Chapter 7.2 of Part 30 of the Education Code plus the adjustment shall equal the cost of the equalization formula as it existed before enacting the adjustment. The adjustment shall be enacted to amend or replace the formula established in Article 2.5 (commencing with Section 56836.155) of Chapter 7.2 of Part 30 of the Education Code and shall not be enacted in addition to the formula established in that article.

SEC. 68. (a) The Office of the Legislative Analyst, the Department of Finance, and the State Department of Education shall conduct a study, in consultation with the other interested parties, of nonpublic school and nonpublic agency costs as compared to the cost of public school placements, the cause of continuing increases in nonpublic school and agency costs, and recommendations for cost containment. In carrying out this study the Office of the Legislative Analyst shall examine the impact on nonpublic school and nonpublic agency costs of children residing in out-of-home placements, and of mediation and due process hearings. The Office of the Legislative Analyst may contract with an independent party to conduct this study on behalf of the Office of the Legislative Analyst. The Office of the Legislative Analyst shall submit a final report of its findings and recommendations on or before May 1, 1998, to the appropriate policy and fiscal committees of the Senate and the Assembly of the California Legislature.

(b) There is hereby appropriated to the State Department of Education for transfer to the Office of the Legislative Analyst for the 1997–98 fiscal year the sum of one hundred thousand dollars (\$100,000) from supplemental federal special education grant funds for Part B of the Individuals with Disabilities Education Act. The funds are only to be used for the purpose of conducting the study in



subdivision (a). Provision 1 of Item 6110-161-0890 of the 1997-98 Budget Act on funds received over the amount of federal funds budgeted shall only apply to the balance of supplemental federal special education grant funds for Part B of the Individuals with Disabilities Education Act remaining after the appropriation made by this subdivision is deducted from that supplemental funding.

SEC. 69. (a) The State Department of Education shall convene a working group to develop recommendations for improving the compliance of state and local education agencies with state and federal special education laws and regulations. These recommendations shall define how the State Department of Education and local education agencies will assure and maintain compliance of special education laws and regulations in providing services to individuals with exceptional needs. Final recommendations shall include, but not be limited to, state compliance training and technical assistance, state review and monitoring of local compliance, the state complaint process and timetable, state corrective action and follow up, and local and state agency sanctions for noncompliance.

(b) The working group shall include members representing the State Board of Education, the State Department of Education, county offices of education, school districts, special education local plan areas, the Special Education Advisory Commission, the State Department of Education administrative hearing office, the federal Office of Civil Rights or Office for Special Education Programs, organizations advocating for, or consisting of, individuals with exceptional needs and their families, parents of individuals with exceptional needs, and organizations representing school teachers and other support services staff serving individuals with exceptional needs. It is the intent of the Legislature that the working group convened by the State Department of Education shall include a balance of members representing state and local education agencies and employees, and members representing individuals with exceptional needs and their families.

(c) The State Department of Education shall submit a report of the working group's recommendations no later than September 1, 1998, to the Governor and the appropriate policy and fiscal committees of the Senate and the Assembly of the California Legislature.

SEC. 70. On or before January 1, 1998, the State Department of Education shall develop a definition of severe orthopedic impairment for use in the application and distribution of low-incidence funding in the 1998-99 fiscal year.

SEC. 71. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because this act provides for offsetting savings to local agencies or school districts

that result in no net costs to the local agencies or school districts, within the meaning of Section 17556 of the Government Code.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

SEC. 72. Funding for this bill, except as provided in Sections 67 and 68 of this bill, shall be contingent upon the enactment of an appropriation in the annual Budget Act.

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ASSEMBLY BILL

No. 661

Introduced by Assembly Member Torlakson

February 25, 2009

An act to add Sections 56836.16 and 56836.161 to the Education Code, relating to special education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 661, as introduced, Torlakson. Special education: behavioral intervention plans: mandate claim: funding.

(1) Existing law requires the Superintendent of Public Instruction, on or before September 1, 1992, to develop, and the State Board of Education to adopt, regulations, as specified, governing the use of behavioral interventions for individuals with exceptional needs receiving special education and related services. Existing law prescribes the calculations to be made to determine the amount of General Fund moneys to allocate to each special education local plan area.

This bill would require the Superintendent to perform various calculations to increase the amount of funding per unit of average daily attendance for each special education local plan area, as specified. The bill would appropriate \$65,000,000 from the General Fund to the Superintendent in augmentation of a specified item of the Budget Act of 2009 for purposes of providing that increased funding. The bill also would appropriate \$10,000,000 from the General Fund to the Superintendent for allocation on a one-time basis to county offices of education and special education local plan areas, as specified. The bill would direct that \$85,000,000 be appropriated from the General Fund on a one-time basis in each of the 2011–12 to 2016–17 fiscal years,

inclusive, except as provided, to the Superintendent for allocation to school districts on a per-pupil basis. The Superintendent would be required to use specified calculations to compute the allocation for each school district. The bill would deem the funding described in this paragraph as payments in full satisfaction of, and in lieu of, any reimbursable mandate claims resulting from the statement of decision of the Commission on State Mandates regarding the Behavioral Intervention Plans Mandated Cost Test Claim.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that it is in
 2 the state’s interest that this act be enacted immediately to provide
 3 funding for positive behavioral intervention plans for special
 4 education pupils pursuant to Chapter 959 of the Statutes of 1990
 5 in order to resolve a contested state mandate issue of 14-year
 6 standing. The Legislature anticipates that the Governor will request
 7 the enactment of this act prior to the enactment of the Budget Act
 8 of 2009.

9 SEC. 2. Section 56836.16 is added to the Education Code, to
 10 read:

11 56836.16. (a) The Superintendent shall determine the statewide
 12 total average daily attendance used for the purposes of Section
 13 56836.08 for the 2008–09 fiscal year. For the purposes of this
 14 calculation, the 2008–09 second principal average daily attendance
 15 for the court, community school, and special education programs
 16 served by the Los Angeles County Juvenile Court and Community
 17 School/Division of Alternative Education Special Education Local
 18 Plan Area shall be used in lieu of the average daily attendance
 19 used for that agency for the purposes of Section 56836.08.

20 (b) The Superintendent shall divide sixty-five million dollars
 21 (\$65,000,000), by the amount determined pursuant to subdivision
 22 (a).

23 (c) For each special education local plan area, the Superintendent
 24 shall permanently increase the amount per unit of average daily
 25 attendance determined pursuant to subdivision (b) of Section

1 56836.08 for the 2009–10 fiscal year by the quotient determined
2 pursuant to subdivision (b). This increase shall be effective
3 beginning in the 2009–10 fiscal year.

4 (d) Notwithstanding subdivision (c), for the Los Angeles County
5 Juvenile Court and Community School/Division of Alternative
6 Education Special Education Local Plan Area, the Superintendent
7 shall permanently increase the amount per unit of average daily
8 attendance determined pursuant to subdivision (b) of Section
9 56836.08 by the ratio of the amount determined pursuant to
10 subdivision (b) to the statewide target per unit of average daily
11 attendance determined pursuant to Section 56836.11 for the
12 2008–09 fiscal year. This increase shall be effective beginning in
13 the 2009–10 fiscal year.

14 (e) The Superintendent shall increase the statewide target per
15 unit of average daily attendance determined pursuant to Section
16 56836.11 for the 2009–10 fiscal year by the amount determined
17 pursuant to subdivision (b).

18 (f) The funding provided pursuant to subdivisions (a) to (e),
19 inclusive, and the funding provided pursuant to subdivisions (a)
20 and (b) of Section 56836.161 shall be deemed as payments in full
21 satisfaction of, and in lieu of, any reimbursable mandate claims
22 resulting from the statement of decision of the Commission on
23 State Mandates regarding the Behavioral Intervention Plans
24 Mandated Cost Test Claim (CSM 4464). By providing this funding,
25 the state does not concede the existence of any unfunded
26 reimbursable mandate with regard to Section 56523 and its
27 implementing regulations, including subdivisions (c), (d), (e), (f),
28 and (aa) of Section 3001 and Section 3052 of Title 5 of the
29 California Code of Regulations, as those provisions read on July
30 1, 2008. These funds shall be used exclusively for programs
31 operated pursuant to this part and, as a first priority, for the
32 programs and services required pursuant to Section 56523 and its
33 implementing regulations. By virtue of these funds, Section 56523
34 and its implementing regulations shall be deemed to be fully funded
35 within the meaning of subdivision (e) of Section 17556 of the
36 Government Code.

37 (g) Within the meaning of subdivision (e) of Section 17556 of
38 the Government Code, the funds appropriated for purposes of this
39 section are not specifically intended to fund any state-mandated
40 special education programs and services resulting from

1 amendments enacted after July 1, 2008, to any of the following
2 statutes and regulations:

3 (1) The federal Individuals with Disabilities Education Act (20
4 U.S.C. Sec. 1400 et seq.), if the amendments result in
5 circumstances where state law exceeds federal law.

6 (2) Federal regulations implementing the federal Individuals
7 with Disabilities Education Act (34 C.F.R. Parts 300 and 303), if
8 the amendments result in circumstances where state law exceeds
9 federal law.

10 (3) This part.

11 (4) Sections 3000 to 4671, inclusive, of Title 5 of the California
12 Code of Regulations.

13 (h) State funds appropriated by the annual Budget Act and
14 otherwise allocated to each special education local plan area
15 pursuant to Chapter 7.2 (commencing with Section 56836) shall
16 supplement and not supplant the funds provided pursuant to
17 subdivisions (a) to (e), inclusive. The funds provided pursuant to
18 subdivisions (a) to (e), inclusive, shall be in addition to the level
19 of any cost-of-living adjustment provided for purposes of this
20 chapter in the annual Budget Act.

21 SEC. 3. Section 56836.161 is added to the Education Code, to
22 read:

23 56836.161. (a) (1) The amount of eighty-five million dollars
24 (\$85,000,000) shall be appropriated from the General Fund on a
25 one-time basis in each of the 2011–12 to 2016–17 fiscal years,
26 inclusive, to the Superintendent for allocation to school districts
27 on a per-pupil basis. The Superintendent shall compute the amount
28 per pupil by dividing eighty-five million dollars (\$85,000,000) by
29 the total average daily attendance, excluding attendance for regional
30 occupational centers and programs, adult education, and programs
31 operated by county superintendents of schools, for all pupils in
32 kindergarten and grades 1 to 12, inclusive, in all school districts
33 as used by the Superintendent for the second principal
34 apportionment for the 2007–08 fiscal year. The allocation for each
35 school district shall equal the per-pupil amount times the district’s
36 average daily attendance as reported to the Superintendent for the
37 second principal apportionment for the 2007–08 fiscal year. The
38 amount allocated to each school district shall be the same in all
39 subsequent fiscal years as it is in the first fiscal year.

1 (2) Notwithstanding paragraph (1), the state, in its discretion,
2 may appropriate and allocate amounts in excess of eighty-five
3 million dollars (\$85,000,000) annually in any of the 2011–12 to
4 2016–17 fiscal years, inclusive, for the purpose of discharging the
5 obligation in advance of the period, so long as the total amount
6 appropriated and allocated pursuant to this section during that time
7 period is five hundred ten million dollars (\$510,000,000).

8 (3) In any fiscal year, commencing with the 2012–13 fiscal year,
9 in which the amount of the minimum funding guarantee for the
10 support of school districts and community college districts is
11 determined by paragraph (3) of subdivision (b) of Section 8 of
12 Article XVI of the California Constitution, the annual appropriation
13 described in paragraph (1) shall not be made.

14 (4) The Director of Finance shall notify, in writing, the fiscal
15 committees of both houses of the Legislature, the Controller, and
16 the Superintendent no later than May 14 of a fiscal year if the
17 appropriation for the following fiscal year is not required pursuant
18 to paragraph (3). If an appropriation is not made pursuant to
19 paragraph (1) for a specific fiscal year or years, it shall instead be
20 made in the fiscal year or years immediately following the final
21 payment pursuant to paragraph (1).

22 (5) The funds described in this section shall be in addition to
23 the level of any cost-of-living adjustment provided to school
24 districts in the annual Budget Act.

25 (b) From the funds appropriated for purposes of this section by
26 subdivision (b) of Section 4 of the act that added this section, the
27 Superintendent shall allocate all of the following:

28 (1) The amount of one million five hundred thousand dollars
29 (\$1,500,000) to county offices of education in equal per-pupil
30 amounts. The Superintendent shall determine the per-pupil amount
31 by dividing one million five hundred thousand dollars (\$1,500,000)
32 by the total statewide county special education pupil count, as
33 reported by county offices of education as of December 2007. The
34 allocation for each county office of education shall be the per-pupil
35 amount times the county's special education pupil count reported
36 as of December 2007. The Superintendent shall adjust the
37 computations in such a manner as to ensure that the minimum
38 allocation to each county office of education is at least five
39 thousand dollars (\$5,000).

1 (2) The amount of six million dollars (\$6,000,000) to special
 2 education local plan areas that existed for the 2007–08 fiscal year.
 3 The Superintendent shall determine the amount of the allocation
 4 for each special education local plan area by dividing six million
 5 dollars (\$6,000,000) by the statewide special education pupil count
 6 reported as of December 2007. The allocation for each special
 7 education local plan area shall be the statewide per-pupil amount
 8 multiplied by the special education pupil count for the area reported
 9 as of December 2007. The Superintendent shall adjust the
 10 computations in a manner that ensures that the minimum allocation
 11 to each special education local plan area is at least ten thousand
 12 dollars (\$10,000).

13 (3) The amount of two million five hundred thousand dollars
 14 (\$2,500,000) to the San Joaquin County Office of Education.

15 (c) The funding provided pursuant to subdivisions (a) and (b)
 16 and subdivisions (a) to (e), inclusive, of Section 56836.16 shall be
 17 deemed as payments in full satisfaction of, and in lieu of, any
 18 reimbursable mandate claims resulting from the statement of
 19 decision of the Commission on State Mandates regarding the
 20 Behavioral Intervention Plans Mandated Cost Test Claim (CSM
 21 4464).

22 SEC. 4. (a) The amount of sixty-five million dollars
 23 (\$65,000,000) is hereby appropriated from the General Fund to
 24 the Superintendent of Public Instruction in augmentation of Item
 25 6110–161–0001 of the Budget Act of 2009 for purposes of Section
 26 56836.16 of the Education Code. It is the intent of the Legislature
 27 that the funding appropriated by this subdivision be included in
 28 the annual Budget Act in subsequent fiscal years.

29 (b) (1) The amount of ten million dollars (\$10,000,000) is
 30 hereby appropriated from the General Fund to the Superintendent
 31 of Public Instruction for allocation on a one-time basis to county
 32 offices of education and special education local plan areas pursuant
 33 to subdivision (b) of Section 56836.161 of the Education Code.
 34 These funds shall be in addition to the level of any cost-of-living
 35 adjustment provided for county offices of education and special
 36 education local plan areas in the annual Budget Act.

37 (2) For the purposes of making the computations required by
 38 Section 8 of Article XVI of the California Constitution, the
 39 appropriation made by this subdivision shall be deemed to be
 40 General Fund revenues appropriated for school districts, as defined

1 in subdivision (a) of Section 41202 of the Education Code, for the
2 2007–08 fiscal year, and included within the total allocations to
3 school districts and community college districts from General Fund
4 proceeds of taxes appropriated pursuant to Article XIII B, as
5 defined in subdivision (e) of Section 41202 of the Education Code,
6 for the 2007–08 fiscal year.

7 SEC. 5. This act is an urgency statute necessary for the
8 immediate preservation of the public peace, health, or safety within
9 the meaning of Article IV of the Constitution and shall go into
10 immediate effect. The facts constituting the necessity are:

11 In order to alleviate, at the earliest possible time, the fiscal
12 hardship to local educational agencies caused by the persistent
13 shortfalls in federal funding for special education, to increase state
14 funding for the special education program thereby reducing
15 encroachment, to facilitate the settlement of current litigation
16 regarding those programs and the funding thereof, to obviate new
17 litigation, and to resolve related school finance issues, it is
18 necessary that this act take effect immediately.

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Assembly Bill No. 1222

CHAPTER 329

An act to amend Sections 17518.5, 17521, 17551, 17553, 17558, 17561, 17564, 17581, 17581.5, and 17612 of, to add Sections 17521.5, 17557.1, and 17557.2 to, to add Article 1.5 (commencing with Section 17572) to Chapter 4 of Part 7 of Division 4 of Title 2 of, and to repeal Section 17572 of, the Government Code, relating to state mandates.

[Approved by Governor October 8, 2007. Filed with
Secretary of State October 8, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1222, Laird. State mandates: legislatively determined mandate.

(1) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates. These procedures require that a claim for reimbursement include, among other things, a written narrative that identifies the specific sections of statutes or executive orders alleged to contain a mandate.

This bill would require that a test claim also identify the effective date and register number of regulations alleged to contain a mandate, as well as a legislatively determined mandate on the same statute or executive order. It would also require that the written narrative contain specified declarations with respect to legislatively determined mandates, if applicable.

(2) The procedures established by existing law also require the commission to hear and decide upon each claim for reimbursement and then determine the amount to be subvented for reimbursement and adopt parameters and guidelines for payment of claims. Existing law requires the commission to consult with the Department of Finance, among other state officials, when adopting parameters and guidelines for reimbursement.

This bill would provide that, notwithstanding these provisions, the department and a local agency, school district, or statewide association may jointly request that the Legislature determine if a particular statute or executive order imposes a mandate for which reimbursement is required by the California Constitution. It would require that a joint request submitted to the Legislature identify the statute or executive order, a reasonable reimbursement methodology, a list of eligible claimants, an estimate of statewide costs for the initial claiming period, an annual dollar amount necessary for reimbursement, and documentation of significant support among local agencies or school districts for the methodology. It would

provide that, if the Legislature accepts the joint request and determines that the statute or executive order, or portion thereof, imposes a mandate for which reimbursement is required, it shall declare by statute that the requirements of the statute or executive order, or portion thereof, are a legislatively determined mandate, and specify the term and period of reimbursement and methodology for reimbursing eligible local agencies or school districts subject to specified criteria, or, with respect to local government agencies subject to specified provisions of the California Constitution applicable to the reimbursement of mandates, appropriate funds sufficient for reimbursement in the Budget Act or suspend the mandate.

The bill also would provide that, when it accepts reimbursement for a legislatively determined mandate, a local agency or school district agrees that payment as agreed to pursuant to the statute adopted by the Legislature constitutes full reimbursement of its costs for that mandate for the applicable period of reimbursement, that the reasonable reimbursement methodology is appropriate for reimbursement payments on that mandate for 5 fiscal years or as otherwise specified in the statute, and that the local government shall withdraw any test claim pending before the commission regarding this mandate, any unpaid reimbursement claims previously filed by the local agency or school district with the Controller on the same mandate for the same period shall be deemed withdrawn, and a test claim on the same statute or executive order as a legislatively determined mandate will not be filed with the commission except as specified.

The bill also would specify procedures for the commission in connection with a test claim based on the same statute or executive order as a legislatively determined mandate and make other conforming changes.

(3) The procedures established by existing law require the commission to submit adopted parameters and guidelines to the Controller for payment of reimbursement claims.

This bill would authorize the commission to instead adopt and submit to the Controller a reasonable reimbursement methodology proposed by a test claimant and the department and would require the Controller to issue claiming instructions pursuant to that methodology, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 17518.5 of the Government Code is amended to read:

17518.5. (a) “Reasonable reimbursement methodology” means a formula for reimbursing local agencies and school districts for costs mandated by the state, as defined in Section 17514.

(b) A reasonable reimbursement methodology shall be based on cost information from a representative sample of eligible claimants, information provided by associations of local agencies and school districts, or other projections of local costs.

(c) A reasonable reimbursement methodology shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner.

(d) Whenever possible, a reasonable reimbursement methodology shall be based on general allocation formulas, uniform cost allowances, and other approximations of local costs mandated by the state, rather than detailed documentation of actual local costs. In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the determination of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years.

(e) A reasonable reimbursement methodology may be developed by any of the following:

- (1) The Department of Finance.
- (2) The Controller.
- (3) An affected state agency.
- (4) A claimant.
- (5) An interested party.

SEC. 1.5. Section 17521 of the Government Code is amended to read:

17521. “Test claim” means the first claim filed with the commission alleging that a particular statute or executive order imposes costs mandated by the state, and includes a claim filed pursuant to Section 17574.

SEC. 2. Section 17521.5 is added to the Government Code, to read:

17521.5. “Legislatively determined mandate” means the provisions of a statute or executive order that the Legislature, pursuant to Article 1.5, has declared by statute to be a mandate for which reimbursement is required by Section 6 of Article XIII B of the California Constitution.

SEC. 3. Section 17551 of the Government Code is amended to read:

17551. (a) The commission, pursuant to the provisions of this chapter, shall hear and decide upon a claim by a local agency or school district that the local agency or school district is entitled to be reimbursed by the state for costs mandated by the state as required by Section 6 of Article XIII B of the California Constitution.

(b) Except as provided in Sections 17573 and 17574, commission review of claims may be had pursuant to subdivision (a) only if the test claim is filed within the time limits specified in this section.

(c) Local agency and school district test claims shall be filed not later than 12 months following the effective date of a statute or executive order, or within 12 months of incurring increased costs as a result of a statute or executive order, whichever is later.

(d) The commission, pursuant to the provisions of this chapter, shall hear and decide upon a claim by a local agency or school district filed on or after January 1, 1985, that the Controller has incorrectly reduced payments to the local agency or school district pursuant to paragraph (2) of subdivision (d) of Section 17561.

SEC. 4. Section 17553 of the Government Code is amended to read:

17553. (a) The commission shall adopt procedures for receiving claims filed pursuant to this article and Section 17574 and for providing a hearing on those claims. The procedures shall do all of the following:

(1) Provide for presentation of evidence by the claimant, the Department of Finance, and any other affected department or agency, and any other interested person.

(2) Ensure that a statewide cost estimate is adopted within 12 months after receipt of a test claim, when a determination is made by the commission that a mandate exists. This deadline may be extended for up to six months upon the request of either the claimant or the commission.

(3) Permit the hearing of a claim to be postponed at the request of the claimant, without prejudice, until the next scheduled hearing.

(b) All test claims shall be filed on a form prescribed by the commission and shall contain at least the following elements and documents:

(1) A written narrative that identifies the specific sections of statutes or executive orders and the effective date and register number of regulations alleged to contain a mandate and shall include all of the following:

(A) A detailed description of the new activities and costs that arise from the mandate.

(B) A detailed description of existing activities and costs that are modified by the mandate.

(C) The actual increased costs incurred by the claimant during the fiscal year for which the claim was filed to implement the alleged mandate.

(D) The actual or estimated annual costs that will be incurred by the claimant to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.

(E) A statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.

(F) Identification of all of the following:

(i) Dedicated state funds appropriated for this program.

(ii) Dedicated federal funds appropriated for this program.

(iii) Other nonlocal agency funds dedicated for this program.

(iv) The local agency's general purpose funds for this program.

(v) Fee authority to offset the costs of this program.

(G) Identification of prior mandate determinations made by the Commission on State Mandates or a predecessor agency that may be related to the alleged mandate.

(H) Identification of a legislatively determined mandate pursuant to Section 17573 that is on the same statute or executive order.

(2) The written narrative shall be supported with declarations under penalty of perjury, based on the declarant's personal knowledge, information, or belief, and signed by persons who are authorized and competent to do so, as follows:

(A) Declarations of actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

(B) Declarations identifying all local, state, or federal funds, or fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs.

(C) Declarations describing new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program. Specific references shall be made to chapters, articles, sections, or page numbers alleged to impose a reimbursable state-mandated program.

(D) If applicable, declarations describing the period of reimbursement and payments received for full reimbursement of costs for a legislatively determined mandate pursuant to Section 17573, and the authority to file a test claim pursuant to paragraph (1) of subdivision (c) of Section 17574.

(3) (A) The written narrative shall be supported with copies of all of the following:

(i) The test claim statute that includes the bill number or executive order, alleged to impose or impact a mandate.

(ii) Relevant portions of state constitutional provisions, federal statutes, and executive orders that may impact the alleged mandate.

(iii) Administrative decisions and court decisions cited in the narrative.

(B) State mandate determinations made by the Commission on State Mandates or a predecessor agency and published court decisions on state mandate determinations made by the Commission on State Mandates are exempt from this requirement.

(4) A test claim shall be signed at the end of the document, under penalty of perjury by the claimant or its authorized representative, with the declaration that the test claim is true and complete to the best of the declarant's personal knowledge, information, or belief. The date of signing, the declarant's title, address, telephone number, facsimile machine telephone number, and electronic mail address shall be included.

(c) If a completed test claim is not received by the commission within 30 calendar days from the date that an incomplete test claim was returned by the commission, the original test claim filing date may be disallowed, and a new test claim may be accepted on the same statute or executive order.

(d) In addition, the commission shall determine whether an incorrect reduction claim is complete within 10 days after the date that the incorrect reduction claim is filed. If the commission determines that an incorrect reduction claim is not complete, the commission shall notify the local agency and school district that filed the claim stating the reasons that the claim is not complete. The local agency or school district shall have 30 days to complete the claim. The commission shall serve a copy of the complete incorrect reduction claim on the Controller. The Controller shall have no more than 90 days after the date the claim is delivered or mailed to file any rebuttal to an incorrect reduction claim. The failure of the Controller to file a rebuttal to an incorrect reduction claim shall not serve to delay the consideration of the claim by the commission.

SEC. 5. Section 17557.1 is added to the Government Code, to read:

17557.1. (a) Notwithstanding any other provision of this part, within 30 days of the commission's adoption of a statement of decision on a test claim, the test claimant and the Department of Finance may notify the executive director of the commission in writing of their intent to follow the process described in this section to develop a reasonable reimbursement methodology and statewide estimate of costs for the initial claiming period and budget year for reimbursement of costs mandated by the state in accordance with the statement of decision. The letter of intent shall include the date on which the test claimant and the Department of Finance will submit a plan to ensure that costs from a representative sample of eligible local agency or school district claimants are considered in the development of a reasonable reimbursement methodology.

(b) This plan shall also include all of the following information:

(1) The date on which the test claimant and Department of Finance will provide to the executive director an informational update regarding their progress in developing the reasonable reimbursement methodology.

(2) The date on which the test claimant and Department of Finance will submit to the executive director the draft reasonable reimbursement methodology and proposed statewide estimate of costs for the initial claiming period and budget year. This date shall be no later than 180 days after the date the letter of intent is sent by the test claimant and Department of Finance to the executive director.

(c) At the request of the test claimant and Department of Finance, the executive director may provide for up to four extensions of this 180-day period.

(d) The test claimant or Department of Finance may notify the executive director at any time that the claimant or Department of Finance no longer intends to develop a reasonable reimbursement methodology pursuant to this section. In this case, paragraph (2) of subdivision (a) of Section 17553 and Section 17557 shall apply to the test claim. Upon receipt of this notification, the executive director shall notify the test claimant of the duty to submit proposed parameters and guidelines within 30 days under subdivision (a) of Section 17557.

SEC. 6. Section 17557.2 is added to the Government Code, to read:

17557.2. (a) A reasonable reimbursement methodology developed pursuant to Section 17557.1 or a joint request for early termination of a reasonable reimbursement methodology shall have broad support from a wide range of local agencies or school districts. The test claimant and Department of Finance may demonstrate broad support from a wide range of local agencies or school districts in different ways, including, but not limited to, obtaining endorsement by one or more statewide associations of local agencies or school districts and securing letters of approval from local agencies or school districts.

(b) No later than 60 days before a commission hearing, the test claimant and Department of Finance shall submit to the commission a joint proposal that shall include all of the following:

(1) The draft reasonable reimbursement methodology.

(2) The proposed statewide estimate of costs for the initial claiming period and budget year.

(3) A description of the steps the test claimant and the Department of Finance undertook to determine the level of support by local agencies or school districts for the draft reasonable reimbursement methodology.

(4) An agreement that the reasonable reimbursement methodology developed and approved under this section shall be in effect for a period of five years unless a different term is approved by the commission, or upon submission to the commission of a letter indicating the Department of Finance and test claimant's joint interest in early termination of the reasonable reimbursement methodology.

(5) An agreement that, at the conclusion of the period established in paragraph (4), the Department of Finance and the test claimant will consider jointly whether amendments to the methodology are necessary.

(c) The commission shall approve the draft reasonable reimbursement methodology if review of the information submitted pursuant to Section 17557.1 and subdivision (b) of this section demonstrates that the draft reasonable reimbursement methodology and statewide estimate of costs for the initial claiming period and budget year have been developed in accordance with Section 17557.1 and meet the requirements of subdivision (a). The commission thereafter shall adopt the proposed statewide estimate of costs for the initial claiming period and budget year. Statewide cost estimates adopted under this section shall be included in the report to the Legislature required under Section 17600 and shall be reported by the commission to the appropriate Senate and Assembly policy and fiscal committees, the Legislative Analyst, and the Department of Finance not later than 30 days after adoption.

(d) Unless amendments are proposed pursuant to this subdivision, the reasonable reimbursement methodology approved by the commission pursuant to this section shall expire after either five years, any other term approved by the commission, or upon submission to the commission of a letter indicating the Department of Finance's and test claimant's joint interest in early termination of the reasonable reimbursement methodology.

(e) The commission shall approve a joint request for early termination of a reasonable reimbursement methodology if the request meets the requirements of subdivision (a). If the commission approves a joint request for early termination, the commission shall notify the test claimant of the duty to submit proposed parameters and guidelines to the commission pursuant to subdivision (a) of Section 17557.

(f) At least one year before the expiration of a reasonable reimbursement methodology, the commission shall notify the Department of Finance and the test claimant that they may do one of the following:

(1) Jointly propose amendments to the reasonable reimbursement methodology by submitting the information described in paragraphs (1), (3), and (4) of subdivision (b), and providing an estimate of the mandate's annual cost for the subsequent budget year.

(2) Jointly propose that the reasonable reimbursement methodology remain in effect.

(3) Allow the reasonable reimbursement methodology to expire and notify the commission that the test claimant will submit proposed parameters and guidelines to the commission pursuant to subdivision (a) of Section 17557 to replace the reasonable reimbursement methodology.

(g) The commission shall either approve the continuation of the reasonable reimbursement methodology or approve the jointly proposed amendments to the reasonable reimbursement methodology if the information submitted in accordance with paragraph (1) of subdivision (d) demonstrates that the proposed amendments were developed in accordance with Section 17557.1 and meet the requirements of subdivision (a) of this section.

SEC. 7. Section 17558 of the Government Code is amended to read:

17558. (a) The commission shall submit the adopted parameters and guidelines or a reasonable reimbursement methodology approved pursuant to Section 17557.2 to the Controller. As used in this chapter, a “reasonable reimbursement methodology” approved pursuant to Section 17557.2 includes all amendments to the reasonable reimbursement methodology. When the Legislature declares a legislatively determined mandate in accordance with Section 17573 in which claiming instructions are necessary, the Department of Finance shall notify the Controller.

(b) Not later than 60 days after receiving the adopted parameters and guidelines, a reasonable reimbursement methodology from the commission, or notification from the Department of Finance, the Controller shall issue claiming instructions for each mandate that requires state reimbursement, to assist local agencies and school districts in claiming costs to be reimbursed. In preparing claiming instructions, the Controller shall request assistance from the Department of Finance and may request the assistance of other state agencies. The claiming instructions shall be derived from the test claim decision and the adopted parameters and guidelines, reasonable reimbursement methodology, or statute declaring a legislatively determined mandate.

(c) The Controller shall, within 60 days after receiving amended parameters and guidelines, an amended reasonable reimbursement methodology from the commission or other information necessitating a revision of the claiming instructions, prepare and issue revised claiming instructions for mandates that require state reimbursement that have been established by commission action pursuant to Section 17557, Section 17557.2, or after any decision or order of the commission pursuant to Section 17559, or after any action by the Legislature pursuant to Section 17573. In preparing revised claiming instructions, the Controller may request the assistance of other state agencies.

SEC. 8. Section 17561 of the Government Code, as amended by Chapter 179 of the Statutes of 2007, is amended to read:

17561. (a) The state shall reimburse each local agency and school district for all “costs mandated by the state,” as defined in Section 17514 and for legislatively determined mandates in accordance with Section 17573.

(b) (1) For the initial fiscal year during which these costs are incurred, reimbursement funds shall be provided as follows:

(A) Any statute mandating these costs shall provide an appropriation therefor.

(B) Any executive order mandating these costs shall be accompanied by a bill appropriating the funds therefor, or alternatively, an appropriation for these costs shall be included in the Budget Bill for the next succeeding fiscal year. The executive order shall cite that item of appropriation in the Budget Bill or that appropriation in any other bill that is intended to serve as the source from which the Controller may pay the claims of local agencies and school districts.

(2) In subsequent fiscal years appropriations for these costs shall be included in the annual Governor's Budget and in the accompanying Budget Bill. In addition, appropriations to reimburse local agencies and school districts for continuing costs resulting from chaptered bills or executive orders for which claims have been awarded pursuant to subdivision (a) of Section 17551 shall be included in the annual Governor's Budget and in the accompanying Budget Bill.

(c) The amount appropriated to reimburse local agencies and school districts for costs mandated by the state shall be appropriated to the Controller for disbursement.

(d) The Controller shall pay any eligible claim pursuant to this section by August 15 or 45 days after the date the appropriation for the claim is effective, whichever is later. The Controller shall disburse reimbursement funds to local agencies or school districts if the costs of these mandates are not payable to state agencies, or to state agencies that would otherwise collect the costs of these mandates from local agencies or school districts in the form of fees, premiums, or payments. When disbursing reimbursement funds to local agencies or school districts, the Controller shall disburse them as follows:

(1) For initial reimbursement claims, the Controller shall issue claiming instructions to the relevant local agencies and school districts pursuant to Section 17558. Issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the commission, the reasonable reimbursement methodology approved by the commission pursuant to Section 17557.2, or statutory declaration of a legislatively determined mandate and reimbursement methodology pursuant to Section 17573.

(A) When claiming instructions are issued by the Controller pursuant to Section 17558 for each mandate determined pursuant to Section 17551 or 17573 that requires state reimbursement, each local agency or school district to which the mandate is applicable shall submit claims for initial fiscal year costs to the Controller within 120 days of the issuance date for the claiming instructions.

(B) When the commission is requested to review the claiming instructions pursuant to Section 17571, each local agency or school district to which the

mandate is applicable shall submit a claim for reimbursement within 120 days after the commission reviews the claiming instructions for reimbursement issued by the Controller.

(C) If the local agency or school district does not submit a claim for reimbursement within the 120-day period, or submits a claim pursuant to revised claiming instructions, it may submit its claim for reimbursement as specified in Section 17560. The Controller shall pay these claims from the funds appropriated therefor, provided that the Controller (i) may audit the records of any local agency or school district to verify the actual amount of the mandated costs, the application of a reasonable reimbursement methodology, or application of a legislatively enacted reimbursement methodology under Section 17573, and (ii) may reduce any claim that the Controller determines is excessive or unreasonable.

(2) In subsequent fiscal years each local agency or school district shall submit its claims as specified in Section 17560. The Controller shall pay these claims from funds appropriated therefor, provided that the Controller (A) may audit (i) the records of any local agency or school district to verify the actual amount of the mandated costs, (ii) the application of a reasonable reimbursement methodology, or (iii) application of a legislatively enacted reimbursement methodology under Section 17573, (B) may reduce any claim that the Controller determines is excessive or unreasonable, and (C) shall adjust the payment to correct for any underpayments or overpayments that occurred in previous fiscal years.

(3) When paying a timely filed claim for initial reimbursement, the Controller shall withhold 20 percent of the amount of the claim until the claim is audited to verify the actual amount of the mandated costs. All initial reimbursement claims for all fiscal years required to be filed on their initial filing date for a state-mandated local program shall be considered as one claim for the purpose of computing any late claim penalty. Any claim for initial reimbursement filed after the filing deadline shall be reduced by 10 percent of the amount that would have been allowed had the claim been timely filed. The Controller may withhold payment of any late claim for initial reimbursement until the next deadline for funded claims unless sufficient funds are available to pay the claim after all timely filed claims have been paid. In no case may a reimbursement claim be paid if submitted more than one year after the filing deadline specified in the Controller's claiming instructions on funded mandates.

(e) (1) Except as specified in paragraph (2), for the purposes of determining the state's payment obligation under paragraph (1) of subdivision (b) of Section 6 of Article XIII B of the Constitution, a mandate that is "determined in a preceding fiscal year to be payable by the state" means any mandate for which the commission adopted a statewide cost estimate pursuant to this part during a previous fiscal year or that were identified as mandates by a predecessor agency to the commission, or that the Legislature declared by statute to be a legislatively determined mandate, unless the mandate has been repealed or otherwise eliminated.

(2) If the commission adopts a statewide cost estimate for a mandate during the months of April, May, or June, the state's payment obligation under subdivision (b) of Section 6 of Article XIII B shall commence one year after the time specified in paragraph (1).

SEC. 9. Section 17564 of the Government Code is amended to read:

17564. (a) No claim shall be made pursuant to Sections 17551, 17561, or 17573, nor shall any payment be made on claims submitted pursuant to Sections 17551 or 17561, or pursuant to a legislative determination under Section 17573, unless these claims exceed one thousand dollars (\$1,000). However, a county superintendent of schools or county may submit a combined claim on behalf of school districts, direct service districts, or special districts within their county if the combined claim exceeds one thousand dollars (\$1,000) even if the individual school district's, direct service district's, or special district's claims do not each exceed one thousand dollars (\$1,000). The county superintendent of schools or the county shall determine if the submission of the combined claim is economically feasible and shall be responsible for disbursing the funds to each school, direct service, or special district. These combined claims may be filed only when the county superintendent of schools or the county is the fiscal agent for the districts. All subsequent claims based upon the same mandate shall only be filed in the combined form unless a school district, direct service district, or special district provides to the county superintendent of schools or county and to the Controller, at least 180 days prior to the deadline for filing the claim, a written notice of its intent to file a separate claim.

(b) Claims for direct and indirect costs filed pursuant to Section 17561 shall be filed in the manner prescribed in the parameters and guidelines or reasonable reimbursement methodology and claiming instructions.

(c) Claims for direct and indirect costs filed pursuant to a legislatively determined mandate pursuant to Section 17573 shall be filed and paid in the manner prescribed in the Budget Act or other bill, or claiming instructions, if applicable.

SEC. 10. Section 17572 of the Government Code is repealed.

SEC. 11. Article 1.5 (commencing with Section 17572) is added to Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code, to read:

Article 1.5. Legislatively Determined Mandate Procedure

17572. The Legislature finds and declares all of the following:

(a) Early settlement of mandate claims will allow the commission to focus its efforts on rendering sound quasi-judicial decisions regarding complicated disputes over the existence of state-mandated local programs.

(b) Early settlement of mandate claims will provide timely information to the Legislature regarding local costs of state requirements and timely reimbursement to local agencies or school districts.

(c) It is the intent of the Legislature to provide for an orderly process for settling mandate claims in which the parties are in substantial agreement. Nothing in this article diminishes the right of a local agency or school district that chooses not to accept reimbursement pursuant to this article from filing a test claim with the commission or taking other steps to obtain reimbursement pursuant to Section 6 of Article XIII B of the California Constitution.

17573. (a) Notwithstanding Section 17551, the Department of Finance and a local agency, school district, or statewide association may jointly request of the chairpersons of the committees in each house of the Legislature that consider appropriations, and the chairpersons of the committees and appropriate subcommittees in each house of the Legislature that consider the State Budget, that the Legislature (1) determine that a statute or executive order, or portion thereof, mandates a new program or higher level of service requiring reimbursement of local governments pursuant to Section 6 of Article XIII B of the California Constitution, (2) establish a reimbursement methodology, and (3) appropriate funds for reimbursement of costs. For purposes of this section, “statewide association” includes a statewide association representing local agencies or school districts, as defined in Sections 17518 and 17519.

(b) The statute of limitations specified in Section 17551 shall be tolled from the date a local agency, school district, or statewide association contacts the Department of Finance or responds to a Department of Finance request to initiate a joint request for a legislatively determined mandate pursuant to subdivision (a), to (1) the date that the Budget Act for the subsequent fiscal year is adopted if a joint request is submitted pursuant to subdivision (a), or (2) the date on which the Department of Finance, or a local agency, school district, or statewide association notifies the other party of its decision not to submit a joint request. A local agency, school district, or statewide association, or the Department of Finance shall provide written notification to the commission of each of these dates.

(c) A joint request made under subdivision (a) shall be in writing and include all of the following:

(1) Identification of those provisions of the statute or executive order, or portion thereof, that mandate a new program or higher level of service requiring reimbursement of local agencies or school districts pursuant to Section 6 of Article XIII B of the California Constitution, a proposed reimbursement methodology, and the period of reimbursement.

(2) A list of eligible claimants and a statewide estimate for the initial claiming period and annual dollar amount necessary to reimburse local agencies or school districts to comply with that statute or executive order that mandates a new program or higher level of service.

(3) Documentation of significant support among local agencies or school districts for the proposed reimbursement methodology, including, but not limited to, endorsements by statewide associations and letters of approval from local agencies or school districts.

(d) A joint request authorized by this section may be submitted to the Legislature pursuant to subdivision (a) at any time after enactment of a statute or issuance of an executive order, regardless of whether a test claim on the same statute or executive order is pending with the commission. If a test claim is pending before the commission, the period of reimbursement established by that filing shall apply to a joint request filed pursuant to this section.

(e) (1) If the Legislature accepts the joint request and determines that those provisions of the statute or executive order, or portion thereof, mandate a new program or higher level of service requiring reimbursement of local agencies or school districts pursuant to Section 6 of Article XIII B of the California Constitution, it shall adopt a statute declaring that the statute or executive order, or portion thereof, is a legislatively determined mandate and specify the term and period of reimbursement and methodology for reimbursing eligible local agencies or school districts. If no term is specified in the statute, then the term shall be five years, beginning July 1 of the year in which the statute is enacted.

(2) For the purpose of this subdivision, “term” means the number of years specified in the statute adopted pursuant to this subdivision for reimbursing eligible local agencies or school districts for a legislatively determined mandate.

(f) When the Legislature adopts a statute pursuant to paragraph (1) of subdivision (e) on a mandate subject to subdivision (b) of Section 6 of Article XIII B of the California Constitution, the Legislature shall do either of the following:

(1) Appropriate in the Budget Act the full payable amount for reimbursement to local agencies that has not been previously paid.

(2) Suspend the operation of the mandate pursuant to Section 17581 or repeal the mandate.

(g) The Department of Finance, or a local agency, school district, or statewide association shall notify the commission of actions taken pursuant to this section, as specified below:

(1) Provide the commission with a copy of any communications regarding development of a joint request under this section and a copy of a joint request when it is submitted to the Legislature.

(2) Notify the commission of the date of (A) the Legislature’s action on a joint request in the Budget Act, or (B) the Department of Finance’s decision not to submit a joint request on a specific statute or executive order.

(h) Upon receipt of notice that a joint request has been submitted to the Legislature on the same statute or executive order as a pending test claim, the commission may stay its proceedings on the pending test claim upon the request of any party.

(i) Upon enactment of a statute declaring a legislatively determined mandate, enactment of a reimbursement methodology, and appropriation for reimbursement of the full payable amount that has not been previously paid in the Budget Act, all of the following shall apply:

(1) The Controller shall prepare claiming instructions pursuant to Section 17558, if applicable.

(2) The commission shall not adopt a statement of decision, parameters and guidelines, or statewide cost estimate on the same statute or executive order unless a local agency or school district that has rejected the amount of reimbursement files a test claim or takes over a withdrawn test claim on the same statute or executive order.

(3) A local agency or school district accepting payment for the statute or executive order, or portion thereof, that mandates a new program or higher level of service pursuant to Section 6 of Article XIII B of the California Constitution shall not be required to submit parameters and guidelines if it is the successful test claimant pursuant to Section 17557.

17574. (a) A local agency or school district agrees to the following terms and conditions when it accepts reimbursement for a legislatively determined mandate pursuant to Section 17573:

(1) Any unpaid reimbursement claims the local agency or school district has previously filed with the Controller pursuant to Section 17561 and derived from parameters and guidelines or reasonable reimbursement methodology shall be deemed withdrawn if they are on the same statute or executive order of a legislatively determined mandate and for the same period of reimbursement.

(2) The payment of the amount agreed upon pursuant to Section 17573 constitutes full reimbursement of its costs for that mandate for the applicable period of reimbursement.

(3) The methodology upon which the payment is calculated is an appropriate reimbursement methodology for the term specified in subdivision (e) of Section 17573.

(4) A test claim filed with the commission by a local agency or school district on the same statute or executive order as a legislatively determined mandate shall be withdrawn.

(5) A test claim on the same statute or executive order as a legislatively determined mandate will not be filed with the commission except as provided in subdivision (c).

(b) If a local agency or school district rejects reimbursement for a legislatively determined mandate pursuant to Section 17573, a local agency or school district may take over a withdrawn test claim within six months after the date the test claim is withdrawn, by substitution of parties and compliance with the filing requirements in subdivision (b) of Section 17553, as specified in the commission's notice of withdrawal.

(c) (1) Notwithstanding Section 17551 and subdivision (b) of Section 17573, a local agency or school district may file a test claim on the same statute or executive order as a legislatively determined mandate if one of the following applies:

(A) The Legislature amends the reimbursement methodology and the local agency or school district rejects reimbursement.

(B) The term of the legislatively determined mandate, as defined in subdivision (e) of Section 17573, has expired.

(C) The term of the legislatively determined mandate, as defined in subdivision (e) of Section 17573, is amended and the local agency or school district rejects reimbursement under the new term.

(D) The mandate is subject to subdivision (b) of Section 6 of Article XIII B and the Legislature does both of the following:

(i) Fails to appropriate in the Budget Act funds to reimburse local agencies for the full payable amount that has not been previously paid based on the reimbursement methodology enacted by the Legislature.

(ii) Does not repeal or suspend the mandate pursuant to Section 17581.

(2) A test claim filed pursuant to the authority granted by this subdivision shall be filed within six months of the date an action described in subparagraph (A), (B), (C), or (D) of paragraph (1) occurs.

(d) Notwithstanding any other provision of this section, a local agency or school district shall not file a test claim pursuant to this section if the statute of limitations specified in subdivision (c) of Section 17551 expired before the date a legislatively determined mandate was adopted by the Legislature pursuant to Section 17573.

(e) Notwithstanding the period of reimbursement specified in subdivision (e) of Section 17557, a test claim filed pursuant to this section shall establish eligibility for reimbursement beginning with the fiscal year of an action described in subparagraph (A), (B), (C), or (D) of paragraph (1) of subdivision (c).

17574.5. The determination of a legislatively determined mandate pursuant to Section 17573 shall not be binding on the commission when making its determination pursuant to subdivision (a) of Section 17551.

SEC. 12. Section 17581 of the Government Code is amended to read:

17581. (a) No local agency shall be required to implement or give effect to any statute or executive order, or portion thereof, during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if all of the following apply:

(1) The statute or executive order, or portion thereof, has been determined by the Legislature, the commission, or any court to mandate a new program or higher level of service requiring reimbursement of local agencies pursuant to Section 6 of Article XIII B of the California Constitution.

(2) The statute or executive order, or portion thereof, or the commission's test claim number, has been specifically identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. For purposes of this paragraph, a mandate shall be considered to have been specifically identified by the Legislature only if it has been included within the schedule of reimbursable mandates shown in the Budget Act and it is specifically identified in the language of a provision of the item providing the appropriation for mandate reimbursements.

(b) Within 30 days after enactment of the Budget Act, the Department of Finance shall notify local agencies of any statute or executive order, or portion thereof, for which operation of the mandate is suspended because

reimbursement is not provided for that fiscal year pursuant to this section and Section 6 of Article XIII B of the California Constitution.

(c) Notwithstanding any other provision of law, if a local agency elects to implement or give effect to a statute or executive order described in subdivision (a), the local agency may assess fees to persons or entities which benefit from the statute or executive order. Any fee assessed pursuant to this subdivision shall not exceed the costs reasonably borne by the local agency.

(d) This section shall not apply to any state-mandated local program for the trial courts, as specified in Section 77203.

(e) This section shall not apply to any state-mandated local program for which the reimbursement funding counts toward the minimum General Fund requirements of Section 8 of Article XVI of the Constitution.

SEC. 13. Section 17581.5 of the Government Code, as amended by Chapter 174 of the Statutes of 2007, is amended to read:

17581.5. (a) A school district shall not be required to implement or give effect to the statutes, or a portion of the statutes, identified in subdivision (c) during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if all of the following apply:

(1) The statute or a portion of the statute, has been determined by the Legislature, the commission, or any court to mandate a new program or higher level of service requiring reimbursement of school districts pursuant to Section 6 of Article XIII B of the California Constitution.

(2) The statute, or a portion of the statute, or the test claim number utilized by the commission, specifically has been identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. For purposes of this paragraph, a mandate shall be considered specifically to have been identified by the Legislature only if it has been included within the schedule of reimbursable mandates shown in the Budget Act and it specifically is identified in the language of a provision of the item providing the appropriation for mandate reimbursements.

(b) Within 30 days after enactment of the Budget Act, the Department of Finance shall notify school districts of any statute or executive order, or portion thereof, for which reimbursement is not provided for the fiscal year pursuant to this section.

(c) This section applies only to the following mandates:

(1) The School Bus Safety I (CSM-4433) and II (97-TC-22) mandates (Chapter 642 of the Statutes of 1992; Chapter 831 of the Statutes of 1994; and Chapter 739 of the Statutes of 1997).

(2) The School Crimes Reporting II mandate (97-TC-03; and Chapter 759 of the Statutes of 1992 and Chapter 410 of the Statutes of 1995).

(3) Investment reports (96-358-02; and Chapter 783 of the Statutes of 1995 and Chapters 156 and 749 of the Statutes of 1996).

(4) County treasury oversight committees (96-365-03; and Chapter 784 of the Statutes of 1995 and Chapter 156 of the Statutes of 1996).

(5) Grand jury proceedings mandate (98-TC-27; and Chapter 1170 of the Statutes of 1996, Chapter 443 of the Statutes of 1997, and Chapter 230 of the Statutes of 1998).

(6) Sexual Harassment Training in the Law Enforcement Workplace (97-TC-07; and Chapter 126 of the Statutes of 1993).

SEC. 14. Section 17612 of the Government Code, as amended by Chapter 179 of the Statutes of 2007, is amended to read:

17612. (a) Upon receipt of the report submitted by the commission pursuant to Section 17600, funding shall be provided in the subsequent Budget Act for costs incurred in prior years. No funding shall be provided for years in which a mandate is suspended.

(b) The Legislature may amend, modify, or supplement the parameters and guidelines, reasonable reimbursement methodology, and adopted statewide estimate of costs for the initial claiming period and budget year for mandates contained in the annual Budget Act. If the Legislature amends, modifies, or supplements the parameters and guidelines, reasonable reimbursement methodology, and adopted statewide estimate of costs for the initial claiming period and budget year, it shall make a declaration in separate legislation specifying the basis for the amendment, modification, or supplement.

(c) If the Legislature deletes from the annual Budget Act funding for a mandate, the local agency or school district may file in the Superior Court of the County of Sacramento an action in declaratory relief to declare the mandate unenforceable and enjoin its enforcement for that fiscal year.

Assembly Bill No. 1610

CHAPTER 724

An act to amend Sections 2558.46, 8223, 8335.4, 8335.5, 8335.7, 8357, 8450, 14041.5, 14041.6, 37252.2, 41203.1, 42238.146, 42606, 44396, 47614.5, 47634.4, 48260.5, 48262, 52055.770, 54026, 56523, and 84043 of, to amend and repeal Section 84321.5 of, to add Sections 14041.7, 41207.4, 42238.24, 54021.1, 54021.2, 84321.6, and 99221.5 to, to add Chapter 3.5 (commencing with Section 66150) to Part 40 of Division 5 of Title 3 of, to repeal Section 92612.5 of, and to repeal Chapter 4 (commencing with Section 400) of Part 1 of Division 1 of Title 1 of, the Education Code, to amend Section 17581.5 of the Government Code, to amend Section 38 of Chapter 12 of the Third Extraordinary Session of the Statutes of 2009, to amend Section 5 of Chapter 3 of the Fourth Extraordinary Session of the Statutes of 2009, and to amend Section 1 of Chapter 221 of the Statutes of 2010, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 19, 2010. Filed with
Secretary of State October 19, 2010.]

I am signing AB 1610 with the following objections.

I am deleting specific appropriations for the California community colleges contained in subdivisions (d) and (e) of Section 31 of this bill.

I am deleting the appropriation in subdivision (d) of Section 31 of this bill, which provides \$25,000,000 Proposition 98 General Fund for the community college Economic Development and Workforce Development Program. While I support economic development activities, this reduction is necessary to limit program expansion, to bring ongoing expenditures in line with existing resources, and to help maintain a prudent reserve. With this reduction, the Budget Act of 2010 still provides the Economic Development categorical program with \$22.9 million for workforce training and development efforts.

I am deleting the appropriation in subdivision (e) of Section 31 of this bill, which provides \$35,000,000 Proposition 98 General Fund for various community college categorical programs. This appropriation is intended to backfill various categorical programs that received one-time State Fiscal Stabilization Funds in 2009-10. This federal funding was intended to soften the transition to reduced funding levels that are necessary to bring ongoing expenditures in line with existing resources. Restoring this funding would be counterproductive to the tremendous effort that has been invested to align ongoing expenditures with expected revenues.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

LEGISLATIVE COUNSEL'S DIGEST

AB 1610, Committee on Budget. Education finance.

(1) Existing law establishes the English Language Acquisition Program, which is designed for pupils enrolled in grades 4 to 8, inclusive, and requires local educational agencies, as defined, participating in the program to conduct assessments, to provide an instructional program, to provide supplemental instructional support, and to coordinate available services and funding. Existing law requires the Superintendent of Public Instruction to allocate annually to each participating local educational agency \$100 for each pupil participating in the program and a one-time \$100 allocation for pupils in kindergarten or grades 1 to 12, inclusive, who are reclassified to English-fluent status.

This bill would repeal the program and would require the Superintendent to increase the amount of economic impact aid received by a school district by the amount the district received from the English Language Acquisition Program for the 2009–10 fiscal year. The bill would continue in existence the English Language Development Professional Institutes and would authorize a local educational agency to use economic impact aid funds for those purposes.

(2) Existing law requires a revenue limit to be calculated for each county superintendent of schools, adjusted for various factors, and reduced, as specified. Existing law reduces the revenue limit for each county superintendent of schools for the 2009–10 fiscal year by a deficit factor of 18.250%.

This bill would maintain the deficit factor for each county superintendent of schools for the 2010–11 fiscal year at 18.621%.

(3) The Child Care and Development Services Act, administered by the State Department of Education, provides that children up to 13 years of age are eligible, with certain requirements, for child care and development services. Existing law provides for child care alternative payment programs, the purpose of which is to provide for parental choice in child care. Existing law requires reimbursement for alternative payment programs to include the cost of child care, plus administrative and support services. Under existing law, the total cost for administrative and support services is not permitted to exceed 19% of the total contract amount.

This bill would instead provide that the administrative and support services costs would not be permitted to exceed 17.5% of the total contract amount.

(4) Existing law requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age. Existing law, until January 1, 2011, authorizes the City and County of San Francisco, as a pilot project, to develop and implement an individualized county child care subsidy plan, and provides for the repeal of those provisions on January 1, 2013.

This bill would authorize the City and County of San Francisco to implement an individualized county child care subsidy plan until July 1, 2013, and would require the city and county to phase out the plan and implement the state's requirements for child care subsidies as of July 1, 2015. The bill would require the city and county, on or before June 30, 2013,

to submit a final report to the Legislature and other specified entities that summarizes the impact of the plan. The bill would make those provisions inoperative on July 1, 2015, and would repeal those provisions on January 1, 2016.

(5) Existing law requires the cost of state-funded child care services to be governed by regional market rates and requires a regional market rate ceiling to be established at the 85th percentile of the 2005 regional market rate survey for that region.

This bill would set the reimbursement rate for license-exempt providers at 80% of the regional market rate ceiling.

(6) Existing law encourages all child development contractors to develop and maintain a reserve within the child development fund, derived from earned but unexpended funds. Existing law allows child development contractors to retain all earned funds, as defined. Existing law requires that earned but unexpended funds remain in the contractor's reserve account within the child development fund and be expended only by direct service child development programs that are funded under contract with the State Department of Education.

This bill, commencing July 1, 2011, would allow a child development contractor operating a direct service child development program to retain a reserve fund balance equal to 5% of the sum of the maximum reimbursable amounts of all contracts to which the contractor is a party, or \$2,000, whichever is greater.

(7) Existing law requires the Controller to draw warrants on the State Treasury in each month of each year in specified amounts for purposes of funding school districts, county superintendents of schools, and community college districts. Existing law defers the drawing of those warrants, as specified.

This bill would defer additional specified amounts of the warrants for school districts and county superintendents of schools for April and May to July.

The bill would allow up to \$100,000 of the amount of the warrants for the principal apportionments for June that are deferred until July to be drawn instead in June for a charter school or school district that will be unable to meet its financial obligation for June if specified criteria are met. The bill would authorize additional payments for school districts and county superintendents of schools of up to \$300,000,000 if sufficient cash is available.

The bill also would authorize the Controller to issue warrants for a community college district that include the full amount of deferred apportionments if the president of the district certifies to the Chancellor of the California Community Colleges and the Director of Finance that the deferral of warrants will result in the district being unable to meet its expenditure obligations, as specified.

(8) Existing law limits the amount of specified revenue limit apportionments that counts towards the minimum funding obligation for the following fiscal year to \$1,101,655,000.

This bill would increase that amount by \$500,000,000.

(9) Existing law requires the governing board of a school district maintaining any of grades 2 to 9, inclusive, to offer programs of direct, systematic, and intensive supplemental instruction to pupils enrolled in grades 2 to 9, inclusive, who have been recommended for retention or who have been retained at their grade for the next year.

This bill would make this requirement inoperative from the date this bill is enacted until July 1, 2013, during which time school districts would be relieved from performing any activities under this provision that are deemed to be reimbursable state mandates.

(10) Existing law requires, for the 1990–91 fiscal year and each fiscal year thereafter, that moneys to be applied by the state for the support of school districts, community college districts, and direct elementary and secondary level instructional services provided by the state be distributed in accordance with certain calculations governing the proration of those moneys among the 3 segments of public education. Existing law makes that provision inapplicable to the fiscal years between 1992–93 and 2009–10, inclusive.

This bill would make that provision inapplicable to the 2010–11 fiscal year.

(11) Section 8 of Article XVI of the California Constitution imposes on the state annual minimum funding requirements for school districts and community college districts.

The bill would appropriate \$210,100,000 from the General Fund to the Controller for allocation to school districts and community college districts for the purpose of offsetting the 2009–10 outstanding balance of the state minimum funding obligation. The bill would require this appropriation to be distributed to school districts in a manner that reflects the proportion of regular average daily attendance in school districts and to community college districts based on enrolled full-time equivalent students.

The bill would apply the appropriation to the outstanding balance of the minimum funding obligation to school districts and community college districts for the 2009–10 fiscal year, and deem the appropriations to be made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

The bill would require funding received by school districts and community college districts pursuant to this appropriation to first be deemed to be paid in satisfaction of any outstanding claims for reimbursement of state-mandated local costs for any fiscal year and would authorize funds received in excess of amounts offsetting mandate claims to be used for any other one-time purpose, as determined by the governing board of the school district or community college district.

(12) Existing law requires the county superintendent of schools to determine a revenue limit for each school district in the county and requires the amount of the revenue limit to be adjusted for various factors. Existing law reduces the revenue limit for each school district for the 2009–10 fiscal year by a deficit factor of 18.355%.

This bill would maintain the deficit factor for each school district for the 2010–11 fiscal year at 17.963%.

(13) Existing law specifies the courses a pupil is required to complete in order to receive a diploma of graduation from high school.

This bill would require that costs related to the salaries and benefits of teachers incurred by a school district or county office of education to provide those courses be offset by specified state funding and would require the proportion of the school district's current expense of education that is required to be expended for payment of the salaries of classroom teachers to first be allocated to fund the teacher salary costs incurred to provide the courses required by the state.

(14) Existing law authorizes a local educational agency, including a direct-funded charter school, to apply for any state categorical program funding included in the annual Budget Act on behalf of a school that begins operation in the 2008–09 to the 2012–13 fiscal years, inclusive.

This bill would require the Superintendent to allocate a supplemental categorical block grant for the 2010–11 fiscal year to a charter school that begins operation in the 2008–09, 2009–10, or 2010–11 fiscal year and would authorize the charter school to use the block grant funds to be used for any educational purpose.

(15) Existing law makes a teacher who attains certification from the National Board for Professional Teaching Standards and meets other specified criteria eligible for an award. Existing law requires a school district that receives an application for an award to certify the applicant's employment and that the applicant meets the criteria and to submit the application to the State Department of Education for its review and approval.

This bill would eliminate the school district's obligations under this program.

(16) Existing law establishes the Charter School Facility Grant Program to provide assistance with facilities rent and lease costs for pupils in charter schools and requires the Superintendent of Public Instruction to allocate annually the facilities grants to eligible charter schools no later than October 1 of each fiscal year. Existing law requires funding appropriated for this program in the 2009–10 fiscal year be used first to reimburse eligible charter schools for rent or lease costs for the 2008–09 fiscal year.

This bill would require the grants to be allocated, instead, for the current school year rent and lease costs, but would require the department to first use the funding appropriated for the program to reimburse eligible charter schools for unreimbursed rent or lease costs for the prior school year.

(17) Existing law requires a school district to notify a pupil's parent or guardian, by first-class mail or other reasonable means, when the pupil is initially classified as a truant.

This bill would require the notification instead to be made using the most cost-effective method possible and would specify that this may include electronic mail or a telephone call.

(18) Existing law deems a pupil to be an habitual truant if the pupil is reported as a truant 3 or more times per school year unless an appropriate

district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of specified required reports.

This bill would define “conscientious effort” for purposes of this provision.

(19) Existing law appropriates specified amounts for various fiscal years for allocation by the Superintendent of Public Instruction and the Chancellor of the California Community Colleges for purposes of improving and expanding career technical education in public secondary education and lower division public higher education.

This bill, in addition, would appropriate specified amounts for the 2009–10 and 2010–11 fiscal years for allocation by the Superintendent and the chancellor for those purposes.

(20) Existing law provides for the administration and operation of public schools in juvenile halls, juvenile homes, day centers, juvenile ranches, juvenile camps, regional youth educational facilities, or Orange County youth correctional centers, as specified. Existing law requires the Superintendent of Public Instruction to compute an inflation-adjusted revenue limit for juvenile court school programs operated by a county superintendent of schools.

This bill would make a county juvenile court school eligible to receive economic impact aid funding commencing with the 2010–11 fiscal year.

(21) Existing law requires the Superintendent of Public Instruction to develop, and the State Board of Education to adopt, regulations governing the use of behavioral interventions with individuals with exceptional needs receiving special education and related services.

This bill would specify that this provision and its implementing regulations are declaratory of federal law and are intended to provide the clarity, definition, and specificity necessary for local educational agencies to comply with the federal Individuals with Disabilities Education Act. The bill would provide that this provision and the implementing state regulations shall not exceed the requirements of federal law, create new or separate state requirements, or result in a level of state service beyond that needed to comply with federal law and regulations. The bill would require local educational agencies to agree to adhere to implementing federal and state regulations as a condition of choosing to receive funding from the federal Individuals with Disabilities Education Act. The bill would authorize the Superintendent to monitor the compliance of local educational agencies and take appropriate action, including fiscal repercussions, if a local educational agency fails to comply or fails to implement the decision of a due process hearing officer based on noncompliance, as specified.

(22) Existing law, known as the Donahoe Higher Education Act, provides for a public postsecondary education system in this state. The University of California, which is administered by the Regents of the University of California, and the California State University, which is administered by the Trustees of the California State University, are 2 of the segments of the public postsecondary education system in this state. The provisions of the Donahoe Higher Education Act apply to the University of California only

to the extent that the Regents of the University of California act by resolution to make them applicable.

Existing law authorizes the Trustees of the California State University to require that fees, among other charges, be paid by students at that institution. Existing provisions of the California Constitution require the Regents of the University of California to have all powers necessary or convenient for the effective administration of the university.

This bill would prohibit the Trustees of the California State University from allocating, and would request the Regents of the University of California to not allocate, any fees that are proposed by a student body organization, as defined, and imposed pursuant to a vote of the students registered at a campus, branch, or location of the respective institution, for purposes of supporting intercollegiate athletics programs for any purpose or in any amount not approved by the vote of the students. The bill would require the trustees, and request the regents, at the end of an academic year, to refund to each fee-paying student a pro rata share of any portion of the fee that is not allocated for the authorized purposes during that academic year.

(23) Existing law, for the 2009–10 to 2012–13 fiscal years, inclusive, authorizes a community college district to use funds apportioned to the district for specified categorical programs, including career technical education, for purposes of a prescribed list of programs.

This bill would exclude funds apportioned for career technical education from the funds a community college district is authorized to use for other purposes.

(24) Existing law requires the Board of Governors of the California Community Colleges to adopt regulations for the payment of apportionments to community college districts. Existing law, notwithstanding the board of governors' authority in this respect, makes various adjustments to the payment of these apportionments.

This bill, commencing January 1, 2011, would revise the manner in which these apportionments are made according to specified criteria. The bill would appropriate \$832,000,000 from the General Fund to the Board of Governors of the California Community Colleges for apportionments to community college districts, to be expended in accordance with a specified schedule.

The bill would appropriate \$25,000,000 from the General Fund to the Chancellor of the California Community Colleges for the economic development program and would defer \$25,000,000 of that amount to July 2011. The bill would appropriate \$35,000,000 from the General Fund to the Chancellor of the California Community Colleges for specified categorical programs and would defer that amount to July 2011.

(25) Existing law expresses the intent of the Legislature that no new General Fund augmentation be made available for contributions to the University of California Retirement Plan.

This bill would repeal this provision.

(26) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions.

Existing law provides that no local agency or school district is required to implement or give effect to any statute or Executive order, or portion thereof, that imposes a mandate during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if specified conditions are met, including that the statute or Executive order, or portion thereof, has been specifically identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. Existing law provides that only certain specified mandates are subject to that provision.

This bill would specify additional mandates relating to school districts and community college districts to those that are subject to the provision. The bill additionally would request the Department of Finance to file a request with the Commission on State Mandates, on or before December 31, 2010, for the purposes of seeking the adoption of a new test claim to supersede the collective bargaining mandate.

The bill would require the Controller to take specified actions regarding the school accountability report card mandate.

The bill would require the Legislative Analyst's Office to convene a working group, as specified, to consider the future of school district and community college district mandates and would require the working group to develop recommendations by March 15, 2011, including whether to preserve, modify, or eliminate particular mandates.

(27) Existing law appropriates \$570,000,000 for class size reduction in kindergarten and grades 1 to 3, inclusive, to be expended consistent with the specified requirements.

This bill would reduce that appropriation to \$230,044,000 and would identify funds that the State Department of Education would be required to use if the funds appropriated for this program are insufficient.

The bill would require the Superintendent of Public Instruction to certify to the Controller the amounts needed for the 2010–11 fiscal year to fund the class size reduction program and set forth a schedule for the transfer of that funding. The bill would require the Controller to transfer that funding from the General Fund to the State School Fund, thereby making an appropriation. The bill would require the Superintendent, before making each certification, to notify the Department of Finance, the Legislative Analyst, and the appropriate policy and fiscal committees of the Legislature regarding the amounts the Superintendent intends to certify and would require the notification to include the data used in determining the amounts to be certified.

(28) Existing law appropriates \$903,845,000 from the Federal Trust Fund, pursuant to a specified schedule, to the State Department of Education, the Board of Governors of the California Community Colleges, the

University of California, and the California State University for the 2010–11 fiscal year.

This bill would increase that appropriation to \$906,845,000.

(29) This bill would revert to the General Fund specified amounts from specified office reference items in the Controller’s office that would have been applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the 2009–10 fiscal year and was unallocated, unexpended, or not liquidated as of June 30, 2010, and appropriate \$339,956,000 from the General Fund to the Superintendent of Public Instruction for allocation for the 2010–11 fiscal year for special education to satisfy obligations incurred during the 2009–10 fiscal year. This appropriation would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the 2010–11 fiscal year.

The bill would reduce 3 prior reversions to the General Fund from specified office reference items in the Controller’s office that would have been applied toward the minimum funding requirements and were unallocated, unexpended, or not liquidated as of June 30, 2009.

(30) This bill would appropriate \$905,700,000 from the General Fund to the State Department of Education for 10 specified programs according to a specified schedule, and would require the department to encumber these funds by July 31, 2011. The bill would provide that, for purposes of satisfying the minimum annual funding obligation for school districts required by the California Constitution, the appropriated funds are General Fund revenues appropriated for school districts and community college districts for the 2011–12 fiscal year.

(31) This bill would set the cost-of-living adjustment for specified items in the Budget Act of 2010 at 0% for the 2010–11 fiscal year notwithstanding the cost-of-living adjustment specified in existing statutes.

(32) This bill would require funds appropriated pursuant to specified items in the Budget Act of 2009 to be encumbered by July 31, 2011.

(33) The funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(34) This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Chapter 4 (commencing with Section 400) of Part 1 of Division 1 of Title 1 of the Education Code is repealed.

SEC. 2. Section 2558.46 of the Education Code is amended to read:

2558.46. (a) (1) For the 2003–04 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by a 1.195 percent deficit factor.

(2) For the 2004–05 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by a 0.323 percent deficit factor.

(3) For the 2003–04 and 2004–05 fiscal years, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced further by a 1.826 percent deficit factor.

(4) For the 2005–06 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced further by a 0.898 percent deficit factor.

(5) For the 2008–09 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by a 7.839 percent deficit factor.

(6) For the 2009–10 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by an 18.621 percent deficit factor.

(7) For the 2010–11 fiscal year, the revenue limit for each county superintendent of schools determined pursuant to this article shall be reduced by an 18.250 percent deficit factor.

(b) In computing the revenue limit for each county superintendent of schools for the 2006–07 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that county superintendent of schools had been determined for the 2003–04, 2004–05, and 2005–06 fiscal years without being reduced by the deficit factors specified in subdivision (a).

(c) In computing the revenue limit for each county superintendent of schools for the 2010–11 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that county superintendent of schools had been determined for the 2009–10 fiscal year without being reduced by the deficit factors specified in subdivision (a).

(d) In computing the revenue limit for each county superintendent of schools for the 2011–12 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that county superintendent of schools had been determined for the 2010–11 fiscal year without being reduced by the deficit factors specified in subdivision (a).

SEC. 3. Section 8223 of the Education Code is amended to read:

8223. The reimbursement for alternative payment programs shall include the cost of child care paid to child care providers plus the administrative and support services costs of the alternative payment program. The total cost for administration and support services shall not exceed an amount equal to 17.5 percent of the total contract amount. The administrative costs shall not exceed the costs allowable for administration under federal requirements.

SEC. 4. Section 8335.4 of the Education Code is amended to read:

8335.4. (a) Upon approval of the plan by the Child Development Division of the department, the City and County of San Francisco shall annually prepare and submit to the Legislature, the State Department of Social Services, and the department a report that summarizes the success of the pilot project and the city and county's ability to maximize the use of funds and to improve and stabilize child care in the city and county.

(b) The City and County of San Francisco shall submit an interim report to the Legislature, the State Department of Social Services, and the department on or before December 31, 2010, and shall submit a final report to those entities on or before June 30, 2013, summarizing the impact of the plan on the child care needs of working families in the city and county.

SEC. 5. Section 8335.5 of the Education Code is amended to read:

8335.5. The City and County of San Francisco may implement an individualized child care subsidy plan until July 1, 2013, at which date the city and county shall terminate the plan. Between July 1, 2013, and July 1, 2015, the city and county shall phase out the individualized county child care subsidy plan and, as of July 1, 2015, shall implement the state's requirements for child care subsidies. A child enrolling for the first time for subsidized child care in the city and county after July 1, 2013, shall not be enrolled in the pilot program established pursuant to this article and is subject to existing state laws and regulations regarding child care eligibility and priority.

SEC. 6. Section 8335.7 of the Education Code is amended to read:

8335.7. This article shall become inoperative on July 1, 2015, and as of January 1, 2016, is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 7. Section 8357 of the Education Code is amended to read:

8357. (a) The cost of child care services provided under this article shall be governed by regional market rates. Recipients of child care services provided pursuant to this article shall be allowed to choose the child care services of licensed child care providers or child care providers who are, by law, not required to be licensed, and the cost of that child care shall be reimbursed by counties or agencies that contract with the State Department of Education if the cost is within the regional market rate. For purposes of this section, "regional market rate" means care costing no more than 1.5 market standard deviations above the mean cost of care for that region. The regional market rate ceilings shall be established at the 85th percentile of the 2005 regional market rate survey for that region.

(b) Reimbursement to license-exempt child care providers shall not exceed 80 percent of the family child care home rate established pursuant to subdivision (a).

(c) Reimbursement to child care providers shall not exceed the fee charged to private clients for the same service.

(d) Reimbursement shall not be made for child care services when care is provided by parents, legal guardians, or members of the assistance unit.

(e) A child care provider located on an Indian reservation or rancheria and exempted from state licensing requirements shall meet applicable tribal standards.

(f) For purposes of this section, “reimbursement” means a direct payment to the provider of child care services, including license-exempt providers. If care is provided in the home of the recipient, payment may be made to the parent as the employer, and the parent shall be informed of his or her concomitant legal and financial reporting requirements. To allow time for the development of the administrative systems necessary to issue direct payments to providers, for a period not to exceed six months from the effective date of this article, a county or an alternative payment agency contracting with the State Department of Education may reimburse the cost of child care services through a direct payment to a recipient of aid rather than to the child care provider.

(g) Counties and alternative payment programs shall not be bound by the rate limits described in subdivision (a) when there are, in the region, no more than two child care providers of the type needed by the recipient of child care services provided under this article.

(h) Notwithstanding any other provision of law, reimbursements to child care providers based upon a daily rate may only be authorized under either of the following circumstances:

(1) A family has an unscheduled but documented need of six hours or more per occurrence, such as the parent’s need to work on a regularly scheduled day off, that exceeds the certified need for child care.

(2) A family has a documented need of six hours or more per day that exceeds no more than 14 days per month. In no event shall reimbursements to a provider based on the daily rate over one month’s time exceed the provider’s equivalent full-time monthly rate or applicable monthly ceiling.

(3) This subdivision shall not limit providers from being reimbursed for services using a weekly or monthly rate, pursuant to subdivision (c) of Section 8222.

SEC. 8. Section 8450 of the Education Code is amended to read:

8450. (a) All child development contractors are encouraged to develop and maintain a reserve within the child development fund, derived from earned but unexpended funds. Child development contractors may retain all earned funds. For the purpose of this section, “earned funds” are those for which the required number of eligible service units have been provided.

(b) (1) Earned funds shall not be expended for any activities proscribed by Section 8406.7. Earned but unexpended funds shall remain in the contractor’s reserve account within the child development fund and shall be expended only by direct service child development programs that are funded under contract with the department.

(2) Commencing July 1, 2011, a contractor may retain a reserve fund balance, separate from the reserve fund retained pursuant to subdivision (c) or (d), equal to 5 percent of the sum of the maximum reimbursable amounts of all contracts to which the contractor is a party, or two thousand dollars

(\$2,000), whichever is greater. This paragraph applies to direct service child development programs that are funded under contract with the department.

(c) Notwithstanding subdivisions (a) and (b), a contractor may retain a reserve fund balance for a resource and referral program, separate from the balance retained pursuant to subdivision (b) or (d), not to exceed 3 percent of the contract amount. Funds from this reserve account may be expended only by resource and referral programs that are funded under contract with the department.

(d) Notwithstanding subdivisions (a) and (b), a contractor may retain a reserve fund balance for alternative payment model and certificate child care contracts, separate from the reserve fund retained pursuant to subdivisions (b) and (c). Funds from this reserve account may be expended only by alternative payment model and certificate child care programs that are funded under contract with the department. The reserve amount allowed by this section may not exceed either of the following, whichever is greater:

(1) Two percent of the sum of the parts of each contract to which that contractor is a party that is allowed for administration pursuant to Section 8276.7 and that is allowed for supportive services pursuant to the provisions of the contract.

(2) One thousand dollars (\$1,000).

(e) Each contractor's audit shall identify any funds earned by the contractor for each contract through the provision of contracted services in excess of funds expended.

(f) Any interest earned on reserve funds shall be included in the fund balance of the reserve. This reserve fund shall be maintained in an interest-bearing account.

(g) Moneys in a contractor's reserve fund may be used only for expenses that are reasonable and necessary costs as defined in subdivision (n) of Section 8208.

(h) Any reserve fund balance in excess of the amount authorized pursuant to subdivisions (b), (c), and (d) shall be returned to the department pursuant to procedures established by the department.

(i) Upon termination of all child development contracts between a contractor and the department, all moneys in a contractor's reserve fund shall be returned to the department pursuant to procedures established by the department.

(j) Expenditures from, additions to, and balances in, the reserve fund shall be included in the agency's annual financial statements and audit.

SEC. 9. Section 14041.5 of the Education Code is amended to read:

14041.5. (a) Notwithstanding subdivision (a) of Section 14041, commencing with the 2002–03 fiscal year, warrants for the principal apportionments for the month of June instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41335.

(b) Except as provided in subdivisions (c) and (d), for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to subdivision (a) shall be deemed

to be “General Fund revenues appropriated to school districts,” as defined in subdivision (c) of Section 41202 for the fiscal year in which the warrants are drawn and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the fiscal year in which the warrants are drawn.

(c) For the 2003–04 school year, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2004–05 fiscal year shall be seven hundred twenty-six million two hundred seventy thousand dollars (\$726,270,000). Any amount in excess of seven hundred twenty-six million two hundred seventy thousand dollars (\$726,270,000) that is apportioned in July of 2004 is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2003–04 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2003–04 fiscal year.

(d) For the 2004–05 school year to the 2007–08 school year, inclusive, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the following fiscal year shall be seven hundred fifteen million one hundred eighteen thousand dollars (\$715,118,000). Any amount in excess of seven hundred fifteen million one hundred eighteen thousand dollars (\$715,118,000) that is apportioned in July of any year is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the prior fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the prior fiscal year.

(e) For the 2008–09 school year, and each school year thereafter, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant

to Article XIII B” as defined in subdivision (e) of Section 41202, for the following fiscal year shall be one billion six hundred one million six hundred fifty-five thousand dollars (\$1,601,655,000). Any amount in excess of one billion six hundred one million six hundred fifty-five thousand dollars (\$1,601,655,000) that is apportioned in July of any year is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the prior fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the prior fiscal year.

SEC. 10. Section 14041.6 of the Education Code is amended to read:

14041.6. (a) Notwithstanding subdivision (a) of Section 14041, or any other law, commencing with the 2008–09 fiscal year, warrants for the principal apportionments for the month of February in the amount of two billion dollars (\$2,000,000,000) instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41339.

(b) Notwithstanding subdivision (a) of Section 14041 or any other law, commencing with the 2009–10 fiscal year, warrants for the principal apportionments for the month of April in the amount of six hundred seventy-eight million six hundred eleven thousand dollars (\$678,611,000) and for the month of May in the amount of one billion dollars (\$1,000,000,000) instead shall be drawn in August of the same calendar year pursuant to the certification made pursuant to Section 41339.

(c) Notwithstanding subdivision (a) of Section 14041 or any other law, commencing with the 2010–11 fiscal year, warrants for the principal apportionments for the month of April in the amount of four hundred twenty million dollars (\$420,000,000) and for the month of May in the amount of eight hundred million dollars (\$800,000,000) instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41339.

(d) Except as provided in subdivisions (c) and (e) of Section 41202, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to subdivisions (a), (b), and (c) shall be deemed to be “General Fund revenues appropriated to school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which the warrants are drawn and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the fiscal year in which the warrants are drawn.

SEC. 11. Section 14041.7 is added to the Education Code, to read:

14041.7. (a) Commencing with the 2010–11 fiscal year, up to one hundred million dollars (\$100,000,000) of the amount of the warrants for the principal apportionments for the month of June, that are instead to be drawn in July pursuant to Section 14041.5, may be drawn in June, subject to the approval of the Director of Finance, for a charter school or school district as follows:

(1) In order for a charter school to receive a payment in June pursuant to this section, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before April 1 that the deferral of warrants pursuant to Sections 14041.5 and 14041.6 will result in the charter school being unable to meet its financial obligations for June and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for the month of June.

(2) In order for a school district to receive a payment in June pursuant to this section, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before April 1 that the deferral of warrants pursuant to Sections 14041.5 and 14041.6 will result in the school district being unable to meet its financial obligations for June and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for the month of June.

(3) The criteria, as applicable, set forth in statute and regulations to qualify a school district for an emergency apportionment shall be used to make the certification specified in paragraph (2).

(4) A charter school or school district may receive, pursuant to this section, no more than the lesser of the following:

(A) The total amount of additional funds necessary for the charter school or school district to meet its financial obligations for the month of June, as reported to the Superintendent pursuant to paragraph (1) or (2).

(B) The total payments the charter school or school district is entitled to receive in July for the prior fiscal year.

(b) If the total amount requested by charter schools and school districts pursuant to paragraph (4) of subdivision (a) exceeds one hundred million dollars (\$100,000,000), the Controller, Treasurer, and Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this section shall not exceed three hundred million dollars (\$300,000,000). No later than May 1, the Controller, Treasurer, and Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars (\$100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, Treasurer, and Director of Finance shall consider costs for state government, the scope of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

(c) If the total amount of cash made available pursuant to subdivision (b) is less than the amount requested pursuant to paragraph (3) of subdivision (a), payments to charter schools and school districts shall be prioritized according to the date on which notification was provided to the Superintendent and the Department of Finance.

(d) Payments pursuant to this section shall be made no later than June 20.

(e) Except as provided in subdivisions (c) and (e) of Section 41202, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated to school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which the warrants are drawn and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the fiscal year in which the warrants are drawn.

SEC. 12. Section 37252.2 of the Education Code is amended to read:

37252.2. (a) The governing board of each school district maintaining any or all of grades 2 to 9, inclusive, shall offer, and a charter school may offer, programs of direct, systematic, and intensive supplemental instruction to pupils enrolled in grades 2 to 9, inclusive, who have been recommended for retention or who have been retained pursuant to Section 48070.5. A school district or charter school may require a pupil who has been retained to participate in supplemental instructional programs. Notwithstanding the requirements of this section, the school district or charter school shall provide a mechanism for a parent or guardian to decline to enroll his or her child in the program. Attendance in supplemental instructional programs shall not be compulsory within the meaning of Section 48200.

(b) Supplemental educational services pursuant to subdivision (a) may be offered during the summer, before school, after school, on Saturdays, or during intersession, or in a combination of summer school, before school, after school, Saturday, or intersession instruction. Services shall not be provided during the pupil’s regular instructional day. Any minor pupil whose parent or guardian informs the school district that the pupil is unable to attend a Saturday school program for religious reasons, or any pupil 18 years of age or older who states that he or she is unable to attend a Saturday school program for religious reasons, shall be given priority for enrollment in supplemental instruction offered at a time other than Saturday, over a pupil who is not unable to attend a Saturday school program for religious reasons.

(c) For purposes of this section, a pupil shall be considered to be enrolled in a grade immediately upon completion of the preceding grade. Summer school instruction may also be offered to pupils who were enrolled in grade 6 during the prior school year. For ninth grade pupils identified in subdivision (a), summer school instruction may also be offered to pupils who were enrolled in grade 9 during the prior school year.

(d) Each school district or charter school shall use results from tests administered under the Standardized Testing and Reporting Program, established pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or other evaluative criteria to identify eligible pupils pursuant to subdivision (b).

(e) An intensive remedial program in reading or written expression offered pursuant to this section shall, as needed, include instruction in phoneme awareness, systematic explicit phonics and decoding, word attack skills, spelling and vocabulary, explicit instruction of reading comprehension, writing, and study skills.

(f) Each school district or charter school shall seek the active involvement of parents and classroom teachers in the development and implementation of supplemental instructional programs provided pursuant to this section.

(g) It is the intent of the Legislature that pupils who are at risk of failing to meet state adopted standards, or who are at risk of retention, be identified as early in the school year and as early in their school careers as possible, and be provided the opportunity for supplemental instruction sufficient to assist them in attaining expected levels of academic achievement.

(h) Notwithstanding any other provision of law, neither the State Board of Education nor the Superintendent of Public Instruction may waive any provision of this section.

(i) School districts are relieved from the obligation to perform any activities under this section that are deemed to be reimbursable state mandates pursuant to Section 6 of Article XIII B of the California Constitution from the date that the act amending this subdivision in 2010 is enacted until July 1, 2013.

SEC. 13. Section 41203.1 of the Education Code is amended to read:

41203.1. (a) For the 1990–91 fiscal year and each fiscal year thereafter, allocations calculated pursuant to Section 41203 shall be distributed in accordance with calculations provided in this section. Notwithstanding Section 41203, and for the purposes of this section, school districts, community college districts, and direct elementary and secondary level instructional services provided by the State of California shall be regarded as separate segments of public education, and each of these three segments of public education shall be entitled to receive respective shares of the amount calculated pursuant to Section 41203 as though the calculation made pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution were to be applied separately to each segment and the base year for the purposes of this calculation under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution were based on the 1989–90 fiscal year. Calculations made pursuant to this subdivision shall be made so that each segment of public education is entitled to the greater of the amounts calculated for that segment pursuant to paragraph (1) or (2) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

(b) If the single calculation made pursuant to Section 41203 yields a guaranteed amount of funding that is less than the sum of the amounts calculated pursuant to subdivision (a), the amount calculated pursuant to Section 41203 shall be prorated for the three segments of public education.

(c) Notwithstanding any other law, this section does not apply to the 1992–93 to 2010–11 fiscal years, inclusive.

SEC. 14. Section 41207.4 is added to the Education Code, to read:

41207.4. (a) The sum of two hundred ten million one hundred thousand dollars (\$210,100,000) is hereby appropriated in the 2010–11 fiscal year from the General Fund to the Controller for allocation to school districts and community college districts for the purpose of offsetting the 2009–10 outstanding balance of the minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution.

(1) The amount appropriated pursuant to this subdivision shall be allocated to school districts and community college districts as defined in subdivision (a) of Section 41203.1.

(2) The amount allocated to school districts pursuant to this subdivision shall be distributed in a manner that reflects the proportion of regular average daily attendance in school districts, as defined in subdivision (a) of Section 41209, as those numbers are reported at the time of the second principal apportionment for the fiscal year prior to the fiscal year in which funds are to be received.

(3) The amount annually allocated to community college districts pursuant to this subdivision shall be distributed based on enrolled full-time equivalent students, as those numbers are reported at the time of the second principal apportionment for the fiscal year prior to the fiscal year in which funds are to be received.

(4) For purposes of this subdivision a school district includes a county office of education and a charter school.

(b) For purposes of Section 8 of Article XVI of the California Constitution, the amounts appropriated and allocated pursuant to this section shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution for the 2009–10 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

(c) Funding received by school districts and community college districts pursuant to this section shall first be deemed to be paid in satisfaction of any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution for reimbursement of state-mandated local costs for any fiscal year. Notwithstanding any amounts that are deemed, pursuant to this subdivision, to be paid in satisfaction of outstanding claims for reimbursement of state-mandated local costs, the Controller may audit any claim as allowed by law and may reduce any amount owed by school districts and community college districts pursuant to an audit by reducing amounts owed for any other mandate claims. The Controller shall apply amounts received by each school district or community college district against any balances of unpaid claims for reimbursement of state-mandated local costs and interest in chronological order beginning with the earliest claim. The Controller shall report to each school district and community college district the amounts of any claims and interest that are offset from funds provided pursuant to this section and shall report a summary of the amounts offset

for each mandate for each fiscal year to the Department of Finance and the fiscal committees of the Legislature. The governing board of a school district or community college district may expend funds received pursuant to this section in excess of amounts offsetting mandate claims for any other one-time purposes, as determined by the governing board.

SEC. 15. Section 42238.146 of the Education Code is amended to read:

42238.146. (a) (1) For the 2003–04 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 1.198 percent deficit factor.

(2) For the 2004–05 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 0.323 percent deficit factor.

(3) For the 2003–04 and 2004–05 fiscal years, the revenue limit for each school district determined pursuant to this article shall be further reduced by a 1.826 percent deficit factor.

(4) For the 2005–06 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 0.892 percent deficit factor.

(5) For the 2008–09 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 7.844 percent deficit factor.

(6) For the 2009–10 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 18.355 percent deficit factor.

(7) For the 2010–11 fiscal year, the revenue limit for each school district determined pursuant to this article shall be reduced by a 17.963 percent deficit factor.

(b) In computing the revenue limit for each school district for the 2006–07 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that school district had been determined for the 2003–04, 2004–05, and 2005–06 fiscal years without being reduced by the deficit factors specified in subdivision (a).

(c) In computing the revenue limit for each school district for the 2010–11 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that school district had been determined for the 2009–10 fiscal year without being reduced by the deficit factors specified in subdivision (a).

(d) In computing the revenue limit for each school district for the 2011–12 fiscal year pursuant to this article, the revenue limit shall be determined as if the revenue limit for that school district had been determined for the 2010–11 fiscal year without being reduced by the deficit factors specified in subdivision (a).

SEC. 16. Section 42238.24 is added to the Education Code, to read:

42238.24. Costs related to the salaries and benefits of teachers incurred by a school district or county office of education to provide the courses specified in paragraph (1) of subdivision (a) of Section 51225.3 shall be offset by the amount of state funding apportioned to the district pursuant to

this article, or in the case of a county office of education pursuant to Article 2 (commencing with Section 2550) of Chapter 12 of Part 2 of Division 1 of Title 1, and the amount of state funding received from any of the items listed in Section 42605 that are contained in the annual Budget Act. The proportion of the school district's current expense of education that is required to be expended for payment of the salaries of classroom teachers pursuant to Section 41372 shall first be allocated to fund the teacher salary costs incurred to provide the courses required by the state.

SEC. 17. Section 42606 of the Education Code is amended to read:

42606. (a) A local educational agency, including a direct-funded charter school, may apply for any state categorical program funding included in the annual Budget Act on behalf of a school that begins operation in the 2008–09 to the 2012–13 fiscal years, inclusive, but only to the extent the school or local educational agency is eligible for funding and meets the provisions of the program that were in effect as of January 1, 2009, except that charter schools shall not apply for any of the programs contained in Section 47634.4.

(b) A local educational agency that establishes a new school by redirecting enrollment from its existing schools to the new school shall not be eligible to receive funding in addition to the amounts allocated pursuant to Section 42605 for the categorical programs specified in that section or for the class size reduction program pursuant to Sections 52122 and 52124.

(c) The Superintendent shall report the number of new schools and the programs that these schools are applying for, including an estimate of the cost for that year. This information shall be reported by November 11, 2009, and each fiscal year thereafter, to the appropriate committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance.

(d) Notwithstanding subdivision (a), for the 2010–11 fiscal year, the Superintendent shall allocate a supplemental categorical block grant to a charter school that began operation in the 2008–09, 2009–10, or 2010–11 fiscal year. The supplemental categorical block grant shall equal one hundred twenty-seven dollars (\$127) per unit of charter school average daily attendance as determined at the 2010–11 second principal apportionment. These supplemental categorical block grant funds may be used for any educational purpose. A locally funded charter school that converted from a preexisting school between the 2008–09 and 2010–11 fiscal years is not eligible for funding specified in this section. A charter school that receives funding pursuant to this subdivision shall not receive additional funding for programs specified in paragraph (2) of subdivision (a) of Section 42605, with the exception of the program funded pursuant to Item 6110-211-0001 of Section 2.00 of the annual Budget Act.

SEC. 18. Section 44396 of the Education Code is amended to read:

44396. (a) (1) To the extent that funds are available for that purpose, a teacher who meets the criteria approved by the state board pursuant to subdivision (b) of Section 44395 is eligible and may apply for an award by following the procedures and instructions developed pursuant to that subdivision.

(2) A teacher who attained certification from the National Board for Professional Teaching Standards before January 1, 1999, and who was employed by a school district or charter school and assigned to teach in a California public school on the date of certification may apply for an award authorized pursuant to this article if he or she meets all the other requirements for that award specified by this article. For awards pursuant to this subdivision, teaching service before July 1, 2000, may not be counted toward satisfaction of the teacher's four-year agreement to teach in a high-priority school.

(b) Teachers shall submit their applications for an award authorized by this article to the school district employing them. Teachers employed by a charter school shall submit their application through the school district granting the school's charter.

(c) The department shall approve applications submitted by school districts that meet the criteria established pursuant to subdivision (b) of Section 44395. To the extent funds are available, the department shall apportion funds to the appropriate school districts in the amount of the award authorized by Section 44395 for each approved application. The school district shall use funds apportioned to it pursuant to this subdivision to provide the amount of the award authorized by subdivision (a) of Section 44395 to each teacher whose application is approved.

SEC. 19. Section 47614.5 of the Education Code is amended to read:

47614.5. (a) The Charter School Facility Grant Program is hereby established and shall be administered by the department. The grant program is intended to provide assistance with facilities rent and lease costs for pupils in charter schools.

(b) Subject to the annual Budget Act, eligible schools shall receive an amount of up to, but not more than, seven hundred fifty dollars (\$750) per unit of average daily attendance, as certified at the second principal apportionment, to provide an amount of up to, but not more than, 75 percent of the annual facilities rent and lease costs for the charter school. In any fiscal year, if the funds appropriated for the purposes of this section by the annual Budget Act are insufficient to fund the approved amounts fully, the Superintendent shall apportion the available funds on a pro rata basis.

(c) For purposes of this section, the department shall do all of the following:

(1) Inform charter schools of the grant program.

(2) Upon application by a charter school, determine eligibility, based on the geographic location of the charter schoolsite, pupil eligibility for free or reduced price meals, and a preference in admissions, as appropriate. Eligibility for funding shall not be limited to the grade level or levels served by the school whose attendance area is used to determine eligibility. Charter schoolsites are eligible for funding pursuant to this section if the charter schoolsite meets either of the following conditions:

(A) The charter schoolsite is physically located in the attendance area of a public elementary school in which 70 percent or more of the pupil enrollment is eligible for free or reduced priced meals and the schoolsite

gives a preference in admissions to pupils who are currently enrolled in that public elementary school and to pupils who reside in the elementary school attendance area where the charter schoolsite is located.

(B) Seventy percent or more of the pupil enrollment at the charter schoolsite is eligible for free or reduced price meals.

(3) Inform charter schools of their grant eligibility.

(4) Allocate funding to charter schools for eligible expenditures in a timely manner.

(5) No later than June 30, 2005, report to the Legislature on the number of charter schools that have participated in the grant program pursuant to the expanded eligibility prescribed in paragraph (2). In addition, the report shall provide recommendations and suggestions on improving the grant program.

(d) Funds appropriated for purposes of this section shall not be apportioned for any of the following:

(1) Units of average daily attendance generated through nonclassroom-based instruction as defined by paragraph (2) of subdivision (d) of Section 47612.5 or that does not comply with conditions or limitations set forth in regulations adopted by the state board pursuant to this section.

(2) Charter schools occupying existing school district or county office of education facilities.

(3) Charter schools receiving reasonably equivalent facilities from their chartering authority pursuant to Section 47614.

(e) Funds appropriated for purposes of this section shall be used for costs associated with facilities rents and leases, consistent with the definitions used in the California School Accounting Manual. These funds also may be used for costs, including, but not limited to, costs associated with remodeling buildings, deferred maintenance, initially installing or extending service systems and other built-in equipment, and improving sites.

(f) If an existing charter school located in an elementary attendance area in which less than 50 percent of pupil enrollment is eligible for free or reduced price meals relocates to an attendance area identified in paragraph (2) of subdivision (c), admissions preference shall be given to pupils who reside in the elementary school attendance area into which the charter school is relocating.

(g) The Superintendent annually shall report to the state board regarding the use of funds that have been made available during the fiscal year to each charter school pursuant to the grant program.

(h) It is the intent of the Legislature that not less than eighteen million dollars (\$18,000,000) annually be appropriated for purposes of the grant program on the same basis as other elementary and secondary education categorical programs.

(i) The Superintendent shall annually allocate the facilities grants to eligible charter schools no later than October 1 of each fiscal year or 90 days after enactment of the annual Budget Act, whichever is later, for the current school year rent and lease costs. However, the department shall first

use the funding appropriated for this program to reimburse eligible charter schools for unreimbursed rent or lease costs for the prior school year.

SEC. 20. Section 47634.4 of the Education Code is amended to read:

47634.4. (a) A charter school that elects to receive its funding directly, pursuant to Section 47651, may apply individually for federal and state categorical programs, not excluded in this section, but only to the extent it is eligible for funding and meets the provisions of the program. For purposes of determining eligibility for, and allocation of, state or federal categorical aid, a charter school that applies individually shall be deemed to be a school district, except as otherwise provided in this chapter.

(b) A charter school that does not elect to receive its funding directly, pursuant to Section 47651, may, in cooperation with its chartering authority, apply for federal and state categorical programs not specified in this section, but only to the extent it is eligible for funding and meets the provisions of the program.

(c) Notwithstanding any other provision of law, for the 2006–07 fiscal year and each fiscal year thereafter, a charter school may not apply directly for categorical programs for which services are exclusively or almost exclusively provided by a county office of education.

(d) Consistent with subdivision (c), a charter school may not receive direct funding for any of the following county-administered categorical programs:

(1) American Indian Education Centers.

(2) The California Association of Student Councils.

(3) California Technology Assistance Project established pursuant to Article 15 (commencing with Section 51870) of Chapter 5 of Part 28.

(4) The Center for Civic Education.

(5) County Office Fiscal Crisis and Management Assistance Team.

(6) The K–12 High Speed Network.

(e) A charter school may apply separately for district-level or school-level grants associated with any of the categorical programs specified in subdivision (d).

(f) Notwithstanding any other provision of law, for the 2006–07 fiscal year and each fiscal year thereafter, in addition to the programs listed in subdivision (d), a charter school may not apply for any of the following categorical programs:

(1) Agricultural Career Technical Education Incentive Program, as set forth in Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28.

(2) Bilingual Teacher Training Assistance Program, as set forth in Article 4 (commencing with Section 52180) of Chapter 7 of Part 28.

(3) California Peer Assistance and Review Program for Teachers, as set forth in Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25.

(4) College preparation programs, as set forth in Chapter 12 (commencing with Section 11020) of Part 7, Chapter 8.3 (commencing with Section 52240) of Part 28, and Chapter 8 (commencing with Section 60830) of Part 33.

- (5) Foster youth programs pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24.
- (6) Gifted and talented pupil programs pursuant to Chapter 8 (commencing with Section 52200) of Part 28.
- (7) Home-to-school transportation programs, as set forth in Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5 and Article 10 (commencing with Section 41850) of Chapter 5 of Part 24.
- (8) International Baccalaureate Diploma Program, as set forth in Chapter 12.5 (commencing with Section 52920) of Part 28.
- (9) Mathematics and Reading Professional Development Program, as set forth in Article 3 (commencing with Section 99230) of Chapter 5 of Part 65.
- (10) Principal Training Program, as set forth in Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25.
- (11) Professional Development Block Grant, as set forth in Article 5 (commencing with Section 41530) of Chapter 3.2 of Part 24.
- (12) Program to Reduce Class Size in Two Courses in Grade 9 (formerly The Morgan-Hart Class Size Reduction Act of 1989), as set forth in Chapter 6.8 (commencing with Section 52080) of Part 28.
- (13) Pupil Retention Block Grant, as set forth in Article 2 (commencing with Section 41505) of Chapter 3.2 of Part 24.
- (14) Reader services for blind teachers, as set forth in Article 8.5 (commencing with Section 45370) of Chapter 5 of Part 25.
- (15) School and Library Improvement Block Grant, as set forth in Article 7 (commencing with Section 41570) of Chapter 3.2 of Part 24.
- (16) School Safety Consolidated Competitive Grant, as set forth in Article 3 (commencing with Section 41510) of Chapter 3.2 of Part 24.
- (17) School safety programs, as set forth in Article 3.6 (commencing with Section 32228) and Article 3.8 (commencing with Section 32239.5) of Chapter 2 of Part 19.
- (18) Specialized secondary schools pursuant to Chapter 6 (commencing with Section 58800) of Part 31.
- (19) State Instructional Materials Fund, as set forth in Article 3 (commencing with Section 60240) of Chapter 2 of Part 33.
- (20) Targeted Instructional Improvement Block Grant, as set forth in Article 6 (commencing with Section 41540) of Chapter 3.2 of Part 24.
- (21) Teacher dismissal apportionment, as set forth in Section 44944.
- (22) The deferred maintenance program, as set forth in Article 1 (commencing with Section 17565) of Chapter 5 of Part 10.5.
- (23) The General Fund contribution to the State Instructional Materials Fund pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33.
- (24) Year-Round School Grant Program, as set forth in Article 3 (commencing with Section 42260) of Chapter 7 of Part 24.

SEC. 21. Section 48260.5 of the Education Code is amended to read:

48260.5. Upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent or guardian using the most

cost-effective method possible, which may include electronic mail or a telephone call:

- (a) That the pupil is truant.
- (b) That the parent or guardian is obligated to compel the attendance of the pupil at school.
- (c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.
- (d) That alternative educational programs are available in the district.
- (e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- (f) That the pupil may be subject to prosecution under Section 48264.
- (g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the Vehicle Code.
- (h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

SEC. 22. Section 48262 of the Education Code is amended to read:

48262. Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261. For purposes of this section, a conscientious effort means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.

SEC. 23. Section 52055.770 of the Education Code is amended to read:

52055.770. (a) School districts and chartering authorities shall receive funding at the following rate, on behalf of funded schools:

- (1) For kindergarten and grades 1 to 3, inclusive, five hundred dollars (\$500) per enrolled pupil in funded schools.
- (2) For grades 4 to 8, inclusive, nine hundred dollars (\$900) per enrolled pupil in funded schools.
- (3) For grades 9 to 12, inclusive, one thousand dollars (\$1,000) per enrolled pupil in funded schools.

(b) For purposes of subdivision (a), enrollment of a pupil in a funded school in the prior fiscal year shall be based on data from the CBEDS. For the 2007–08 fiscal year, the funded rates shall be reduced to reflect the percentage difference in the total amounts appropriated for purposes of this section in that year compared to the amounts appropriated for purposes of this section in the 2008–09 fiscal year.

(c) The following amounts are hereby appropriated from the General Fund for the purposes set forth in subdivision (f):

- (1) For the 2007–08 fiscal year, three hundred million dollars (\$300,000,000), to be allocated as follows:

(A) Thirty-two million dollars (\$32,000,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to community colleges for the purpose of providing funding to the community colleges to improve and expand career technical education in public secondary education and lower division public higher education pursuant to Section 88532, including the hiring of additional faculty to expand the number of career technical education programs and course offerings.

(B) Two hundred sixty-eight million dollars (\$268,000,000) for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent pursuant to this article.

(2) For each of the 2008–09, and 2011–12 to 2014–15 fiscal years, inclusive, four hundred fifty million dollars (\$450,000,000) per fiscal year, to be allocated as follows:

(A) Forty-eight million dollars (\$48,000,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to community colleges as required under subdivision (e).

(B) Four hundred two million dollars (\$402,000,000) for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent pursuant to this article.

(3) For the 2009–10 fiscal year, thirty million dollars (\$30,000,000), to be allocated for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to community colleges as required under subdivision (e).

(4) For the 2010–11 fiscal year, four hundred twenty million dollars (\$420,000,000), to be allocated as follows:

(A) Eighteen million dollars (\$18,000,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to community colleges as required under subdivision (e).

(B) Four hundred two million dollars (\$402,000,000) for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent pursuant to this article.

(C) Commencing with the 2010–11 fiscal year, payments made pursuant to subparagraphs (A) and (B) shall be made only on or after October 8 of each fiscal year.

(d) For the 2013–14 fiscal year the amounts appropriated under subdivision (c) shall be adjusted to reflect the total fiscal settlement agreed to by the parties in California Teachers Association, et al. v. Arnold Schwarzenegger (Case Number 05CS01165 of the Superior Court for the County of Sacramento) and the sum of all fiscal years of funding provided to fund this article shall not exceed the total funds agreed to by those parties. This annual appropriation shall continue to be made until the Director of Finance reports to the Legislature, along with all proposed adjustments to the Governor’s Budget pursuant to Section 13308 of the Government Code, that the sum of appropriations made and allocated pursuant to subdivision

(c) equals the total outstanding balance of the minimum state educational funding obligation to school districts and community college districts required by Section 8 of Article XVI of the California Constitution and Chapter 213 of the Statutes of 2004 for the 2004–05 and 2005–06 fiscal years, as determined in subdivision (a) or (b) of Section 41207.1.

(e) The sum transferred under subparagraph (A) of paragraph (2) of subdivision (c) for the 2008–09 fiscal year shall be allocated by the Chancellor of the California Community Colleges as follows:

(1) Thirty-eight million dollars (\$38,000,000) to the community colleges for the purpose of providing funding to the community colleges to improve and expand career technical education in public secondary education and lower division public higher education pursuant to Section 88532, including the hiring of additional faculty to expand the number of career technical education programs and course offerings.

(2) Ten million dollars (\$10,000,000) to the community colleges for the purpose of providing one-time block grants to community college districts to be used for one-time items of expenditure, including, but not limited to, the following purposes:

(A) Physical plant, scheduled maintenance, deferred maintenance, and special repairs.

(B) Instructional materials and support.

(C) Instructional equipment, including equipment related to career-technical education, with priority for nursing program equipment.

(D) Library materials.

(E) Technology infrastructure.

(F) Hazardous substances abatement, cleanup, and repair.

(G) Architectural barrier removal.

(H) State-mandated local programs.

(3) The Chancellor of the California Community Colleges shall allocate the amount allocated pursuant to paragraph (2) to community college districts on an equal amount per actual full-time-equivalent student (FTES) reported for the prior fiscal year, except that each community college district shall be allocated an amount not less than fifty thousand dollars (\$50,000), and the equal amount per unit of FTES shall be computed accordingly.

(4) Funds allocated under paragraph (2) shall supplement and not supplant existing expenditures and may not be counted as the district contribution for physical plant projects and instructional material purchases funded in Item 6870-101-0001 of Section 2.00 of the annual Budget Act.

(f) For each fiscal year, commencing with the 2011–12 fiscal year, to the 2014–15 fiscal year, inclusive, the sum transferred pursuant to subparagraph (A) of paragraph (2) of subdivision (c) shall be allocated by the Chancellor of the California Community Colleges as follows: Forty-eight million dollars (\$48,000,000) to the community colleges for the purpose of providing funding to the community colleges to improve and expand career technical education in public secondary education and lower division public higher education pursuant to Section 88532, including the hiring of additional

faculty to expand the number of career technical education programs and course offerings.

(g) The appropriations made under subdivision (c) are for the purpose of discharging in full the minimum state educational funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution and Chapter 213 of the Statutes of 2004 for the 2004–05 fiscal year, and the outstanding maintenance factor for the 2005–06 fiscal year resulting from this additional payment of the Chapter 213 amount for the 2004–05 fiscal year.

(h) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, including computation of the state’s minimum funding obligation to school districts and community college districts in subsequent fiscal years, the first one billion six hundred twenty million nine hundred twenty-eight thousand dollars (\$1,620,928,000) in appropriations made pursuant to subdivision (c) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 and “General Fund Revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202, for the 2004–05 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for that fiscal year. The remaining appropriations made pursuant to subdivision (c) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 and “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202, for the 2005–06 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for that fiscal year.

(i) From funds appropriated under subdivision (c), the Superintendent shall provide both of the following:

(1) Not more than two million dollars (\$2,000,000) annually to county superintendents of schools to carry out the requirements of this article, allocated in a manner similar to that created to carry out the new duties of those superintendents under the settlement agreement in the case of *Williams v. California* (Super. Ct. San Francisco, No. CGC-00-312236).

(2) Five million dollars (\$5,000,000) in the 2007–08 fiscal year to support regional assistance under Section 52055.730. It is the intent of the Legislature that the Superintendent and the secretary, along with county offices of education, seek foundational and other financial support to sustain and expand these services. Funds provided under this paragraph that are not expended in the 2007–08 fiscal year shall be reappropriated for use in subsequent fiscal years for the same purpose.

(j) Notwithstanding any other provision of law, funds appropriated under subdivision (c) but not allocated to schools with kindergarten or grades 1 to 12, inclusive, in a fiscal year, due to program termination in any year or

otherwise, shall be available for reappropriation only in furtherance of the purposes of this article. First priority for those amounts shall be to provide cost-of-living increases and enrollment growth adjustments to funded schools.

(k) The sum of three hundred fifty thousand dollars (\$350,000) is hereby appropriated from the General Fund to the State Department of Education to fund 3.0 positions to implement this article. Funding provided under this subdivision is not part of funds provided pursuant to subdivision (c).

SEC. 24. Section 54021.1 is added to the Education Code, to read:

54021.1. (a) The Superintendent shall make the following calculations for each school district:

(1) For the 2010–11 fiscal year, after calculating the economic impact aid allocation of each school district based on Section 54022, the Superintendent shall add to that allocation the amount the school district received, based on Section 404, for the English Language Acquisition Program in the 2009–10 fiscal year. A school district shall expend the funds added pursuant to this subdivision consistent with the parameters described in Section 54025 or Section 400, as it read on January 1, 2010.

(2) The Superintendent shall divide the total amount provided to each school district in the 2010–11 fiscal year pursuant to paragraph (1) by the district's total number of economic impact aid-eligible pupils in the 2010–11 fiscal year, calculated pursuant to Section 54023.

(b) For the 2011–12 fiscal year, the amount calculated in subdivision (a) shall be the prior fiscal year economic impact aid per pupil amount for purposes of Section 54022.

SEC. 25. Section 54021.2 is added to the Education Code, to read:

54021.2. (a) Commencing with the 2010–11 fiscal year and each fiscal year thereafter, a juvenile court school operated by a county superintendent of schools shall be eligible to receive economic impact aid funding.

(b) For the 2010–11 fiscal year, the Superintendent shall allocate to each juvenile court school operated by a county superintendent of schools the product of its economic impact aid-eligible pupil count calculated pursuant to Section 54023 multiplied by the current year economic impact aid statewide average per pupil rate for school districts based on subdivision (b) of Section 54021.1.

(c) For the 2011–12 fiscal year, the Superintendent shall determine the allocation of each juvenile court school operated by a county superintendent of schools pursuant to the formulas described in Section 54022.

SEC. 26. Section 54026 of the Education Code is amended to read:

54026. For purposes of this article, the following definitions apply:

(a) “Economically disadvantaged pupils” means either of the following, whichever is applicable:

(1) Pupils described in Section 101 of Title I of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6333(c)(1)(A)(B)). Counts of the pupils described in this paragraph shall be the counts used in the current year apportionment calculations for purposes of Title I of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

(2) (A) Notwithstanding paragraph (1), for a small school district and for a juvenile court school operated by a county superintendent of schools, the product of the number of pupils eligible for participation in the free meals program for the prior fiscal year, as defined in subdivision (d), and the free meals adjustment factor. The free meals adjustment factor is the quotient, rounded to two decimal places, resulting from dividing the statewide total of economically disadvantaged pupils as defined in paragraph (1) by the statewide total of pupils eligible for participation in the free meals program for the prior fiscal year, as defined in subdivision (d).

(B) Notwithstanding paragraph (1) or subparagraph (A), for charter schools that are funded through the block grant funding model pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 in the 2006–07 fiscal year, the department shall use counts as of October 2006 of pupils 5 to 17 years of age, inclusive, who are living with families whose annual income is at or below the federal poverty guideline, as collected through the first principal apportionment data collection process, as defined in Section 41601. Commencing in the 2007–08 fiscal year, the Superintendent shall use counts as of October of the prior year of pupils 5 to 17 years of age, inclusive, who are living with families whose annual income is at or below the federal poverty guideline, as collected through the first principal apportionment data collection process, as defined in Section 41601. For purposes of this subdivision, the department may use in the first year of operation of a charter school that is established on or after July 1, 2007, the current year counts of pupils 5 to 17 years of age, inclusive, who are living with families whose annual income is at or below the federal poverty guideline.

(C) The Superintendent may expand upon an existing process of collecting free or reduced price meal data in order to collect from small districts, as defined in subdivision (c), counts of pupils living with families whose annual income is at or below the federal poverty guideline.

(b) “English learner” means a pupil described in subdivision (a) of Section 306 or identified as a pupil of limited English proficiency, as that term is defined in subdivision (m) of Section 52163. Counts of the pupils described in this subdivision shall be the counts reported in the prior year language census.

(c) “Small school district” means a school district that has an annual enrollment of less than 600 pupils based on prior school year CBEDS data and is, for the purposes of this section, designated a rural school by the Superintendent based on the appropriate school locale codes, as used by the National Center for Education Statistics of the United States Department of Education.

(d) “Free meals” means the aggregate number of pupils meeting the income eligibility guidelines established by the federal government for free meals as reported for all schools for which the district is the authorizing agency.

(e) For purposes of subparagraph (B) of paragraph (2) of subdivision (a), the count of economically disadvantaged pupils for a charter school that is

operated pursuant to Section 47612.1 shall be calculated without regard to the age of the pupil. A pupil who resides in program housing shall be considered a family of one.

SEC. 27. Section 56523 of the Education Code is amended to read:

56523. (a) On or before September 1, 1992, the Superintendent shall develop and the board shall adopt regulations governing the use of behavioral interventions with individuals with exceptional needs receiving special education and related services.

(b) This section and the implementing regulations adopted by the board are declaratory of federal law and deemed necessary to implement the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and associated federal regulations. This section is intended to provide the clarity, definition, and specificity necessary for local educational agencies to comply with the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.). This section, including the implementing state regulations needed to implement federal law and regulations, shall not exceed the requirements of federal law, create new or separate state requirements, or result in a level of state service beyond that needed to comply with federal law and regulations.

(c) As a condition of receiving funding from the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), a local educational agency shall agree to adhere to implementing federal regulations and state regulations set forth in this section.

(d) The Superintendent may monitor local educational agency compliance with this section and may take appropriate action, including fiscal repercussions, if either of the following is found:

(1) The local educational agency failed to comply with this section and implementing regulations that govern the provision of special education and related services to individuals with exceptional needs and failed to comply substantially with corrective action orders issued by the department resulting from monitoring findings or complaint investigations.

(2) The local educational agency failed to implement the decision of a due process hearing officer based on noncompliance with this part, the state implementing regulations, provisions of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or the federal implementing regulations, wherein noncompliance resulted in the denial of, or impeded the delivery of, a free appropriate public education for an individual with exceptional needs.

(e) Commencing with the 2010–11 fiscal year, if any activities authorized pursuant to this section and implementing regulations are found to be a state reimbursable mandate pursuant to Section 6 of Article XIII B of the California Constitution, state funding provided for purposes of special education pursuant to Item 6110-161-0001 of Section 2.00 of the annual Budget Act shall first be used to directly offset any mandated costs.

(f) Contingent on the adoption of a statute in the 2009–10 Regular Session that adds Section 17570.1 to the Government Code, the Legislature hereby requests the Department of Finance on or before December 31, 2010, to

exercise its authority pursuant to subdivision (c) of Section 17570 of the Government Code and file a request with the Commission on State Mandates for the purpose of seeking the adoption of a new test claim to supersede CSM-4464 based on subsequent changes in law that may modify a requirement that the state reimburse a local government for a state mandate.

(g) The regulations shall do all of the following:

(1) Specify the types of positive behavioral interventions which may be utilized and specify that interventions which cause pain or trauma are prohibited.

(2) Require that, if appropriate, the pupil's individual education plan includes a description of the positive behavioral interventions to be utilized which accomplishes the following:

(A) Assesses the appropriateness of positive interventions.

(B) Assures the pupil's physical freedom, social interaction, and individual choices.

(C) Respects the pupil's human dignity and personal privacy.

(D) Assures the pupil's placement in the least restrictive environment.

(E) Includes the method of measuring the effectiveness of the interventions.

(F) Includes a timeline for the regular and frequent review of the pupil's progress.

(3) Specify standards governing the application of restrictive behavioral interventions in the case of emergencies. These emergencies must pose a clear and present danger of serious physical harm to the pupil or others. These standards shall include:

(A) The definition of an emergency.

(B) The types of behavioral interventions that may be utilized in an emergency.

(C) The duration of the intervention which shall not be longer than is necessary to contain the dangerous behavior.

(D) A process and timeline for the convening of an individual education plan meeting to evaluate the application of the emergency intervention and adjust the pupil's individual education plan in a manner designed to reduce or eliminate the negative behavior through positive programming.

(E) A process for reporting annually to the department and the Advisory Commission on Special Education the number of emergency interventions applied under this chapter.

SEC. 28. Chapter 3.5 (commencing with Section 66150) is added to Part 40 of Division 5 of Title 3 of the Education Code, to read:

CHAPTER 3.5. STUDENT-IMPOSED ATHLETICS FEES

66150. The following definitions govern the construction of this chapter:

(a) "Student body organization" means an entity formed or operating pursuant to Section 89300 or a student body organization that is established at a campus of the University of California.

(b) “Student-imposed athletics fee” means a fee proposed by the governing body of a student body organization, and imposed or increased pursuant to approval by a vote of a majority of the registered students voting in an election at a campus, branch, or location of the California State University or the University of California, for the purposes of supporting intercollegiate athletics programs at that institution.

66152. (a) The Trustees of the California State University shall not, and the Regents of the University of California are requested not to, allocate any student-imposed athletics fees that are collected from registered students for purposes of supporting intercollegiate athletics programs for any purpose that is not and in the amounts that is not approved pursuant to the election approving the fees.

(b) At the end of each academic year, the Trustees of the California State University shall, and the Regents of the University of California are requested to, refund to each fee-paying student a pro rata share of any portion of the student-imposed athletics fee that is collected and is not allocated for the approved purposes during that academic year.

SEC. 29. Section 84043 of the Education Code is amended to read:

84043. (a) (1) Notwithstanding any other provision of law, and unless otherwise prohibited under federal law, for the 2009–10 to 2012–13 fiscal years, inclusive, community college districts may use funding received, pursuant to subdivision (b), from any of the programs listed in paragraph (2) that are contained in Item 6870-101-0001 of Section 2.00 of the annual Budget Act, for the purposes of any of the programs contained in Schedule (2) and Schedules (4) to (23), inclusive, of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2009.

- (2) (A) Apprenticeship.
- (B) Matriculation.
- (C) Academic Senate for the Community Colleges.
- (D) Equal Employment Opportunity.
- (E) Part-time Faculty Health Insurance.
- (F) Part-time Faculty Compensation.
- (G) Part-time Faculty Office Hours.
- (H) Economic Development.
- (I) Transfer Education and Articulation.
- (J) Physical Plant and Instructional Support.
- (K) Campus Childcare Tax Bailout.

(b) For the 2009–10 to 2012–13 fiscal years, inclusive, the chancellor shall apportion from the amounts provided in the annual Budget Act for the programs enumerated in paragraph (2) of subdivision (a), an amount to a community college district, based on the same relative proportion that the district received in the 2008–09 fiscal year for the programs enumerated in paragraph (2) of subdivision (a). The amounts allocated shall be adjusted for any greater or lesser amount appropriated for the items enumerated in paragraph (2) of subdivision (a).

(c) (1) This section does not obligate the state to refund or repay reductions made pursuant to this section. A decision by a district to reduce

funding pursuant to this section for a state-mandated local program shall constitute a waiver of the subvention of funds that the district is otherwise entitled to pursuant to Section 6 of Article XIII B of the California Constitution on the amount so reduced.

(2) If a community college district elects to use funding received pursuant to subdivision (b) in the manner authorized pursuant to subdivision (a), the governing board of the district shall, at a regularly scheduled open public hearing, take testimony from the public, discuss, and shall approve or disapprove the proposed use of funding.

(3) (A) If a community college district elects to use funding received pursuant to subdivision (b) in the manner authorized pursuant to subdivision (a), the district shall continue to report the expenditures pursuant to this section by using the appropriate codes to indicate the activities for which these funds were expended using the existing standard reporting process as determined by the chancellor.

(B) The chancellor shall collect the information in subparagraph (A) and shall provide that information to the Department of Finance and to the appropriate policy and budget committees of the Legislature on or before April 15, 2010, and annually thereafter by April 15 of each year, through 2014.

(d) For the 2009–10 to 2012–13 fiscal years, inclusive, community college districts that elect to use funding in the manner authorized pursuant to subdivision (a) shall be deemed to be in compliance with the program and funding requirements contained in statutory, regulatory, and provisional language, associated with the programs enumerated in subdivision (a).

SEC. 30. Section 84321.5 of the Education Code is amended to read:

84321.5. (a) Notwithstanding any other law, commencing with the 2004–05 fiscal year, warrants for the principal apportionments for the month of June, for general apportionments in the amount of two hundred million dollars (\$200,000,000), shall instead be drawn in July of the same calendar year pursuant to the certification made under Section 84320.

(b) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202, for the fiscal year in which the warrants are drawn, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the fiscal year in which the warrants are drawn.

(c) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.

SEC. 31. Section 84321.6 is added to the Education Code, to read:

84321.6. (a) Notwithstanding any other law that governs the regulations adopted by the Chancellor of the California Community Colleges to disburse

funds, the payment of apportionments to districts pursuant to Sections 84320, 84321, and 84321.5 shall be adjusted by the following:

(1) For the month of June, two hundred million dollars (\$200,000,000) shall be deferred to July. This paragraph is operative commencing with the 2004–05 fiscal year. Commencing with the 2010–11 fiscal year and each fiscal year thereafter, the amount deferred pursuant to this paragraph shall be increased by twenty-one million five hundred thousand dollars (\$21,500,000).

(2) For the months of January and February, one hundred fifteen million dollars (\$115,000,000) in each month, and the months of March and April, in the amounts of fifty-five million dollars (\$55,000,000) in each month, shall be deferred to July. The total amount of these payments deferred to the month of July shall be three hundred forty million dollars (\$340,000,000). This paragraph is operative commencing with the 2008–09 fiscal year. Commencing with the 2010–11 fiscal year and each fiscal year thereafter, the amount deferred pursuant to this paragraph shall be increased by eighty-six million dollars (\$86,000,000), to be split equally among the four months.

(3) For the months of April and May, eighty-one million five hundred thousand dollars (\$81,500,000) in each month, shall be deferred to July. The total amount of these payments deferred to the month of July shall be one hundred sixty-three million dollars (\$163,000,000). This paragraph is operative commencing with the 2009–10 fiscal year. Commencing with the 2010–11 fiscal year and each fiscal year thereafter, the amount deferred from the month of May to July, inclusive, pursuant to this paragraph shall be increased by twenty-one million five hundred thousand dollars (\$21,500,000).

(b) The sum of eight hundred thirty-two million dollars (\$832,000,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for apportionments to community college districts, for expenditure during the 2011–12 fiscal year, to be expended in accordance with Schedule (1) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2010.

(c) The disbursement of funds appropriated in subdivision (b) shall be made in July of the 2011–12 fiscal year and is in satisfaction of the moneys deferred pursuant to subdivision (a).

(d) The sum of twenty-five million dollars (\$25,000,000) is hereby appropriated from the General Fund to the Chancellor of the California Community Colleges for the economic development program to be expended consistent with the requirements for that program specified in Schedule (16) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2010. Of the amount appropriated in this subdivision, twenty-five million dollars (\$25,000,000) shall be deferred commencing with the 2010–11 fiscal year to July of the following fiscal year. These funds are available for the purpose of maintaining existing, and creating new, workforce training programs. The chancellor's office shall allocate funds on a competitive basis to districts demonstrating an ability to offer workforce training in green technology,

nursing, allied health, and other industry sectors in demand of high-skilled workers.

(e) The sum of thirty-five million dollars (\$35,000,000) is hereby appropriated from the General Fund to the Chancellor of the California Community Colleges to be allocated for Schedules (2), (4), (6), (7), (9), (11), (12), (13), (14), (15), (16), (17), (19), (20), (22), and (23) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2010. The funds shall be allocated in proportion to reductions made to the same programs in the Budget Act of 2009 and shall be expended consistent with the requirements specified for each program, unless otherwise authorized. The amount appropriated in this subdivision shall be deferred commencing with the 2010–11 fiscal year to July of the following fiscal year.

(f) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivisions (b), (d), and (e) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202, for the 2011–12 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2011–12 fiscal year.

(g) This section shall become operative on January 1, 2011.

SEC. 32. Section 92612.5 of the Education Code is repealed.

SEC. 33. Section 99221.5 is added to the Education Code, to read:

99221.5. (a) The Regents of the University of California are requested to authorize the President of the University of California or his or her designee to jointly develop English Language Development Professional Institutes with the Chancellor of the California State University, the Chancellor of the California Community Colleges, the independent colleges and universities, and the Superintendent, or their designees. In order to provide maximum access, the institutes shall be offered at sites widely distributed throughout the state, which shall include programs offered through instructor-led, interactive online courses, in accordance with existing state law. In order to maximize access to teachers and administrators who may be precluded from participating in an onsite institute due to geographical, physical, or time constraints, each institute shall accommodate at least 5 percent of the participants through existing state-approved online instructor-led courses, programs, or both. The California subject matter projects, an intersegmental, discipline-based professional development network administered by the University of California, is requested to be the organizing entity for the institutes and followup programs.

(b) (1) The institutes shall provide instruction for school teams from each school participating in the program established pursuant to this section. The institutes may provide instruction for school teams serving English language learners in kindergarten and grades 1 to 12, inclusive. A school team shall include teachers who do not hold crosscultural or bilingual-crosscultural certificates or their equivalents, teachers who hold those certificates or their equivalents, and a schoolsite administrator. The

majority of the team shall be teachers who do not hold those crosscultural certificates or their equivalents. If the participating school team employs instructional assistants who provide instructional services to English language learners, the team may include these instructional assistants.

(2) Commencing in July 2000, the English Language Development Institutes shall provide instruction to an additional 10,000 participants. These participants shall be in addition to the 5,000 participants authorized as of January 1, 2000. Commencing July 2001, and each fiscal year thereafter, the number of participants receiving instruction through the English Language Development Institutes shall be specified in the annual Budget Act.

(3) Criteria and priority for selection of participating school teams shall include, but not necessarily be limited to, all of the following:

(A) Schools whose pupils' reading scores are at or below the 40th percentile on the English language arts portion of the achievement test authorized by Section 60640.

(B) Schools in which a high percentage of pupils score below grade level on the English language development assessment authorized by Section 60810, when it is developed.

(C) Schools with a high number of new, underprepared, and noncredentialed teachers. Underprepared teachers shall be defined as teachers who do not possess a crosscultural or bilingual-crosscultural certificate, or their equivalents.

(D) Schools in which the enrollment of English language learners exceeds 25 percent of the total school enrollment.

(E) Schools with a full complement of team members as described in paragraph (1).

(4) In any fiscal year, if funding is inadequate to accommodate the participation of all eligible school teams, first priority shall be given to schools meeting the criteria set forth in subparagraph (C) of paragraph (3).

(c) Each team member who satisfactorily completes an institute authorized by this section shall receive a stipend, commensurate with the duration of the institute, of not less than one thousand dollars (\$1,000) nor more than two thousand dollars (\$2,000), as determined by the University of California.

(d) Instruction provided by the institutes shall be consistent with state-adopted academic content standards and with the English language development standards adopted pursuant to Section 60811.

(e) (1) Instruction at the institutes shall consist of an intensive, sustained training period of no less than 40 hours nor more than 80 hours during the summer or during an intersession break or an equivalent instructor-led, online course and shall be supplemented during the following school year with no fewer than 80 hours nor more than 120 hours of instruction and schoolsite meetings, held on at least a monthly basis, to focus on the academic progress of English language learners at that school.

(2) Instruction at the institutes shall be of sufficient scope, depth, and duration to fully equip instructional personnel to offer a comprehensive and rigorous instructional program for English language learners and to assess

pupil progress so these pupils can meet the academic content and performance standards adopted by the state board. The instruction shall be designed to increase the capacity of teachers and other school personnel to provide and assess standards-based instruction for English language learners.

(3) The instruction shall be multidisciplinary and focus on instruction in disciplines for which the state board has adopted academic content standards. The instruction shall also be research-based and provide effective models of professional development in order to ensure that instructional personnel increase their skills, at a minimum, in all of the following:

(A) Literacy instruction and assessment for diverse pupil populations, including instruction in the teaching of reading that is research-based and consistent with the balanced, comprehensive strategies required under Section 44757.

(B) English language development and second language acquisition strategies.

(C) Specially designed instruction and assessment in English.

(D) Application of appropriate assessment instruments to assess language proficiency and utilization of benchmarks for reclassification of pupils from English language learners to fully English proficient.

(E) Examination of pupil work as a basis for the alignment of standards, instruction, and assessment.

(F) Use of appropriate instructional materials to assist English language learners to attain academic content standards.

(G) Instructional technology and its integration into the school curriculum for English language learners.

(H) Parent involvement and effective practices for building partnerships with parents.

(f) A local educational agency may use its economic impact aid funds for purposes of this section.

(g) It is the intent of the Legislature that a local educational agency or postsecondary institution that offers an accredited program of professional preparation consider providing partial and proportional credit toward satisfaction of the course requirements to an enrolled candidate who satisfactorily completes a California English Language Development Institute program if the program has been certified by the Commission on Teacher Credentialing as meeting preparation standards.

(h) This section does not prohibit a team member from attending an institute authorized by this section in more than one academic year.

(i) This section shall not apply to the University of California unless and until the Regents of the University of California act, by resolution, to make it applicable.

SEC. 34. Section 17581.5 of the Government Code is amended to read:

17581.5. (a) A school district or community college district shall not be required to implement or give effect to the statutes, or a portion of the statutes, identified in subdivision (c) during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if all of the following apply:

(1) The statute or a portion of the statute, has been determined by the Legislature, the commission, or any court to mandate a new program or higher level of service requiring reimbursement of school districts or community college districts pursuant to Section 6 of Article XIII B of the California Constitution.

(2) The statute, or a portion of the statute, or the test claim number utilized by the commission, specifically has been identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. For purposes of this paragraph, a mandate shall be considered specifically to have been identified by the Legislature only if it has been included within the schedule of reimbursable mandates shown in the Budget Act and it specifically is identified in the language of a provision of the item providing the appropriation for mandate reimbursements.

(b) Within 30 days after enactment of the Budget Act, the Department of Finance shall notify school districts of any statute or executive order, or portion thereof, for which reimbursement is not provided for the fiscal year pursuant to this section.

(c) This section applies only to the following mandates:

(1) School Bus Safety I (CSM-4433) and II (97-TC-22) (Chapter 642 of the Statutes of 1992; Chapter 831 of the Statutes of 1994; and Chapter 739 of the Statutes of 1997).

(2) County Treasury Withdrawals (96-365-03; and Chapter 784 of the Statutes of 1995 and Chapter 156 of the Statutes of 1996).

(3) Grand Jury Proceedings (98-TC-27; and Chapter 1170 of the Statutes of 1996, Chapter 443 of the Statutes of 1997, and Chapter 230 of the Statutes of 1998).

(4) Law Enforcement Sexual Harassment Training (97-TC-07; and Chapter 126 of the Statutes of 1993).

(5) Health Benefits for Survivors of Peace Officers and Firefighters (Chapter 1120 of the Statutes of 1996 and 97-TC-25).

(d) This section applies to the following mandates for the 2010–11, 2011–12, and 2012–13 fiscal years only:

(1) Removal of Chemicals (Chapter 1107 of the Statutes of 1984 and CSM 4211 and 4298).

(2) Scoliosis Screening (Chapter 1347 of the Statutes of 1980 and CSM 4195).

(3) Pupil Residency Verification and Appeals (Chapter 309 of the Statutes of 1995 and 96-384-01).

(4) Integrated Waste Management (Chapter 1116 of the Statutes of 1992 and 00-TC-07).

(5) Law Enforcement Jurisdiction Agreements (Chapter 284 of the Statutes of 1998 and 98-TC-20).

(6) Physical Education Reports (Chapter 640 of the Statutes of 1997 and 98-TC-08).

SEC. 35. Section 38 of Chapter 12 of the Third Extraordinary Session of the Statutes of 2009 is amended to read:

Sec.38. (a) The sum of five hundred sixty-five million seven hundred forty-four thousand dollars (\$565,744,000) is hereby appropriated from the General Fund to the State Department of Education. This appropriation reflects the portion of the February 2010 payment for the class size reduction in kindergarten and grades 1 to 3, inclusive, and the June 2010 principal apportionment that is to be deferred until July 2010 and attributed to the 2010–11 fiscal year. Notwithstanding any other law, the department shall encumber the funds appropriated in this section by July 31, 2010. It is the intent of the Legislature that, by extending the encumbrance authority for the funds appropriated in this section to July 31, 2010, the funds will be treated in a manner consistent with Section 1.80 of the Budget Act of 2009. The appropriation is made in accordance with the following schedule:

(1) Six million two hundred twenty-seven thousand dollars (\$6,227,000) for apprenticeship programs to be expended consistent with the requirements specified in Item 6110-103-0001 of Section 2.00 of the Budget Act of 2009.

(2) Ninety million one hundred seventeen thousand dollars (\$90,117,000) for supplemental instruction to be expended consistent with the requirements specified in Item 6110-104-0001 of Section 2.00 of the Budget Act of 2009. Of the amount appropriated by this paragraph, fifty-one million sixty-one thousand dollars (\$51,061,000) shall be expended consistent with Schedule (1) of Item 6110-104-0001 of Section 2.00 of the Budget Act of 2009, twelve million three hundred thirty thousand dollars (\$12,330,000) shall be expended consistent with Schedule (2) of that item, four million six hundred ninety thousand dollars (\$4,690,000) shall be expended consistent with Schedule (3) of that item, and twenty-two million thirty-six thousand dollars (\$22,036,000) shall be expended consistent with Schedule (4) of that item.

(3) Thirty-nine million six hundred thirty thousand dollars (\$39,630,000) for regional occupational centers and programs to be expended consistent with the requirements specified in Schedule (1) of Item 6110-105-0001 of Section 2.00 of the Budget Act of 2009.

(4) Four million two hundred ninety-four thousand dollars (\$4,294,000) for the Gifted and Talented Pupil Program to be expended consistent with the requirements specified in Item 6110-124-0001 of Section 2.00 of the Budget Act of 2009.

(5) Forty-five million eight hundred ninety-six thousand dollars (\$45,896,000) for adult education to be expended consistent with the requirements specified in Schedule (1) of Item 6110-156-0001 of Section 2.00 of the Budget Act of 2009.

(6) Four million seven hundred fifty-one thousand dollars (\$4,751,000) for community day schools to be expended consistent with the requirements specified in Item 6110-190-0001 of Section 2.00 of the Budget Act of 2009.

(7) Five million nine hundred forty-seven thousand dollars (\$5,947,000) for categorical block grants for charter schools to be expended consistent with the requirements specified in Item 6110-211-0001 of Section 2.00 of the Budget Act of 2009.

(8) Thirty-eight million seven hundred twenty thousand dollars (\$38,720,000) for the School Safety Block Grant to be expended consistent

with the requirements specified in Schedule (1) of Item 6110-228-0001 of Section 2.00 of the Budget Act of 2009.

(9) Two hundred thirty million forty-four thousand dollars (\$230,044,000) for class size reduction in kindergarten and grades 1 to 3, inclusive, to be expended consistent with the requirements specified in Item 6110-234-0001 of Section 2.00 of the Budget Act of 2009.

(10) One hundred million one hundred eighteen thousand dollars (\$100,118,000) for the Targeted Instructional Improvement Grant Program to be expended consistent with the requirements specified in Item 6110-246-0001 of Section 2.00 of the Budget Act of 2009.

(b) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2010–11 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2010–11 fiscal year.

SEC. 36. Section 5 of Chapter 3 of the Fourth Extraordinary Session of the Statutes of 2009, as amended by Section 2 of Chapter 31 of the Third Extraordinary Session of the Statutes of 2010, is amended to read:

Sec. 5. (a) Notwithstanding any other provision of law, the following amounts from the following Controller’s office reference items, that would otherwise be in satisfaction of subdivision (b) of Section 8 of Article XVI of the California Constitution for the 2008–09 fiscal year, that were unallocated, unexpended, or not liquidated as of June 30, 2009, shall revert to the General Fund:

(1) 4450-102-0001.....	\$ 12,256,628.09
(2) 6100-103-0001.....	1,403,709.00
(3) 6100-104-0001.....	8,921,610.00
(4) 6100-105-0001.....	32,359,581.00
(5) 6100-107-0001.....	252,000.00
(6) 6100-108-0001.....	176,908,000.00
(7) 6100-113-0001.....	26,390,134.00
(8) 6100-119-0001.....	6,540,534.50
(9) 6100-122-0001.....	3,911,000.00
(10) 6100-123-0001.....	90,492,100.00
(11) 6100-124-0001.....	767,061.00
(12) 6100-125-0001.....	53,533,000.00
(13) 6100-128-0001.....	205,749.00
(14) 6100-137-0001.....	48,003,000.00
(15) 6100-144-0001.....	4,146,000.00
(16) 6100-150-0001.....	2,904.00
(17) 6100-156-0001.....	19,691,825.00
(18) 6100-158-0001.....	2,522,553.00

(19) 6100-161-0001.....	493,295,639.51
(20) 6100-166-0001.....	8,612,600.00
(21) 6100-167-0001.....	20,379.00
(22) 6100-181-0001.....	64,637.00
(23) 6100-190-0001.....	551,546.00
(24) 6100-193-0001.....	5,067,793.00
(25) 6100-195-0001.....	3,385,000.00
(26) 6100-196-0001.....	233,806,508.98
(27) 6100-198-0001.....	27,965,147.00
(28) 6100-201-0001.....	1,017,000.00
(29) 6100-203-0001.....	6,717,856.17
(30) 6100-209-0001.....	19,513.86
(31) 6100-211-0001.....	8,650,311.00
(32) 6100-220-0001.....	8,054,052.00
(33) 6100-228-0001.....	45,926,000.00
(34) 6100-232-0001.....	50,252,306.00
(35) 6100-234-0001.....	241,243.00
(36) 6100-240-0001.....	1,662,629.50
(37) 6100-244-0001.....	45,425,175.52
(38) 6100-245-0001.....	12.00
(39) 6100-248-0001.....	14,959,417.00
(40) 6100-265-0001.....	37,998,248.00
(41) 6100-267-0001.....	9,060,000.00
(42) 6100-268-0001.....	1,698,856.00
(43) 6100-295-0001.....	38,000.00
(44) 6100-611-0001.....	13,114,425.00
(45) 6100-619-0001.....	2,356.00
(46) 6100-624-0001.....	31.00
(47) 6100-628-0001.....	11,367.00
(48) 6100-633-0001.....	1,790,906.00
(49) 6100-649-0001.....	68,164,309.06
(50) 6100-664-0001.....	15,560,138.00
(51) 6360-101-0001.....	708,537.41

(b) Notwithstanding Section 41207.5 of the Education Code, the amounts reverted pursuant to subdivision (a) shall not be deposited in the Proposition 98 Reversion Account.

(c) Notwithstanding Section 41202 of the Education Code, the amounts reverted pursuant to subdivision (a) shall not be included in the calculation of the minimum funding obligation pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution.

(d) (1) The Superintendent of Public Instruction shall calculate the following amount: one billion five hundred sixteen million dollars (\$1,516,000,000) divided by the statewide sum of 2008–09 second principal apportionment average daily attendance for school districts, county offices of education, and charter schools.

(2) The Superintendent shall reduce the apportionment for each school district, county office of education, and charter school provided pursuant to Sections 2558, 42238, and 47633, respectively, of the Education Code for the 2009–10 fiscal year by the amount determined pursuant to paragraph (1) multiplied by the 2008–09 second principal apportionment average daily attendance for that local educational agency. Local educational agencies for which the reduction calculated pursuant to this paragraph exceeds their apportionment of state funds shall have their categorical funding reduced by the excess, except that the amount of the reduction shall be limited by both of the following:

(A) The amount of categorical funds to be reduced shall be limited to the extent that the provisions of Section 41975 of the Education Code cannot be met through other state aid, including amounts provided to a local educational agency pursuant to subdivision (f) of this section.

(B) Apportionments for special education, the After School Education and Safety Program, the Quality Education Investment Act of 2006, and child care and development shall not be reduced.

(e) For the amounts reverted pursuant to subdivision (a), the Superintendent shall determine the amounts that would have been allocated to each local educational agency or other recipient entity, other than amounts that would have been allocated for the High Priority School Grant Program pursuant to Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, if those funds had not been reverted.

(f) The sum of one billion five hundred sixteen million dollars (\$1,516,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the 2009–10 fiscal year for allocation pursuant to paragraphs (1) and (2).

(1) The sum of three hundred fifty-five million dollars (\$355,000,000) shall be allocated by the Superintendent of Public Instruction for the 2009–10 fiscal year to schoolsites selected to participate in the Quality Education Investment Act program pursuant to Section 52055.730 of the Education Code. Local educational agencies shall receive funding, on behalf of funded schools, at the rates established pursuant to subdivisions (a) and (i) of Section 52055.770 of the Education Code. Local educational agencies and schoolsites receiving this funding shall comply with all of the requirements of the Quality Education Investment Act program specified in Article 3.7 (commencing with Section 52055.700) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code. Notwithstanding any other provision of law, the amount allocated pursuant to this paragraph shall be in lieu of the appropriation required by subparagraph (B) of paragraph (2) of subdivision (c) of Section 52055.770 of the Education Code for the 2009–10 fiscal year.

(2) The Superintendent shall allocate the remaining amount to each local agency or other recipient entity identified pursuant to subdivision (e) in amounts equal to the amounts determined pursuant to subdivision (e) for that local educational agency or other recipient entity less any amount of federal State Federal Stabilization Funds allocated to that agency based on

the reductions made pursuant to subdivision (a) of this section. Amounts received pursuant to this paragraph may be used to satisfy obligations incurred during the 2008–09 fiscal year.

(A) The payments made pursuant to this paragraph shall be considered as payments for the programs identified in subdivision (e), not including the High Priority School Grant Program pursuant to Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, that are deferred from the 2008–09 fiscal year to the 2009–10 fiscal year.

(B) The Superintendent of Public Instruction shall transfer the amounts identified in paragraphs (1) and (51) of subdivision (a) to the appropriate state agency for distribution.

(C) Any of the amounts identified in paragraphs (1) to (51), inclusive, of subdivision (a) that were transferred to Section A of the State School Fund in the 2008–09 fiscal year shall be distributed through Section A of the State School Fund.

(3) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by this subdivision shall be included in the “[t]otal allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in Section 41202 of the Education Code, for the 2009–10 fiscal year.

(g) The amounts reverted pursuant to subdivision (a) shall not affect the determination of base year amounts for categorical funding set forth in Section 42605 of the Education Code.

(h) The Superintendent of Public Instruction shall allocate sixty-four million eight hundred seventy-two thousand dollars (\$64,872,000) in one-time carryover funds provided to the state under subsection (a) of Section 1003 of Title I of the Elementary and Secondary Education Act (20 U.S.C. Sec. 6303 et seq.), as appropriated pursuant to Provision 7 of Item 6110-134-0890 of Chapter 3 of the Fourth Extraordinary Session of the Statutes of 2009 for the purposes of awarding grants to local educational agencies that participate in the Quality Education Investment Act program in the 2009–10 fiscal year.

(i) The Superintendent of Public Instruction shall allocate one hundred million dollars (\$100,000,000) in ongoing funds provided to the state under subsection (a) of Section 1003 of Title I of the Elementary and Secondary Education Act (20 U.S.C. Sec. 6303 et seq.) and one-time funds provided to the state under subsection (a) of Section 1003 of Title I of the Elementary and Secondary Education Act (20 U.S.C. Sec. 6303 et seq.) pursuant to the federal American Recovery and Reinvestment Act of 2009, as appropriated pursuant to Item 6110-134-0890 for purposes of awarding grants to local educational agencies that participate in the Quality Education Investment Act program in the 2009–10 fiscal year.

(j) The total amount appropriated in paragraph (1) of subdivision (f) shall be reduced by the sum of the federal funds allocated in subdivisions (h) and (i), to the extent these federal funds are available for the purposes of

awarding grants to local educational agencies that participate in the Quality Education Investment Act program in the 2009–10 fiscal year, as determined by the Superintendent of Public Instruction. It is the intent of the Legislature that the Superintendent of Public Instruction determine the availability of the federal funds on or before November 15, 2009.

SEC. 37. Section 1 of Chapter 221 of the Statutes of 2010 is amended to read:

Section 1. The sum of nine hundred six million eight hundred forty-five thousand dollars (\$906,845,000) is hereby appropriated for the 2010–11 fiscal year, payable from the Federal Trust Fund, for allocation pursuant to the following schedule:

(a) To the State Department of Education, for allocation to local educational agencies, pursuant to the following programs and subschedule:

- (1) 10.30.004-School Improvement Grant\$64,082,000
- (2) 10.30.016-School Improvements Grants (ARRA) \$351,763,000

(A) The funds appropriated in subschedules (1) and (2) are for the purpose of supporting three-year school improvement grants to local educational agencies, to be provided over a three-year period.

(B) The funds shall be allocated to local educational agencies to fund school improvement grants based on school size as approved by the State Board of Education on August 24, 2010.

(C) The appropriation of funds in subschedules (1) and (2) is contingent upon approval of California’s request to the United States Department of Education for a waiver to allocate 100 percent of the funds in a manner consistent with subparagraph (B).

(b) To the Office of Planning and Research, for transfer for purposes of reimbursement pursuant to the following subschedule:

- (1) State Department of Education \$272,000,000
- (2) Board of Governors of the California
Community Colleges \$5,000,000
- (3) University of California \$107,000,000
- (4) California State University \$107,000,000

(A) The funds appropriated in subschedule (1) are for the purpose of reimbursement of local educational agencies for mitigating revenue limits reductions and reductions made to basic aid districts.

(B) The funds appropriated in subschedules (2) to (4), inclusive, are for the purpose of reimbursement to the entities in these subschedules for mitigating reductions made to the California Community Colleges, the University of California, and the California State University.

(C) The funds are for expenditure pursuant to Title XIV of the American Recovery and Reinvestment Act (ARRA) and related guidance for the federal State Fiscal Stabilization Fund (SFSF) Phase II grant award.

SEC. 38. (a) Notwithstanding any other provision of law, the following amounts from the following Controller’s office reference items that would otherwise be in satisfaction of subdivision (b) of Section 8 of Article XVI of the California Constitution for the 2009–10 fiscal year, that were unallocated, unexpended, or not liquidated as of June 30, 2010, shall revert to the General Fund:

(1) 5225-011-0001.....	\$11,939,000.00
(2) 6100-128-0001.....	\$68,126,458.00
(3) 6100-161-0001.....	\$419,956,000.00
(4) 6100-196-0001.....	\$32,070,866.00
(5) 6100-650-0001.....	\$167,047,393.00
(6) 6100-651-0001.....	\$22,073,021.00
(7) 6360-651-0001.....	\$5,025,000.00

(b) Notwithstanding Section 41207.5 of the Education Code, the amount reverted pursuant to subdivision (a) shall not be deposited in the Proposition 98 Reversion Account.

(c) Notwithstanding Section 41202 of the Education Code, the amount reverted pursuant to subdivision (a) shall not be included in the calculation of the minimum funding obligation for the 2009–10 fiscal year pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution.

(d) The sum of three hundred thirty-nine million nine hundred fifty-six thousand dollars (\$339,956,000) is hereby appropriated from the General Fund to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the 2010–11 fiscal year for special education to satisfy obligations incurred during the 2009–10 fiscal year.

(e) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (d) shall be included in the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in Section 41202 of the Education Code for the 2010–11 fiscal year.

SEC. 39. (a) The sum of nine hundred five million seven hundred thousand dollars (\$905,700,000) is hereby appropriated from the General Fund to the State Department of Education. This appropriation reflects the portion of the payment for class size reduction in kindergarten and grades 1 to 3, inclusive, that is to be deferred until and attributed to the 2011–12 fiscal year and the June 2011 principal apportionment that is to be deferred until July 2011 and attributed to the 2011–12 fiscal year. Notwithstanding any other law, the department shall encumber the funds appropriated in this section by July 31, 2011. It is the intent of the Legislature that, by extending the encumbrance authority for the funds appropriated in this section to July 31, 2011, the funds will be treated in a manner consistent with Section 1.80 of the Budget Act of 2010. The appropriation is made in accordance with the following schedule:

(1) Six million two hundred twenty-seven thousand dollars (\$6,227,000) for apprenticeship programs to be expended consistent with the requirements specified in Item 6110-103-0001 of Section 2.00 of the Budget Act of 2010.

(2) Ninety million one hundred seventeen thousand dollars (\$90,117,000) for supplemental instruction to be expended consistent with the requirements specified in Item 6110-104-0001 of Section 2.00 of the Budget Act of 2010. Of the amount appropriated by this paragraph, fifty-one million sixty-one thousand dollars (\$51,061,000) shall be expended consistent with Schedule (1) of Item 6110-104-0001 of Section 2.00 of the Budget Act of 2010, twelve million three hundred thirty thousand dollars (\$12,330,000) shall be expended consistent with Schedule (2) of that item, four million six hundred ninety thousand dollars (\$4,690,000) shall be expended consistent with Schedule (3) of that item, and twenty-two million thirty-six thousand dollars (\$22,036,000) shall be expended consistent with Schedule (4) of that item.

(3) Thirty-nine million six hundred thirty thousand dollars (\$39,630,000) for regional occupational centers and programs to be expended consistent with the requirements specified in Schedule (1) of Item 6110-105-0001 of Section 2.00 of the Budget Act of 2010.

(4) Four million two hundred ninety-four thousand dollars (\$4,294,000) for the Gifted and Talented Pupil Program to be expended consistent with the requirements specified in Item 6110-124-0001 of Section 2.00 of the Budget Act of 2010.

(5) Forty-five million eight hundred ninety-six thousand dollars (\$45,896,000) for adult education to be expended consistent with the requirements specified in Schedule (1) of Item 6110-156-0001 of Section 2.00 of the Budget Act of 2010.

(6) Four million seven hundred fifty-one thousand dollars (\$4,751,000) for community day schools to be expended consistent with the requirements specified in Item 6110-190-0001 of Section 2.00 of the Budget Act of 2010.

(7) Five million nine hundred forty-seven thousand dollars (\$5,947,000) for categorical block grants for charter schools to be expended consistent with the requirements specified in Item 6110-211-0001 of Section 2.00 of the Budget Act of 2010.

(8) Thirty-eight million seven hundred twenty thousand dollars (\$38,720,000) for the School Safety Block Grant to be expended consistent with the requirements specified in Schedule (1) of Item 6110-228-0001 of Section 2.00 of the Budget Act of 2010.

(9) One hundred million one hundred eighteen thousand dollars (\$100,118,000) for the Targeted Instructional Improvement Grant Program to be expended consistent with the requirements specified in Item 6110-246-0001 of Section 2.00 of the Budget Act of 2010.

(b) The amount appropriated in subdivision (a) shall be reduced by the lesser of five hundred seventy million dollars (\$570,000,000) or the sum of the amounts transferred pursuant to paragraphs (3) and (4) of subdivision (b) of Section 40 of this act.

(c) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by

subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2011–12 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2011–12 fiscal year.

SEC. 40. (a) Notwithstanding any other law, the Superintendent of Public Instruction shall certify to the Controller the amounts needed for the 2010–11 fiscal year to fund the class size reduction program operated pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4 of Title 2 of the Education Code, pursuant to the following schedule:

(1) Within 90 days of the enactment of the Budget Act of 2010–11, the Superintendent shall certify to the Controller the amount needed to fund the advance apportionments for the 2010–11 fiscal year, consistent with paragraph (2) of subdivision (c), and paragraph (1) of subdivision (g), of Section 52126 and Section 52124.3 of the Education Code.

(2) By February 25, 2011, the Superintendent shall certify to the Controller the amount needed to fund the apportionment payments for the 2010–11 fiscal year on the basis of applications received, consistent with paragraph (2) of subdivision (c), and paragraph (2) of subdivision (g), of Section 52126 and Section 52124.3 of the Education Code.

(3) By July 25, 2011, the Superintendent shall certify to the Controller the amount needed to fund the apportionments for the 2010–11 fiscal year on the basis of actual enrollment, consistent with paragraph (2) of subdivision (c), and paragraph (3) of subdivision (g), of Section 52126 and Section 52124.3 of the Education Code.

(4) By April 30, 2012, the Superintendent shall certify to the Controller the amount needed to fund the full apportionments for the 2010–11 fiscal year on the basis of revised reports of actual enrollment, consistent with paragraph (2) of subdivision (c), and paragraph (3) of subdivision (g), of Section 52126 and Section 52124.3 of the Education Code.

(b) Not later than five days following each certification made pursuant to subdivision (a), the Controller shall transfer from the General Fund to Section A of the State School Fund for allocation by the Superintendent for purposes of Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4 of Title 2 of the Education Code the following amounts:

(1) For the certification made pursuant to paragraph (1) of subdivision (a), the amount certified.

(2) For the certification made pursuant to paragraph (2) of subdivision (a), 55 percent of the amount certified minus the amount transferred pursuant to paragraph (1).

(3) For the certification made pursuant to paragraph (3) of subdivision (a), the amount certified minus the sum of the amounts transferred pursuant to paragraphs (1) and (2).

(4) For the certification made pursuant to paragraph (4) of subdivision (a), the amount certified pursuant to paragraph (4) of subdivision (a) minus the sum of the amounts transferred pursuant to paragraphs (1), (2), and (3).

(c) Not less than 30 days before making each certification pursuant to subdivision (a), the Superintendent shall notify the Department of Finance, the Legislative Analyst, and the appropriate policy and fiscal committees of the Legislature regarding the amounts the Superintendent intends to certify to the Controller and shall include in that notification the data used in determining the amounts to be certified.

(d) The per pupil amounts for Option One and Option Two for the 2010–11 fiscal year shall be the same as those provided in the 2009–10 fiscal year.

(e) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the transfers made by paragraphs (3) and (4) of subdivision (b) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2011–12 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2011–12 fiscal year.

SEC. 41. It is the intent of Legislature that, commencing with the audit guide authorized pursuant to Section 14502.1 of the Education Code for the 2011–12 school year, the Controller’s office ensure that revisions are made to clarify that average daily attendance records for juvenile court schools operated by a county superintendent of schools are reviewed annually.

SEC. 42. (a) Notwithstanding Sections 42238.1 and 42238.15 of the Education Code or any other law, the cost-of-living adjustment for Items 6110-104-0001, 6110-105-0001, 6110-119-0001, 6110-122-0001, 6110-124-0001, 6110-128-0001, 6110-150-0001, 6110-156-0001, 6110-158-0001, 6110-161-0001, 6110-167-0001, 6110-181-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-196-0001, 6110-203-0001, 6110-209-0001, 6110-211-0001, 6110-224-0001, 6110-232-0001, 6110-244-0001, and 6110-246-0001 of Section 2.00 of the Budget Act of 2010 is zero percent for the 2010–11 fiscal year. All funds appropriated in the Budget Act of 2010 in the items identified in this section are in lieu of the amounts that would otherwise be appropriated pursuant to any other law.

(b) Notwithstanding Section 42238.1 of the Education Code or any other law, for purposes of Section 48664 of the Education Code, the cost-of-living adjustment is zero percent for the 2010–11 fiscal year.

SEC. 43. Notwithstanding any other law, the funds appropriated pursuant to Items 6110-103-0001, 6110-104-0001, 6110-105-0001, 6110-124-0001, 6110-156-0001, 6110-158-0001, 6110-161-0001, 6110-190-0001, 6110-211-0001, 6110-234-0001, and 6110-243-0001 of Section 2.00 of the Budget Act of 2010 shall be encumbered by July 31, 2011. This one-month extension of encumbrance authority is provided due to the effect of the

deferral of the June 2011 principal apportionment on the budget items specified in this section. It is the intent of the Legislature that, by extending the encumbrance authority for the funds identified in this section to July 31, 2011, the funds will be treated in a manner consistent with Section 1.80 of the Budget Act of 2010.

SEC. 44. Notwithstanding any other provision of law and subject to the approval of the Director of Finance and the Chancellor of the California Community Colleges, the Controller shall issue warrants to a community college district pursuant to Sections 84320, 84321, 84321.5, and 84321.6 of the Education Code that include the full amount of the apportionment payments for any month for which apportionments are deferred within a fiscal year if the president of the community college district certifies to the Chancellor of the California Community Colleges and to the Director of Finance, on or before December 1 of that fiscal year, that the deferral of apportionment payments will result in the college being unable to meet its expenditure obligations for the time period during which payments are deferred. The criteria, as applicable, to qualify a community college for an emergency apportionment payment shall be used to make the certification specified in this section.

SEC. 45. Contingent on the enactment of a statute in the 2009–10 Regular Session that adds Section 17570.1 to the Government Code, the Legislature hereby requests the Department of Finance, on or before December 31, 2010, to exercise its authority pursuant to subdivision (c) of Section 17570 of Government Code and file a request with the Commission on State Mandates for the purpose of seeking the adoption of a new test claim to supersede CMS 4425 (97-TC-08), relating to the Collective Bargaining mandate.

SEC. 46. (a) On or before December 1, 2010, the Controller shall confirm that school districts are no longer filing mandate claims pursuant to Section 6 of Article XIII B of the California Constitution for activities deleted from Section 33126 of the Education Code related to the School Accountability Report Cards mandate (97-TC-21), including the following:

(1) Reporting the average verbal and math Scholastic Aptitude Test scores of high school seniors, to the extent that those scores are provided, and the average percentage of seniors taking that exam for the most recent three-year period.

(2) The degree to which pupils are prepared to enter the workforce.

(b) If the Controller finds that school districts are still filing claims for either of these activities, then the Controller shall file a request with the Commission on State Mandates to amend the parameters and guidelines accordingly for the School Accountability Report Cards mandate (97-TC-21).

SEC. 47. The Legislative Analyst's Office shall convene a working group to consider the future of school district and community college district mandates. The working group shall include representatives from the Legislative Analyst's Office, the Department of Finance, the State Department of Education, the California Community Colleges Chancellor's Office, and staff of the fiscal and policy committees of the Legislature. The

working group shall consult with appropriate stakeholders and shall develop recommendations by March 15, 2011, regarding the education mandates and the ways they should be treated, including whether to preserve, modify, or eliminate particular mandates.

SEC. 48. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make the necessary statutory changes to implement the Budget Act of 2010 at the earliest time possible, it is necessary that this act take effect immediately.

O

Assembly Bill No. 2856

CHAPTER 890

An act to amend Section 44763 of the Education Code, and to amend Sections 17500, 17513, 17520, 17521, 17522, 17526, 17551, 17553, 17554, 17557, 17558, 17558.5, 17561, 17561.5, 17561.6, 17562, 17564, 17579, 17612, 17615.1, 17615.4, 17616, and 17630 of, to add Sections 17517.5 and 17518.5 to, to repeal Sections 17517, 17610, and 17614 of, and to repeal and add Section 17555 of, the Government Code, relating to state mandates.

[Approved by Governor September 29, 2004. Filed
with Secretary of State September 29, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2856, Laird. State mandates: Commission on State Mandates.

Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates. The procedure requires the commission to hear and decide upon each claim for reimbursement and provides that the commission may not find costs to be mandated by the state if, after a hearing, the commission makes specified findings, including, among others, that the statute or executive order imposing the mandate provides for offsetting savings to local agencies or school districts or includes additional revenue specifically intended to sufficiently fund the costs of the state mandate. The procedure provides for payment of claims from the State Mandates Claim Fund and pursuant to a local government claims bill.

This bill would revise the procedures for receiving claims and for hearings on claims, as specified. The bill would revise the definitions of terms related to the procedure and hearings and define additional terms. The bill would abolish the State Mandates Claim Fund and delete the option of paying claims from this fund. The bill would make other technical changes and delete obsolete references.



The people of the State of California do enact as follows:

SECTION 1. Section 44763 of the Education Code is amended to read:

44763. (a) Notwithstanding Title 1.8 (commencing with Section 1798) of Part 4 of Division 3 of the Civil Code or any other provision of law, each state and local government agency shall provide to the Commission on Teacher Credentialing personal information regarding teachers and other certificated personnel as requested by the commission for the purposes of Section 44762.

(b) In accordance with the purpose of safeguarding the privacy rights of individuals, it is the intent of the Legislature that personal information be collected, maintained, and disseminated under this chapter only to the extent required to accomplish the purposes of Section 44762. The Commission on Teacher Credentialing shall establish and maintain specific and appropriate policies and practices that protect the privacy rights of individuals as to whom personal information has been received by the commission, and to otherwise implement the legislative intent set forth in this subdivision.

SEC. 2. Section 17500 of the Government Code is amended to read:

17500. The Legislature finds and declares that the existing system for reimbursing local agencies and school districts for the costs of state-mandated local programs has not provided for the effective determination of the state's responsibilities under Section 6 of Article XIII B of the California Constitution. The Legislature finds and declares that the failure of the existing process to adequately and consistently resolve the complex legal questions involved in the determination of state-mandated costs has led to an increasing reliance by local agencies and school districts on the judiciary and, therefore, in order to relieve unnecessary congestion of the judicial system, it is necessary to create a mechanism which is capable of rendering sound quasi-judicial decisions and providing an effective means of resolving disputes over the existence of state-mandated local programs.

It is the intent of the Legislature in enacting this part to provide for the implementation of Section 6 of Article XIII B of the California Constitution. Further, the Legislature intends that the Commission on State Mandates, as a quasi-judicial body, will act in a deliberative manner in accordance with the requirements of Section 6 of Article XIII B of the California Constitution.

SEC. 3. Section 17513 of the Government Code is amended to read:

17513. "Costs mandated by the federal government" means any increased costs incurred by a local agency or school district after January 1, 1973, in order to comply with the requirements of a federal statute or



regulation. “Costs mandated by the federal government” includes costs resulting from enactment of a state law or regulation where failure to enact that law or regulation to meet specific federal program or service requirements imposed upon the state would result in substantial monetary penalties or loss of funds to public or private persons in the state whether the federal law was enacted before or after the enactment of the state law, regulation, or executive order. “Costs mandated by the federal government” does not include costs which are specifically reimbursed or funded by the federal or state government or programs or services which may be implemented at the option of the state, local agency, or school district.

SEC. 4. Section 17517 of the Government Code is repealed.

SEC. 5. Section 17517.5 is added to the Government Code, to read:

17517.5. “Cost savings authorized by the state” means any decreased costs that a local agency or school district realizes as a result of any statute enacted or any executive order adopted that permits or requires the discontinuance of or a reduction in the level of service of an existing program that was mandated before January 1, 1975.

SEC. 6. Section 17518.5 is added to the Government Code, to read:

17518.5. (a) “Reasonable reimbursement methodology” means a formula for reimbursing local agency and school district costs mandated by the state that meets the following conditions:

(1) The total amount to be reimbursed statewide is equivalent to total estimated local agency and school district costs to implement the mandate in a cost-efficient manner.

(2) For 50 percent or more of eligible local agency and school district claimants, the amount reimbursed is estimated to fully offset their projected costs to implement the mandate in a cost-efficient manner.

(b) Whenever possible, a reasonable reimbursement methodology shall be based on general allocation formulas, uniform cost allowances, and other approximations of local costs mandated by the state, rather than detailed documentation of actual local costs. In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the determination of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years.

(c) A reasonable reimbursement methodology may be developed by any of the following:

- (1) The Department of Finance.
- (2) The Controller.
- (3) An affected state agency.
- (4) A claimant.



(5) An interested party.

SEC. 7. Section 17520 of the Government Code is amended to read:

17520. “Special district” means any agency of the state that performs governmental or proprietary functions within limited boundaries. “Special district” includes a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area. “Special district” does not include a city, a county, a school district, or a community college district.

County free libraries established pursuant to Chapter 2 (commencing with Section 27151) of Division 20 of the Education Code, areas receiving county fire protection services pursuant to Section 25643 of the Government Code, and county road districts established pursuant to Chapter 7 (commencing with Section 1550) of Division 2 of the Streets and Highways Code shall be considered “special districts” for all purposes of this part.

SEC. 8. Section 17521 of the Government Code is amended to read:

17521. “Test claim” means the first claim filed with the commission alleging that a particular statute or executive order imposes costs mandated by the state.

SEC. 9. Section 17522 of the Government Code is amended to read:

17522. (a) “Initial reimbursement claim” means a claim filed with the Controller by a local agency or school district for costs to be reimbursed for the fiscal years specified in the first claiming instructions issued by the Controller pursuant to subdivision (b) of Section 17558.

(b) “Annual reimbursement claim” means a claim for actual costs incurred in a prior fiscal year filed with the Controller by a local agency or school district for which appropriations are made to the Controller for this purpose.

(c) “Estimated reimbursement claim” means a claim filed with the Controller by a local agency or school district in conjunction with an initial reimbursement claim, annual reimbursement claim, or at other times, for estimated costs to be reimbursed during the current or future fiscal years, for which appropriations are made to the Controller for this purpose.

(d) “Entitlement claim” means a claim filed by a local agency or school district with the Controller for the purpose of establishing or adjusting a base year entitlement. All entitlement claims are subject to Section 17616.

SEC. 10. Section 17526 of the Government Code is amended to read:

17526. (a) All meetings of the commission shall be open to the public, except that the commission may meet in executive session to consider the appointment or dismissal of officers or employees of the



commission or to hear complaints or charges brought against a member, officer, or employee of the commission.

(b) The commission shall meet at least once every two months.

(c) The time and place of meetings may be set by resolution of the commission, by written petition of a majority of the members, or by written call of the chairperson. The chairperson may, for good cause, change the starting time or place, reschedule, or cancel any meeting.

SEC. 11. Section 17551 of the Government Code is amended to read:

17551. (a) The commission, pursuant to the provisions of this chapter, shall hear and decide upon a claim by a local agency or school district that the local agency or school district is entitled to be reimbursed by the state for costs mandated by the state as required by Section 6 of Article XIII B of the California Constitution.

(b) Commission review of claims may be had pursuant to subdivision (a) only if the test claim is filed within the time limits specified in this section.

(c) Local agency and school district test claims shall be filed not later than 12 months following the effective date of a statute or executive order, or within 12 months of incurring increased costs as a result of a statute or executive order, whichever is later.

(d) The commission, pursuant to the provisions of this chapter, shall hear and decide upon a claim by a local agency or school district filed on or after January 1, 1985, that the Controller has incorrectly reduced payments to the local agency or school district pursuant to paragraph (2) of subdivision (d) of Section 17561.

SEC. 12. Section 17553 of the Government Code is amended to read:

17553. (a) The commission shall adopt procedures for receiving claims pursuant to this article and for providing a hearing on those claims. The procedures shall do all of the following:

(1) Provide for presentation of evidence by the claimant, the Department of Finance and any other affected department or agency, and any other interested person.

(2) Ensure that a statewide cost estimate is adopted within 12 months after receipt of a test claim, when a determination is made by the commission that a mandate exists. This deadline may be extended for up to six months upon the request of either the claimant or the commission.

(3) Permit the hearing of a claim to be postponed at the request of the claimant, without prejudice, until the next scheduled hearing.

(b) All test claims shall be filed on a form prescribed by the commission and shall contain at least the following elements and documents:



(1) A written narrative that identifies the specific sections of statutes or executive orders alleged to contain a mandate and shall include all of the following:

(A) A detailed description of the new activities and costs that arise from the mandate.

(B) A detailed description of existing activities and costs that are modified by the mandate.

(C) The actual increased costs incurred by the claimant during the fiscal year for which the claim was filed to implement the alleged mandate.

(D) The actual or estimated annual costs that will be incurred by the claimant to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.

(E) A statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.

(F) Identification of all of the following:

(i) Dedicated state funds appropriated for this program.

(ii) Dedicated federal funds appropriated for this program.

(iii) Other nonlocal agency funds dedicated for this program.

(iv) The local agency's general purpose funds for this program.

(v) Fee authority to offset the costs of this program.

(G) Identification of prior mandate determinations made by the Board of Control or the Commission on State Mandates that may be related to the alleged mandate.

(2) The written narrative shall be supported with declarations under penalty of perjury, based on the declarant's personal knowledge, information or belief, and signed by persons who are authorized and competent to do so, as follows:

(A) Declarations of actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

(B) Declarations identifying all local, state, or federal funds, or fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs.

(C) Declarations describing new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program. Specific references shall be made to chapters, articles, sections, or page numbers alleged to impose a reimbursable state-mandated program.

(3) (A) The written narrative shall be supported with copies of all of the following:



(i) The test claim statute that includes the bill number or executive order, alleged to impose or impact a mandate.

(ii) Relevant portions of state constitutional provisions, federal statutes, and executive orders that may impact the alleged mandate.

(iii) Administrative decisions and court decisions cited in the narrative.

(B) State mandate determinations made by the Board of Control and the Commission on State Mandates and published court decisions on state mandate determinations made by the Commission on State Mandates are exempt from this requirement.

(4) A test claim shall be signed at the end of the document, under penalty of perjury by the claimant or its authorized representative, with the declaration that the test claim is true and complete to the best of the declarant's personal knowledge or information or belief. The date of signing, the declarant's title, address, telephone number, facsimile machine telephone number, and electronic mail address shall be included.

(c) If a completed test claim is not received by the commission within 30 calendar days from the date that an incomplete test claim was returned by the commission, the original test claim filing date may be disallowed, and a new test claim may be accepted on the same statute or executive order.

(d) In addition, the commission shall determine whether an incorrect reduction claim is complete within 10 days after the date that the incorrect reduction claim is filed. If the commission determines that an incorrect reduction claim is not complete, the commission shall notify the local agency and school district that filed the claim stating the reasons that the claim is not complete. The local agency or school district shall have 30 days to complete the claim. The commission shall serve a copy of the complete incorrect reduction claim on the Controller. The Controller shall have no more than 90 days after the date the claim is delivered or mailed to file a rebuttal to an incorrect reduction claim. The failure of the Controller to file a rebuttal to an incorrect reduction claim shall not serve to delay the consideration of the claim by the commission.

SEC. 13. Section 17554 of the Government Code is amended to read:

17554. With the agreement of all parties to the claim, the commission may waive the application of any procedural requirement imposed by this chapter or pursuant to Section 17553. The authority granted by this section includes the consolidation of claims and the shortening of time periods.

SEC. 14. Section 17555 of the Government Code is repealed.



SEC. 15. Section 17555 is added to the Government Code, to read:

17555. (a) No later than 30 days after hearing and deciding upon a test claim pursuant to subdivision (a) of Section 17551, the commission shall notify the appropriate Senate and Assembly policy and fiscal committees, the Legislative Analyst, the Department of Finance, and the Controller of that decision.

(b) For purposes of this section, the “appropriate policy committee” means the policy committee that has jurisdiction over the subject matter of the statute, regulation, or executive order, and bills relating to that subject matter would have been heard.

SEC. 16. Section 17557 of the Government Code is amended to read:

17557. (a) If the commission determines there are costs mandated by the state pursuant to Section 17551, it shall determine the amount to be subvended to local agencies and school districts for reimbursement. In so doing it shall adopt parameters and guidelines for reimbursement of any claims relating to the statute or executive order. The successful test claimants shall submit proposed parameters and guidelines within 30 days of adoption of a statement of decision on a test claim. At the request of a successful test claimant, the commission may provide for one or more extensions of this 30-day period at any time prior to its adoption of the parameters and guidelines. If proposed parameters and guidelines are not submitted within the 30-day period and the commission has not granted an extension, then the commission shall notify the test claimant that the amount of reimbursement the test claimant is entitled to for the first 12 months of incurred costs will be reduced by 20 percent, unless the test claimant can demonstrate to the commission why an extension of the 30-day period is justified.

(b) In adopting parameters and guidelines, the commission may adopt a reasonable reimbursement methodology.

(c) The parameters and guidelines adopted by the commission shall specify the fiscal years for which local agencies and school districts shall be reimbursed for costs incurred. However, the commission may not specify in the parameters and guidelines any fiscal year for which payment could be provided in the annual Budget Act.

(d) A local agency, school district, or the state may file a written request with the commission to amend, modify, or supplement the parameters or guidelines. The commission may, after public notice and hearing, amend, modify, or supplement the parameters and guidelines. A parameters and guidelines amendment submitted within 90 days of the claiming deadline for initial claims, as specified in the claiming instructions pursuant to Section 17561, shall apply to all years eligible for reimbursement as defined in the original parameters and guidelines.



A parameters and guidelines amendment filed more than 90 days after the claiming deadline for initial claims, as specified in the claiming instructions pursuant to Section 17561, and on or before January 15 following a fiscal year, shall establish reimbursement eligibility for that fiscal year.

(e) A test claim shall be submitted on or before June 30 following a fiscal year in order to establish eligibility for reimbursement for that fiscal year. The claimant may thereafter amend the test claim at any time, but before the test claim is set for a hearing, without affecting the original filing date as long as the amendment substantially relates to the original test claim.

(f) In adopting parameters and guidelines, the commission shall consult with the Department of Finance, the affected state agency, the Controller, the fiscal and policy committees of the Assembly and Senate, the Legislative Analyst, and the claimants to consider a reasonable reimbursement methodology that balances accuracy with simplicity.

SEC. 17. Section 17558 of the Government Code is amended to read:

17558. (a) The commission shall submit the adopted parameters and guidelines to the Controller. All claims relating to a statute or executive order that are filed after the adoption or amendment of parameters and guidelines pursuant to Section 17557 shall be transferred to the Controller who shall pay and audit the claims from funds made available for that purpose.

(b) Not later than 60 days after receiving the adopted parameters and guidelines from the commission, the Controller shall issue claiming instructions for each mandate that requires state reimbursement, to assist local agencies and school districts in claiming costs to be reimbursed. In preparing claiming instructions, the Controller shall request assistance from the Department of Finance and may request the assistance of other state agencies. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the commission.

(c) The Controller shall, within 60 days after receiving revised adopted parameters and guidelines from the commission or other information necessitating a revision of the claiming instructions, prepare and issue revised claiming instructions for mandates that require state reimbursement that have been established by commission action pursuant to Section 17557 or after any decision or order of the commission pursuant to Section 17551. In preparing revised claiming instructions, the Controller may request the assistance of other state agencies.



SEC. 18. Section 17558.5 of the Government Code is amended to read:

17558.5. (a) A reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced.

(b) The Controller may conduct a field review of any claim after the claim has been submitted, prior to the reimbursement of the claim.

(c) The Controller shall notify the claimant in writing within 30 days after issuance of a remittance advice of any adjustment to a claim for reimbursement that results from an audit or review. The notification shall specify the claim components adjusted, the amounts adjusted, interest charges on claims adjusted to reduce the overall reimbursement to the local agency or school district, and the reason for the adjustment. Remittance advices and other notices of payment action shall not constitute notice of adjustment from an audit or review.

(d) The interest rate charged by the Controller on reduced claims shall be set at the Pooled Money Investment Account rate and shall be imposed on the dollar amount of the overpaid claim from the time the claim was paid until overpayment is satisfied.

(e) Nothing in this section shall be construed to limit the adjustment of payments when inaccuracies are determined to be the result of the intent to defraud, or when a delay in the completion of an audit is the result of willful acts by the claimant or inability to reach agreement on terms of final settlement.

SEC. 19. Section 17561 of the Government Code is amended to read:

17561. (a) The state shall reimburse each local agency and school district for all “costs mandated by the state,” as defined in Section 17514.

(b) (1) For the initial fiscal year during which these costs are incurred, reimbursement funds shall be provided as follows:

(A) Any statute mandating these costs shall provide an appropriation therefor.

(B) Any executive order mandating these costs shall be accompanied by a bill appropriating the funds therefor, or alternatively, an appropriation for these costs shall be included in the Budget Bill for the



next succeeding fiscal year. The executive order shall cite that item of appropriation in the Budget Bill or that appropriation in any other bill which is intended to serve as the source from which the Controller may pay the claims of local agencies and school districts.

(2) In subsequent fiscal years appropriations for these costs shall be included in the annual Governor's Budget and in the accompanying Budget Bill. In addition, appropriations to reimburse local agencies and school districts for continuing costs resulting from chaptered bills or executive orders for which claims have been awarded pursuant to subdivision (a) of Section 17551 shall be included in the annual Governor's Budget and in the accompanying Budget Bill subsequent to the enactment of the local government claims bill pursuant to Section 17600 that includes the amounts awarded relating to these chaptered bills or executive orders.

(c) The amount appropriated to reimburse local agencies and school districts for costs mandated by the state shall be appropriated to the Controller for disbursement.

(d) The Controller shall pay any eligible claim pursuant to this section within 60 days after the filing deadline for claims for reimbursement or 15 days after the date the appropriation for the claim is effective, whichever is later. The Controller shall disburse reimbursement funds to local agencies or school districts if the costs of these mandates are not payable to state agencies, or to state agencies that would otherwise collect the costs of these mandates from local agencies or school districts in the form of fees, premiums, or payments. When disbursing reimbursement funds to local agencies or school districts, the Controller shall disburse them as follows:

(1) For initial reimbursement claims, the Controller shall issue claiming instructions to the relevant local agencies and school districts pursuant to Section 17558. Issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the commission.

(A) When claiming instructions are issued by the Controller pursuant to Section 17558 for each mandate determined pursuant to Section 17551 that requires state reimbursement, each local agency or school district to which the mandate is applicable shall submit claims for initial fiscal year costs to the Controller within 120 days of the issuance date for the claiming instructions.

(B) When the commission is requested to review the claiming instructions pursuant to Section 17571, each local agency or school district to which the mandate is applicable shall submit a claim for



reimbursement within 120 days after the commission reviews the claiming instructions for reimbursement issued by the Controller.

(C) If the local agency or school district does not submit a claim for reimbursement within the 120-day period, or submits a claim pursuant to revised claiming instructions, it may submit its claim for reimbursement as specified in Section 17560. The Controller shall pay these claims from the funds appropriated therefor, provided that the Controller (i) may audit the records of any local agency or school district to verify the actual amount of the mandated costs, and (ii) may reduce any claim that the Controller determines is excessive or unreasonable.

(2) In subsequent fiscal years each local agency or school district shall submit its claims as specified in Section 17560. The Controller shall pay these claims from funds appropriated therefor, provided that the Controller (A) may audit the records of any local agency or school district to verify the actual amount of the mandated costs, (B) may reduce any claim that the Controller determines is excessive or unreasonable, and (C) shall adjust the payment to correct for any underpayments or overpayments which occurred in previous fiscal years.

(3) When paying a timely filed claim for initial reimbursement, the Controller shall withhold 20 percent of the amount of the claim until the claim is audited to verify the actual amount of the mandated costs. All initial reimbursement claims for all fiscal years required to be filed on their initial filing date for a state-mandated local program shall be considered as one claim for the purpose of computing any late claim penalty. Any claim for initial reimbursement filed after the filing deadline shall be reduced by 10 percent of the amount that would have been allowed had the claim been timely filed. The Controller may withhold payment of any late claim for initial reimbursement until the next deadline for funded claims unless sufficient funds are available to pay the claim after all timely filed claims have been paid. In no case may a reimbursement claim be paid if submitted more than one year after the filing deadline specified in the Controller's claiming instructions on funded mandates contained in a claims bill.

SEC. 20. Section 17561.5 of the Government Code is amended to read:

17561.5. The payment of an initial reimbursement claim by the Controller shall include accrued interest at the Pooled Money Investment Account rate, if the payment is being made more than 365 days after adoption of the statewide cost estimate for an initial claim or, in the case of payment of a subsequent claim relating to that same statute or executive order, if payment is being made more than 60 days after the filing deadline for, or the actual date of receipt of, the subsequent claim, whichever is later. In those instances, interest shall begin to accrue as of



the 366th day after adoption of the statewide cost estimate for an initial claim and as of the 61st day after the filing deadline for, or actual date of receipt of, the subsequent claim, whichever is later.

SEC. 21. Section 17561.6 of the Government Code is amended to read:

17561.6. A budget act item or appropriation pursuant to this part for reimbursement of claims shall include an amount necessary to reimburse any interest due pursuant to Section 17561.5.

SEC. 22. Section 17562 of the Government Code is amended to read:

17562. (a) The Legislature hereby finds and declares that the increasing revenue constraints on state and local government and the increasing costs of financing state-mandated local programs make evaluation of state-mandated local programs imperative. Accordingly, it is the intent of the Legislature to increase information regarding state mandates and establish a method for regularly reviewing the costs and benefits of state-mandated local programs.

(b) The Controller shall submit a report to the Joint Legislative Budget Committee and fiscal committees by January 1 of each year. This report shall summarize, by state mandate, the total amount of claims paid per fiscal year and the amount, if any, of mandate deficiencies or surpluses. This report shall be made available in an electronic spreadsheet format. The report shall compare the annual cost of each mandate to the statewide cost estimate adopted by the commission.

(c) After the commission submits its second semiannual report to the Legislature pursuant to Section 17600, the Legislative Analyst shall submit a report to the Joint Legislative Budget Committee and legislative fiscal committees on the mandates included in the commission's reports. The report shall make recommendations as to whether the mandate should be repealed, funded, suspended, or modified.

(d) In its annual analysis of the Budget Bill and based on information provided pursuant to subdivision (b), the Legislative Analyst shall identify mandates that significantly exceed the statewide cost estimate adopted by the commission. The Legislative Analyst shall make recommendations on whether the mandate should be repealed, funded, suspended, or modified.

(e) (1) A statewide association of local agencies or school districts or a Member of the Legislature may submit a proposal to the Legislature recommending the elimination or modification of a state-mandated local program. To make such a proposal, the association or member shall submit a letter to the Chairs of the Assembly Committee on Education or the Assembly Committee on Local Government, as the case may be,



and the Senate Committee on Education or the Senate Committee on Local Government, as the case may be, specifying the mandate and the concerns and recommendations regarding the mandate. The association or member shall include in the proposal all information relevant to the conclusions. If the chairs of the committees desire additional analysis of the submitted proposal, the chairs may refer the proposal to the Legislative Analyst for review and comment. The chairs of the committees may refer up to a total of 10 of these proposals to the Legislative Analyst for review in any year. Referrals shall be submitted to the Legislative Analyst by December 1 of each year.

(2) The Legislative Analyst shall review and report to the Legislature with regard to each proposal that is referred to the office pursuant to paragraph (1). The Legislative Analyst shall recommend that the Legislature adopt, reject, or modify the proposal. The report and recommendations shall be submitted annually to the Legislature by March 1 of the year subsequent to the year in which referrals are submitted to the Legislative Analyst.

(3) The Department of Finance shall review all statutes enacted each year that contain provisions making inoperative Section 17561 or Section 17565 that have resulted in costs or revenue losses mandated by the state that were not identified when the statute was enacted. The review shall identify the costs or revenue losses involved in complying with the statutes. The Department of Finance shall also review all statutes enacted each year that may result in cost savings authorized by the state. The Department of Finance shall submit an annual report of the review required by this subdivision, together with the recommendations as it may deem appropriate, by December 1 of each year.

(f) It is the intent of the Legislature that the Assembly Committee on Local Government and the Senate Committee on Local Government hold a joint hearing each year regarding the following:

(1) The reports and recommendations submitted pursuant to subdivision (e).

(2) The reports submitted pursuant to Sections 17570, 17600, and 17601.

(3) Legislation to continue, eliminate, or modify any provision of law reviewed pursuant to this subdivision. The legislation may be by subject area or by year or years of enactment.

SEC. 23. Section 17564 of the Government Code is amended to read:

17564. (a) No claim shall be made pursuant to Sections 17551 and 17561, nor shall any payment be made on claims submitted pursuant to Sections 17551 and 17561, unless these claims exceed one thousand dollars (\$1,000), provided that a county superintendent of schools or



county may submit a combined claim on behalf of school districts, direct service districts, or special districts within their county if the combined claim exceeds one thousand dollars (\$1,000) even if the individual school district's, direct service district's, or special district's claims do not each exceed one thousand dollars (\$1,000). The county superintendent of schools or the county shall determine if the submission of the combined claim is economically feasible and shall be responsible for disbursing the funds to each school, direct service, or special district. These combined claims may be filed only when the county superintendent of schools or the county is the fiscal agent for the districts. All subsequent claims based upon the same mandate shall only be filed in the combined form unless a school district, direct service district, or special district provides to the county superintendent of schools or county and to the Controller, at least 180 days prior to the deadline for filing the claim, a written notice of its intent to file a separate claim.

(b) Claims for direct and indirect costs filed pursuant to Section 17561 shall be filed in the manner prescribed in the parameters and guidelines and claiming instructions.

SEC. 24. Section 17579 of the Government Code is amended to read:

17579. Any bill introduced or amended for which the Legislative Counsel has determined the bill will mandate a new program or higher level of service pursuant to Section 6 of Article XIII B of the California Constitution shall contain a section specifying that reimbursement shall be made pursuant to this chapter or that the mandate is being disclaimed and the reason therefor.

SEC. 25. Section 17610 of the Government Code is repealed.

SEC. 26. Section 17612 of the Government Code is amended to read:

17612. (a) Immediately upon receipt of the report submitted by the commission pursuant to Section 17600, a local government claims bill shall be introduced in the Legislature. The local government claims bill, at the time of its introduction, shall provide for an appropriation sufficient to pay the estimated costs of these mandates.

(b) The Legislature may amend, modify, or supplement the parameters and guidelines for mandates contained in the local government claims bill. If the Legislature amends, modifies, or supplements the parameters and guidelines, it shall make a declaration in the local government claims bill specifying the basis for the amendment, modification, or supplement.

(c) If the Legislature deletes from a local government claims bill funding for a mandate, the local agency or school district may file in the



Superior Court of the County of Sacramento an action in declaratory relief to declare the mandate unenforceable and enjoin its enforcement.

SEC. 27. Section 17614 of the Government Code is repealed.

SEC. 28. Section 17615.1 of the Government Code is amended to read:

17615.1. The commission shall establish a procedure for reviewing, upon request, mandated cost programs for which appropriations have been made by the Legislature for the 1982–83, 1983–84, and 1984–85 fiscal years, or any three consecutive fiscal years thereafter. At the request of the Department of Finance, the Controller, or any local agency or school district receiving reimbursement for the mandated program, the commission shall review the mandated cost program to determine whether the program should be included in the State Mandates Apportionment System. If the commission determines that the State Mandates Apportionment System would accurately reflect the costs of the state-mandated program, the commission shall direct the Controller to include the program in the State Mandates Apportionment System.

SEC. 29. Section 17615.4 of the Government Code is amended to read:

17615.4. (a) When a new mandate imposes costs that are funded either by legislation or in local government claims bills, local agencies and school districts may file reimbursement claims as required by Section 17561, for a minimum of three years after the initial funding of the new mandate.

(b) After actual cost claims are submitted for three fiscal years against such a new mandate, the commission shall determine, upon request of the Controller or a local entity or school district receiving reimbursement for the program, whether the amount of the base year entitlement adjusted by changes in the deflator and workload accurately reflects the costs incurred by the local agency or school district. If the commission determines that the base year entitlement, as adjusted, does accurately reflect the costs of the program, the commission shall direct the Controller to include the program in the State Mandates Apportionment System.

(c) The Controller shall make recommendations to the commission and the commission shall consider the Controller's recommendations for each new mandate submitted for inclusion in the State Mandates Apportionment System. All claims included in the State Mandates Apportionment System pursuant to this section are also subject to the audit provisions of Section 17616.

SEC. 30. Section 17616 of the Government Code is amended to read:

17616. The Controller shall have the authority to do either or both of the following:

(a) Audit the fiscal years comprising the base year entitlement no later than three years after the year in which the base year entitlement is established. The results of such audits shall be used to adjust the base year entitlements and any subsequent apportionments based on that entitlement, in addition to adjusting actual cost payments made for the base years audited.

(b) Verify that any local agency or school district receiving funds pursuant to this article is providing the reimbursed activities.

SEC. 31. Section 17630 of the Government Code is amended to read:

17630. Except for Article 5, the provisions of this part shall be applicable to claims for state reimbursement of costs mandated by the state on and after January 1, 1985. All claims for state reimbursement filed under Article 1 (commencing with Section 2201), Article 2 (commencing with Section 2227), and Article 3 (commencing with Section 2240) of Chapter 3 of Part 4 of Division 1 of the Revenue and Taxation Code that have not been included in a local government claims bill pursuant to Section 2255 of the Revenue and Taxation Code enacted before January 1, 1985, shall be transferred to and considered by the commission pursuant to the provisions of this part.



Senate Bill No. 856

CHAPTER 719

An act to amend Sections 159.5, 160, 23399, and 23954.5 of, and to add Sections 154.2 and 210 to, the Business and Professions Code, to amend Section 337.5 of, and to add Section 348.5 to, the Code of Civil Procedure, to amend Section 94949 of, and to add and repeal Section 94874.3 of, the Education Code, to amend Sections 927, 927.2, 927.3, 927.5, 927.6, 927.7, 927.9, 7076, 7097.1, 7114.2, 7591, 7592, 11544, 16429.1, 17556, and 17557 of, to add Sections 927.13, 7072.3, 11546.4, 17570, and 17570.1 to, to repeal Sections 926.16 and 926.19 of, and to repeal Chapter 2 (commencing with Section 13996) of Part 4.7 of Division 3 of Title 2 of, the Government Code, to amend Section 50199.9 of the Health and Safety Code, to amend Sections 62.9, 1771.3, 1771.5, 1771.7, 1771.75, 1771.8, and 1777.5 of the Labor Code, to add Section 11105.8 to the Penal Code, to amend Section 5164 of the Public Resources Code, to amend Sections 11006 and 19558 of the Revenue and Taxation Code, to amend Sections 1088, 1112.5, 1113.1, 1275, 13021, and 13050 of, and to add Article 9 (commencing with Section 1900) to Chapter 7 of Part 1 of Division 1 of, the Unemployment Insurance Code, to amend Section 1673.2 of the Vehicle Code, and to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Item 0820-001-3086 of Section 2.00 of that act, relating to state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 19, 2010. Filed with
Secretary of State October 19, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

SB 856, Committee on Budget and Fiscal Review. State government.

(1) Existing law provides for the regulation of various professions and vocations by regulatory boards within the Department of Consumer Affairs. Existing law creates in the department a Division of Investigation and authorizes the Director of Consumer Affairs to employ investigators, inspectors, and deputies as are necessary to investigate and prosecute all violations of any law, the enforcement of which is charged to the department or to any board in the department. Inspectors used by the boards are not required to be employees of the Division of Investigation, but may be employees of, or under contract to, the boards. Investigators of the Division of Investigation and of the Medical Board of California and the Dental Board of California have the authority of peace officers and are in the division and appointed by the director.

This bill would authorize specified healing arts boards to employ individuals to serve as experts and would authorize those boards and the

Division of Investigation to employ individuals who are not peace officers to provide investigative services. The bill would also provide that investigators of the Medical Board of California and the Dental Board of California who have the authority of peace officers are not required to be in the division.

(2) According to the strategic plan of the Department of Consumer Affairs, the BreEZe system is an integrated, enterprisewide enforcement and licensing system. Under existing law, the office of the State Chief Information Officer is responsible for, among other things, the approval and oversight of specified information technology projects.

This bill would authorize the department to enter into a contract with a vendor for the BreEZe system no sooner than 30 days after written notification to certain committees of the Legislature. The bill would require the amount of contract funds for the system to be consistent with costs approved by the office of the State Chief Information Officer, based on information provided by the department in a specified manner. The bill would provide that this cost provision is applicable to all Budget Act items for the department with an appropriation for the BreEZe system. If the department enters into a contract for the system, the bill would also require the department, by December 1, 2014, to submit to the Legislature and specified committees a report analyzing the workload of certain licensing personnel employed by boards participating in the BreEZe system.

(3) The Alcoholic Beverage Control Act authorizes the issuance of an event permit that allows specified licenses to sell beer, wine, and distilled spirits and requires an annual fee of \$100 for an event permit and a fee of not more than \$10 for each event authorization.

This bill would increase the fee for each event authorization to not more than \$25.

(4) Under existing law, the Alcoholic Beverage Control Act establishes various types of licenses and various annual fees for different categories of licensees. Existing law establishing a fee for an original on-sale general license or an original off-sale general license as \$12,000.

This bill would increase that fee to \$13,800 and would permit adjustment of the fee, as specified.

(5) Existing law provides that the period for commencement of action upon any bonds or coupons issued by the State of California is 10 years.

This bill would delete that provision and instead provide that the period for commencement of an action upon any bonds or coupons issued by the State of California shall have no limitation.

(6) Existing law establishes the California Private Postsecondary Education Act of 2009, which, among other things, provides for student protections and regulatory oversight of private postsecondary schools in the state. Existing law establishes the Bureau for Private Postsecondary Education to regulate private postsecondary institutions through the powers granted, and the duties imposed, by the act.

This bill would prohibit the bureau, for the period July 1, 2010, to July 1, 2011, inclusive, from enforcing the act against institutions that offer flight

instruction or institutions that offer Federal Aviation Administration certified educational programs in aircraft maintenance. The bill would also require those institutions to notify the bureau if they operate during that period.

(7) Existing law also requires the Bureau for Private Postsecondary Education (bureau) to contract with the Bureau of State Audits to conduct a performance audit to evaluate the effectiveness and efficiency of the bureau's operation, on or before August 1, 2013, consistent with the requirements of the act. The act requires the Bureau of State Audits to report the results of the performance audit to the Legislature and the Governor.

This bill would additionally require the performance audit to include an evaluation of whether the bureau's staffing level and expertise are sufficient to fulfill their statutory responsibilities.

(8) The California Prompt Payment Act provides that a state agency that fails to make a payment for goods and services to certain entities pursuant to a contract is subject to an interest penalty fee, according to specified criteria. Existing law provides that in order to avoid late payment penalties, state agencies shall pay promptly submitted, undisputed invoices within 45 days, and specifies procedures and exclusions relating to that requirement. Existing law provides that penalties for late payments to certain small and nonprofit businesses accrue at 0.25% of the amount due, per calendar day.

Existing law provides that, subject to specified exceptions, a state agency that fails to pay a person an undisputed payment or refund due to that person within 31 days after the agency provides notice to that person that the payment is due is liable for interest on the undisputed amount.

This bill would revise and recast these provisions by requiring state agencies to pay refunds or other undisputed payments due to individuals within 45 days after receipt of a notice of refund or undisputed payment due, and would specify procedures and exclusions related to that requirement. The bill would also provide that penalties for late payments to certain small and nonprofit businesses accrue at a rate of 10% above the United States Prime Rate on June 30 of the prior fiscal year.

This bill would also delete obsolete provisions, cross-references, and references to the Year 2000 Problem.

(9) Existing law prescribes the duties and responsibilities of the Department of Housing and Community Development in connection with the establishment of various economic development areas, including enterprise zones, manufacturing enhancement areas, targeted tax areas, and local agency military base recovery areas. Existing law authorizes the department to assess each of these economic development areas a fee of not more than \$10 for each application it accepts for the issuance of a specified tax certificate issued by a local government.

This bill would revise these provisions to require the department to collect a fee of \$15 for each application it accepts for the issuance of the specified tax certificate. The bill would require the fees to be deposited in the Enterprise Zone Fund, which the bill would create. These funds would be available to the department, upon appropriation by the Legislature, for the

costs of administering the programs relating to each economic development area.

(10) Existing law appropriated \$15,000,000 to the Trade and Commerce Agency for a loan for allocation over 3 years in 3 equal amounts to that nonprofit organization currently named the San Diego National Sports Training Foundation for purposes of developing and constructing a California Olympic Training Center. Existing law provides that these loan allocations be repaid in full no later than 20 years from the date of receipt, as specified. Existing law creates the California Olympic Training Account in the General Fund for the receipt of moneys from fees paid for commemorative olympic license plates, which are to be used for repayment of the loan described above.

This bill would cancel any of the outstanding balance and any accrued interest on the loan for the California Olympic Training Center described above. The bill would require the Controller to annually transfer the moneys from fees paid for commemorative olympic license plates to the General Fund.

(11) Existing law creates the Technology Services Revolving Fund, administered by the State Chief Information Officer, for the purpose of receiving revenue from the sale of technology or technology services, and for payment, upon appropriation by the Legislature, of specified costs. The Governor's Reorganization Plan No. 1 of 2009 renamed and transferred the Department of Technology Services in the State and Consumer Services Agency to the Office of the Department of Technology Services within the office of the State Chief Information Officer, and renamed the Department of Technology Services Revolving Fund the Technology Services Revolving Fund, and made conforming changes. The plan also transferred duties relating to the state's procurement of information technology from the Department of Finance, the Department of General Services, and the Department of Information Technology to the office of the State Chief Information Officer.

This bill would make certain statutory codification changes made necessary by the Governor's Reorganization Plan No. 1 of 2009 in connection with the Technology Services Revolving Fund. This bill would also authorize the fund to receive revenues for other services rendered by the office of the State Chief Information Officer and to pay for other specified costs. The bill would authorize the office of the State Chief Information Officer to collect payments from public agencies for services requested from, rather than contracted for, the office of the State Chief Information Officer, as specified. The bill would also revise the conditions used to determine whether a balance remains in the Technology Services Revolving Fund at the end of a fiscal year to limit the amount that is used to determine a reduction in billing rates. The bill would provide that these provisions apply to all revenue earned on or after July 1, 2010.

(12) Existing law imposes a duty on the office of the State Chief Information Officer to be responsible for the approval and oversight of information technology projects, including, but not limited to, consulting

with agencies during initial project planning to ensure that identified needs and benefits are consistent with statewide strategies, policies, and procedures.

This bill would, notwithstanding any other law, require the office to review, approve, and oversee any service contract proposed to be entered into by an agency that contains an information technology component, as specified.

(13) Existing law establishes the Manufacturing Technology Program within the Business, Transportation and Housing Agency, requires the agency to adopt regulations to implement the program, and requires the program to award grants, as specified, and to provide technical assistance to California nonprofit organizations and public agencies for the performance of specified functions relating to the improvement of the competitiveness and viability of specified manufacturing industries.

This bill would repeal these laws thereby eliminating the Manufacturing Technology Program.

(14) Existing law establishes the Local Agency Investment Fund, in trust in the custody of the Treasurer, to which specified local governmental individuals and entities, with the required consent, may remit money in its treasury that is not required for immediate needs for the purpose of investment. Existing law requires, immediately at the conclusion of each calendar quarter, that all interest earned and other increment derived from investments be distributed by the Controller to the contributing governmental units or trustees or fiscal agents, nonprofit corporations, and quasi-governmental agencies in amounts directly proportionate to the respective amounts deposited in the fund and the length of time the amounts remained therein. Existing law requires, however, that an amount equal to the reasonable costs incurred in carrying out duties related to the administration of the fund, not to exceed $\frac{1}{2}$ of 1% of the earnings of the fund, be deducted from the earnings prior to distribution, and that this amount be credited as reimbursements to the state agencies having incurred costs in carrying out duties related to the administration of the fund.

This bill would increase the amount authorized to be deducted from earnings prior to distribution to be an amount equal to the reasonable costs incurred in carrying out these provisions, not to exceed a maximum of 5% of the earnings of the fund and not to exceed the amount appropriated in the annual Budget Act for this function.

(15) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a test claim procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates.

This bill would authorize specified entities to request that the commission adopt a new test claim decision to supersede a previously adopted test claim. This bill would authorize the commission to adopt a new test claim decision only upon a showing that the state's liability for the previously adopted test

claim decision has been modified based upon a subsequent change in law, as defined.

This bill would require that the commission adopt procedures for receiving these requests and for providing notice and a hearing on those requests, as prescribed, including a requirement that the submitted request be signed under penalty of perjury. Because this bill would expand the scope of an existing crime, this bill would impose a state-mandated local program.

(16) Existing law prohibits the commission from determining that certain costs in a test claim are mandated by the state if the costs meet specified conditions, including, among others, where the challenged costs result from a statute or executive order that imposes requirements mandated by federal law or regulation. Existing law provides that this prohibition applies regardless of whether the federal mandate was enacted before or after the statute or executive order.

This bill would provide that the exceptions for the other specified conditions likewise remain applicable regardless of whether the conditions occurred before or after the enactment of the statute or the adoption of the executive order that is the subject of the test claim.

(17) Existing law requires that the commission adopt parameters and guidelines for the reimbursement of approved test claims. Existing law authorizes a local agency, school district, or the state to file a written request with the commission to amend, modify, or supplement the parameters and guidelines, as specified.

This bill would authorize these entities to file a written request with the commission to amend the parameters and guidelines, and prescribe the types of changes for which the request may be filed, including, among others, deleting a reimbursable activity that has been repealed by statute or executive order.

(18) Existing law requires the California Tax Credit Allocation Committee to allocate specified tax credits for purposes of low-income housing projects. Existing law requires the committee to establish and charge fees it determines are reasonably sufficient to cover the costs in carrying out the responsibilities related to the low-income housing credit program and to deposit these fees in the Tax Credit Allocation Fee Account and the Occupancy Compliance Monitoring Account for specified purposes.

Existing law also authorizes the Governor, in certain circumstances, to direct the Controller to make transfers of money from any special funds and other accounts to the General Cash Revolving Fund.

This bill would authorize the Controller to use the fees deposited in the Tax Credit Allocation Fee Account and the Occupancy Compliance Monitoring Account for daily cash flow loans to the General Fund or the General Cash Revolving Fund in accordance with specified provisions of existing law.

(19) Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an injured employee for injuries sustained in the course of his or her employment. Existing law requires that the

Director of Industrial Relations levy and collect assessments from employers in an amount determined by the director to be sufficient to fund specified workers' compensation programs implemented in the state. In that connection, existing law requires the director to include in the total assessment amount the Department of Industrial Relations' costs for administering the assessment, including the collections process and the cost of reimbursing the Franchise Tax Board for its cost of collection activities.

This bill would also require the director to include in the total assessment amount the department's costs for administering the assessment, including the collections process and the cost of reimbursing another agency or department other than the Franchise Tax Board.

(20) Existing law authorizes the Director of Industrial Relations, with the approval of the Director of Finance, to determine and assess a fee on any awarding body using funds derived from any bond issued by the state to fund public works projects, and requires the fees collected to be deposited in the State Public Works Enforcement Fund, a continuously appropriated fund.

This bill would require the fee to be payable by the board, commission, department, agency, or official responsible for the allocation of bond proceeds from the bond funds awarded to each project, at the time the funds are released to the project or any other time agreed upon by the department and the allocating entity.

(21) Existing law requires an awarding body that chooses to use funds from the Kindergarten-University Public Education Facilities Bond Act of 2002 or the Kindergarten-University Public Education Facilities Bond Act of 2004 for a public works project to pay a fee to the Department of Industrial Relations sufficient to support the department's costs in ensuring compliance with and enforcing prevailing wage requirements on the project and labor compliance, and requires the fees collected to be deposited in the State Public Works Enforcement Fund. Existing law requires the department to notify the State Allocation Board of awarding bodies that have paid the fee.

This bill would instead require the State Allocation Board to notify the department of awarding bodies that are awarded funds subject to the fee. This bill would also require the State Allocation Board to pay the fee to the department at the time bond funds are released to the awarding body.

(22) Existing law authorizes the awarding body for a public works project to not require the payment of the general prevailing rate of per diem wages on public works projects of specified sizes and types of work if the awarding body elects to meet certain requirements with regard to any public works project under its authority, including payment of a fee to the Department of Industrial Relations for the enforcement of prevailing wage obligations, in lieu of authorizing the awarding body to initiate and enforce a labor compliance program, for contracts awarded after the effective date of regulations and fees adopted by the department, as specified.

This bill would make technical, conforming changes to those provisions.

(23) Existing law requires that every apprentice employed upon public works, as defined, be paid the prevailing rate of per diem wages for

apprentices in the trade to which he or she is registered, and requires that the apprentice be employed only at the work of the craft or trade to which he or she is registered. Existing law requires a contractor to whom a contract is awarded, who, in performing any of the work under the contract, employs journeymen or apprentices in any apprenticeable craft or trade, to contribute to the California Apprenticeship Council the same amount that the Director of Industrial Relations determines is the prevailing amount of apprenticeship training contributions in the area of the public works site. Existing law requires that all training contributions received pursuant to those provisions be deposited in the Apprenticeship Training Contribution Fund, and continuously appropriates that fund for purposes related to apprenticeship training and to pay the expenses of the Division of Apprenticeship Standards.

This bill would eliminate this continuous appropriation and instead specify that, upon appropriation by the Legislature, all moneys in the fund be used for apprenticeship training and to pay the expenses of the Division of Apprenticeship Standards.

(24) Existing law requires the Department of Justice to maintain a master record of information pertaining to the identification and criminal history of persons, as specified. Existing law authorizes the department to provide that information to various entities for law enforcement and other purposes, as specified, including providing that information through the California Law Enforcement Telecommunications System.

This bill would authorize nonprofit organizations that are funded by certain federal grants or contracts for identifying, targeting, or removing criminal and terrorist conspiracies and activities to access local, state, or federal criminal justice system information that is available to law enforcement agencies, including access to the California Law Enforcement Telecommunications System, provided that the nonprofit organization meet state and federal requirements for access to that information or system.

(25) Existing law prohibits a county, city, city and county, or special district from hiring a person for employment or a volunteer to perform services, at a county, city, city and county, or special district operated park, playground, recreational center, or beach used for recreational purposes, in a position having supervisory or disciplinary authority over a minor, if that person has been convicted of specified offenses. Existing law requires a county, city, city and county, or special district to require each of those prospective employees and volunteers to complete an application that inquires as to whether that person has been convicted of one of those offenses, and imposes a screening requirement on the county, city, city and county, or special district with respect to those prospective employees and volunteers.

This bill would authorize a county, city, city and county, or special district to charge those prospective employees and volunteers a fee to cover all of the county, city, city and county, or special district's costs attributable to those requirements.

(26) The Vehicle License Fee (VLF) Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle

subject to registration in this state in the amount of 2% of the market value of that vehicle, as specified. Existing law requires the Controller, in consultation with the Department of Motor Vehicles and the Department of Finance, to calculate certain allocation amounts with respect to the vehicle license fees paid by commercial vehicle operators, and to transfer moneys in those amounts from the General Fund.

This bill would eliminate the requirement that the Controller transfer one of the allocation amounts from the General Fund, as provided.

(27) Existing law prohibits the Franchise Tax Board and specified individuals who have access to certain documents filed with the board from disclosing information set forth in the documents, except as provided. Existing law authorizes the board to provide the Public Employees' Retirement System with identification and location information from income tax returns or other records solely for the purposes of disbursing unclaimed benefits and distributing member statements on an annual basis. Under existing law, unauthorized disclosure is a misdemeanor. Existing federal law establishes the Early Retiree Reinsurance Program, which provides federal reimbursement to participating employment-based group health benefits plans, as provided.

This bill would, until June 30, 2016, authorize the board to provide the Public Employees' Retirement System with identification and location information from income tax returns or other records for the purpose of filing required data pursuant to the federal Early Retiree Reinsurance Program and related regulations and departmental directives. By expanding the definition of a crime, the bill would impose a state-mandated local program.

(28) Existing law requires each employer to file with the Director of the Employment Development Department, within a specified time period for the payment of employer contributions, a report of contributions and a report of wages paid to his or her workers in the form and containing any information as the director prescribes. Existing law also requires every employer who pays wages to an employee for services performed in this state to withhold from those wages, except as provided, specified income taxes, to file specified reports with the director, and to pay the withheld taxes.

This bill would, instead, require each employer, beginning with the first calendar quarter of 2011, to file with the director a quarterly return, including certain information regarding the total amount of wages, employer contributions, worker contributions required to be withheld by the employer, taxes withheld, and any other information prescribed by the director, as specified.

Existing law also requires each employer, in addition to the aforementioned reports, to file with the director an annual reconciliation return showing specified information pertaining to amounts required to be withheld for employer contributions, as determined by wages and other specified criteria, and taxes withheld as prescribed.

This bill also would eliminate the requirement that an employer file an annual reconciliation form with the director beginning in the 2012 calendar year, and would make related changes.

(29) Existing law provides for unemployment compensation benefits for eligible individuals in the state who are unemployed through no fault of their own. Existing law, for new claims filed on or after a specified date, but no later than April 3, 2011, for which a valid claim or benefit year cannot be established under the currently defined base periods, establish alternative base periods, as provided. Existing law also requires a claimant to submit specified information regarding wages to the Employment Development Department via an affidavit, under specified conditions, and requires the department to implement the technical changes necessary to establish claims under the alternative base period, as specified, as soon as possible, but no later than April 3, 2011.

This bill would extend to September 3, 2011, the time period within which the department is required to implement those changes related to the establishment of unemployment compensation benefit claims under the alternative base period program.

Existing law requires the department, until April 3, 2013, to report to the Joint Legislative Budget Committee, no less than quarterly, on the progress and effectiveness of implementation of the alternative base period program, as specified.

This bill would extend to September 3, 2013, the period during which those reports are required to be provided to the Joint Legislative Budget Committee.

This bill would authorize the Department of Industrial Relations to enter into an agreement that transfers all or part of the responsibility from the Department of Industrial Relations, or any office or division within the department, to the Employment Development Department for the collection of items including, but not limited to, delinquent fees, wages, penalties, judgments, assessments, costs, citations, debts, and any interest thereon, arising out of the enforcement of any law within the jurisdiction of the department, in accordance with specified requirements.

(30) Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state. Existing law authorizes moneys in that fund to be used for specified purposes, including for grants for the support of state and local government agencies impacted by tribal government gaming.

Existing law, until January 1, 2021, creates a County Tribal Casino Account in the treasury of each county that contains a tribal casino. Existing law requires the Controller to divide the County Tribal Casino Account for each county that has gaming devices that are subject to an obligation to make contributions to the Indian Gaming Special Distribution Fund into a separate account, known as an Individual Tribal Casino Account, for each tribe that operates a casino within the county. Each Individual Tribal Casino Account is required to be funded in proportion to the amount that each

individual tribe paid in the prior fiscal year to the Indian Gaming Special Distribution Fund, and used for grants to local agencies impacted by tribal casinos, as specified.

This bill would appropriate \$30,000,000 from the Indian Gaming Special Distribution Fund to restore funding deleted from the Budget Act of 2007 for the purpose of providing grants to local government agencies impacted by tribal government gaming under the provisions described above.

(31) The Budget Act of 2009 (Chapter 1 of the 2009–10 3rd Extraordinary Session) and revisions to the Budget Act of 2009 (Chapter 1 of the 2009–10 4th Extraordinary Session) made appropriations for the support of state government during the 2009–10 fiscal year.

This bill would make an additional appropriation of moneys from the DNA Identification Fund to the Department of Justice for its support.

(32) Existing law gives the Citizens Redistricting Commission the responsibility for redrawing district boundaries for state Senate, Assembly, and Board of Equalization districts after each national decennial census. Existing law further directs the State Auditor to oversee the selection of members of the commission, and directs the Secretary of State to assist the commission in carrying out its redistricting responsibilities. Existing law requires the Legislature to include in the Budget Act, in each year ending in 9, an appropriation to meet the expenses of the commission, the State Auditor, and the Secretary of State in implementing the redistricting process. The appropriation is required to be a minimum of \$3,000,000 and is required to be available for a 3-year period. The Legislature is permitted to make additional appropriations in any year in which it determines that the commission requires additional funding. The Budget Act of 2009 appropriated \$3,000,000 for allocation by the Director of Finance among the Citizens Redistricting Commission, the Secretary of State, and the Bureau of State Audits to meet the expenses of those entities in implementing the redistricting process in connection with the 2010 national census.

This bill would provide that funds appropriated in the Budget Act of 2009 for expenses of the commission, the Secretary of State, and the Bureau of State Audits in connection with implementing the redistricting process shall be available until June 30, 2012, and would further provide that funds allocated pursuant to the Budget Act of 2010 for those purposes shall be available until June 30, 2013. The bill would prohibit those funds from being allocated by the Director of Finance until the State Auditor has selected the first 8 members of the commission and the Department of Finance has submitted to the Joint Legislative Budget Committee a 30-days' notice of intent to allocate those funds. The bill would require, in order for the Bureau of State Audits to receive an allocation of funds, that the bureau submit a request with a detailed cost estimate to the Chairperson of the Joint Legislative Budget Committee and the Director of Finance, and that the chairperson of the joint committee provide a written notification to the director that the requested allocation, or a lesser amount, is needed to carry out expenses of the bureau as set forth in the detailed cost estimate.

(33) Existing law creates the California Infrastructure and Economic Development Bank for the purpose of, among other things, providing financial assistance for public development facilities located in California. Existing law establishes the California Infrastructure Guarantee Trust Fund within which there is a guarantee reserve account to fund secure commitments under contracts to guarantee all or part of the bonds in the bank. Existing law permits the Legislature to establish for the guarantee reserve account a reserve account requirement. Existing law requires the bank to take all reasonable steps to maintain the reserve account requirement, and if the bank determines that the amount in the reserve account is below the reserve account requirement, the executive director of the bank is to certify to various parties in the Legislature the sum required to restore the reserve fund to the requirement, and upon making the certification, request an appropriation. Existing law provides that the obligation of the bank and the state to pay any guarantee is a limited obligation of the bank payable solely from amounts deposited in the guarantee trust fund that are made available under the respective contracts of guarantee, and prohibits the guarantee of loans or bonds from directly, indirectly, or contingently obligating the state to levy or to pledge any form of taxation or to make any appropriation for their payment. In 2003, the California Infrastructure and Economic Development Bank and the Imperial Irrigation District entered into a preliminary loan guarantee agreement.

This bill would require that funds in the California Infrastructure Guarantee Trust Fund, as of January 1, 2010, held for the benefit of the Imperial Irrigation District, be deposited in a guarantee reserve account in the fund, which the bill would establish, and would provide that this amount is the reserve account requirement, as specified, for the purpose of meeting the obligations of the Imperial Irrigation District up to \$150,000,000 in connection with certain water agreements. The bill would require that the California Infrastructure and Economic Development Bank guarantee certain bonds relating to the Imperial Irrigation District projects, and that the reserve account be paid for the benefit of bondholders in the event of a shortfall, as specified. The bill would specify the characteristics of these bonds, and would establish the limits of the liability of the Imperial Irrigation District, the California Infrastructure and Economic Development Bank, and the state in connection to them.

(34) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(35) This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 154.2 is added to the Business and Professions Code, to read:

154.2. (a) The healing arts boards within Division 2 (commencing with Section 500) may employ individuals, other than peace officers, to perform investigative services.

(b) The healing arts boards within Division 2 (commencing with Section 500) may employ individuals to serve as experts.

SEC. 2. Section 159.5 of the Business and Professions Code is amended to read:

159.5. There is in the department the Division of Investigation. The division is in the charge of a person with the title of chief of the division.

Except as provided in Section 160, investigators who have the authority of peace officers, as specified in subdivision (a) of Section 160 and in subdivision (a) of Section 830.3 of the Penal Code, shall be in the division and shall be appointed by the director.

SEC. 3. Section 160 of the Business and Professions Code is amended to read:

160. (a) The Chief and all investigators of the Division of Investigation of the department and all investigators of the Medical Board of California and the Dental Board of California have the authority of peace officers while engaged in exercising the powers granted or performing the duties imposed upon them or the division in investigating the laws administered by the various boards comprising the department or commencing directly or indirectly any criminal prosecution arising from any investigation conducted under these laws. All persons herein referred to shall be deemed to be acting within the scope of employment with respect to all acts and matters set forth in this section.

(b) The Division of Investigation of the department, the Medical Board of California, and the Dental Board of California may employ individuals, who are not peace officers, to provide investigative services.

SEC. 4. Section 210 is added to the Business and Professions Code, to read:

210. (a) (1) The department may enter into a contract with a vendor for the BreEZe system, the integrated, enterprisewide enforcement case management and licensing system described in the department's strategic plan, no sooner than 30 days after notification in writing to the chairpersons of the Appropriations Committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.

(2) The amount of BreEZe system vendor contract funds, authorized pursuant to this section, shall be consistent with the project costs approved by the office of the State Chief Information Officer based on its review and approval of the most recent BreEZe Special Project Report to be submitted by the department prior to contract award at the conclusion of procurement activities.

(3) Paragraph (2) shall apply to all Budget Act items for the department that have an appropriation for the BreEZe system.

(b) (1) If the department enters into a contract with a vendor for the BreEZe system pursuant to subdivision (a), the department shall, by December 31, 2014, submit to the Legislature, the Senate Committee on Business, Professions and Economic Development, the Assembly Committee on Business, Professions and Consumer Protection, and the budget committees of each house, a report analyzing the workload of licensing personnel employed by boards within the department participating in the BreEZe system.

(2) A report to the Legislature pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

(3) This subdivision shall become inoperative on December 1, 2018, pursuant to Section 10231.5 of the Government Code.

SEC. 5. Section 23399 of the Business and Professions Code is amended to read:

23399. (a) An on-sale general license authorizes the sale of beer, wine, and distilled spirits for consumption on the premises where sold. Any licensee under an on-sale general license, an on-sale beer and wine license, a club license, or a veterans' club license may apply to the department for a caterer's permit. A caterer's permit under an on-sale general license shall authorize the sale of beer, wine, and distilled spirits for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events held any place in the state approved by the department. A caterer's permit under an on-sale beer and wine license shall authorize the sale of beer and wine for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events held any place in the state approved by the department. A caterer's permit under a club license or a veterans' club license shall authorize sales at these events only upon the licensed club premises.

(b) Any licensee under an on-sale general license or an on-sale beer and wine license may apply to the department for an event permit. An event permit under an on-sale general license or an on-sale beer and wine license shall authorize, at events held no more frequently than four days in any single calendar year, the sale of beer, wine, and distilled spirits only under an on-sale general license or beer and wine only under an on-sale beer and wine license for consumption on property adjacent to the licensed premises and owned or under the control of the licensee. This property shall be secured and controlled by the licensee and not visible to the general public.

(c) This section shall in no way limit the power of the department to issue special licenses under the provisions of Section 24045 or to issue daily on-sale general licenses under the provisions of Section 24045.1. Consent for sales at each event shall be first obtained from the department in the form of a catering or event authorization issued pursuant to rules prescribed by it. Any event authorization shall be subject to approval by the appropriate local law enforcement agency. The fee for each catering or event authorization shall be issued at a fee not to exceed twenty-five dollars (\$25)

and this fee shall be deposited in the Alcohol Beverage Control Fund as provided in Section 25761.

(d) At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the act pertaining to the conduct of on-sale premises and violation of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises.

(e) The fee for a caterer's permit for a licensee under an on-sale general license, a caterer's permit for a licensee under an on-sale beer and wine license, or an event permit for a licensee under an on-sale general license or an on-sale beer and wine license shall be one hundred four dollars (\$104) for permits issued during the 2002 calendar year, one hundred seven dollars (\$107) for permits issued during the 2003 calendar year, one hundred ten dollars (\$110) for permits issued during the 2004 calendar year, and for permits issued during the years thereafter, the annual fee shall be calculated pursuant to subdivisions (b) and (c) of Section 23320, and the fee for a caterer's permit for a licensee under a club license or a veterans' club license shall be as specified in Section 23320, and the permit may be renewable annually at the same time as the licensee's license. A caterer's or event permit shall be transferable as a part of the license.

SEC. 6. Section 23954.5 of the Business and Professions Code is amended to read:

23954.5. (a) An applicant for an original on-sale general license shall, at the time of filing the application for the license, accompany the application with a fee as determined by the department pursuant to subdivision (b) of this section. At the time of filing an application for a license, an applicant for an original on-sale general license for seasonal business shall accompany the application with a fee as determined by the department pursuant to subdivision (b) of this section. An applicant for an original on-sale beer and wine license shall accompany the application with a fee of three hundred dollars (\$300). An applicant for an original on-sale beer license shall accompany the application with a fee of two hundred dollars (\$200). An applicant for an original off-sale general license shall, at the time of filing the application for the license, accompany the application with a fee as determined by the department pursuant to subdivision (b) of this section. An applicant for an original off-sale beer and wine license or an original license not specified in this section, shall accompany the application with a fee of one hundred dollars (\$100).

"Original on-sale general license," "original on-sale general license for seasonal business," "original on-sale beer and wine license," "original on-sale beer license," "original off-sale general license," and "original off-sale beer and wine license," as used in this division, do not include a license issued upon renewal or transfer of a license.

(b) The fee for an original on-sale general license or an original off-sale general license shall be thirteen thousand eight hundred dollars (\$13,800).

Beginning January 1, 2011, and each January thereafter, the department may adjust this fee as provided in subdivisions (c) and (d) of Section 23320.

(c) All money collected from the fees provided for in this section shall be in the Alcohol Beverage Control Fund as provided in Section 25761.

SEC. 7. Section 337.5 of the Code of Civil Procedure is amended to read:

337.5. Within 10 years:

(a) An action upon any general obligation bonds or coupons, not secured in whole or in part by a lien on real property, issued by any county, city and county, municipal corporation, district (including school districts), or other political subdivision of the State of California.

(b) An action upon a judgment or decree of any court of the United States or of any state within the United States.

SEC. 8. Section 348.5 is added to the Code of Civil Procedure, to read:

348.5. An action upon any bonds or coupons issued by the State of California shall have no limitation.

SEC. 9. Section 94874.3 is added to the Education Code, to read:

94874.3. (a) For the period July 1, 2010, to July 1, 2011, inclusive, the bureau shall not enforce this chapter against an institution that offers flight instruction or an institution that offers Federal Aviation Administration certified educational programs in aircraft maintenance.

(b) An institution identified in subdivision (a) shall notify the bureau if the institution operates during the period of July 1, 2010, to July 1, 2011, inclusive.

(c) This section shall remain in effect only until January 1, 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2012, deletes or extends that date.

SEC. 10. Section 94949 of the Education Code is amended to read:

94949. (a) On or before October 1, 2013, the Legislative Analyst's Office shall report to the Legislature and the Governor on the appropriateness of the exemptions provided in this chapter, with particular attention to the exemptions provided by Article 4 (commencing with Section 94874) that are based on accreditation. The report shall examine and make recommendations regarding the degree to which regional and national accrediting agencies provide oversight of institutions and protection of student interests, whether that oversight results in the same level of protection of students as provided by this chapter, and whether the exemptions provided in Article 4 (commencing with Section 94874) that are based on accreditation should be continued, adjusted, or removed.

(b) (1) On or before August 1, 2013, the bureau shall contract with the Bureau of State Audits to conduct a performance audit to evaluate the effectiveness and efficiency of the bureau's operations, consistent with the requirements of this chapter, and the Bureau of State Audits shall report the results of that audit to the Legislature and the Governor.

(2) The performance audit required by paragraph (1) shall include, but shall not be limited to, an evaluation of all of the following:

(A) The Student Tuition Recovery Fund, including the adequacy of its balance; the quality, timeliness, and consistency of claims processing; and the degree to which it has been, or will be, able to reimburse tuition for students.

(B) The bureau’s enforcement program, including the means by which the bureau makes students and school employees aware of their ability to file complaints; the average time for investigating complaints; the standards for referring complaints to investigation; the average time to complete investigations; the adequacy of the bureau’s inspections; the bureau’s record of imposing discipline; the bureau’s record of initiating investigations based upon publicly available information; the bureau’s record of coordinating with law enforcement and public prosecutors; and whether the bureau has the enforcement resources necessary to protect consumers and ensure a fair and prompt resolution of complaints and investigations for both students and institutions.

(C) The bureau’s efforts with respect to, and extent of institution compliance with, the public and student disclosure requirements of this chapter.

(D) Whether the bureau’s staffing level and expertise are sufficient to fulfill its statutory responsibilities.

(c) Bureau staff and management shall cooperate with the Legislative Analyst’s Office and the Bureau of State Audits and shall provide those agencies with access to data, case files, employees, and information as those agencies may, in their discretion, require for the purposes of this section.

SEC. 11. Section 926.16 of the Government Code is repealed.

SEC. 12. Section 926.19 of the Government Code is repealed.

SEC. 13. Section 927 of the Government Code is amended to read:

927. (a) This chapter shall be known and may be cited as the California Prompt Payment Act.

(b) It is the intent of the Legislature that state agencies pay properly submitted, undisputed invoices, refunds, or other undisputed payments due to individuals within 45 days of receipt or notification thereof, or automatically calculate and pay the appropriate late payment penalties as specified in this chapter.

(c) Notwithstanding any other provision of law, this chapter shall apply to all state agencies, including, but not limited to, the Public Employees’ Retirement System, the State Teachers’ Retirement System, the Treasurer, and the Department of General Services.

SEC. 14. Section 927.2 of the Government Code is amended to read:

927.2. The following definitions apply to this chapter:

(a) “Claim schedule” means a schedule of payment requests prepared and submitted by a state agency to the Controller for payment to the named claimant.

(b) “Grant” means a signed final agreement between any state agency and a local government agency or organization authorized to accept grant funding for victim services or prevention programs administered by any state agency. Any such grant is a contract and subject to this chapter.

(c) “Invoice” means a bill or claim that requests payment on a contract under which a state agency acquires property or services or pursuant to a signed final grant agreement.

(d) “Medi-Cal program” means the program established pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code.

(e) “Nonprofit public benefit corporation” means a corporation, as defined by subdivision (b) of Section 5046 of the Corporations Code, that has registered with the Department of General Services as a small business.

(f) “Nonprofit service organization” means a nonprofit entity that is organized to provide services to the public.

(g) “Notice of refund or other payment due” means a state agency provides notice to the person that a refund or payment is owed to that person or the state agency receives notice from the person that a refund or undisputed payment is due.

(h) “Payment” means any form of the act of paying, including, but not limited to, the issuance of a warrant or a registered warrant by the Controller, or the issuance of a revolving fund check by a state agency, to a claimant in the amount of an undisputed invoice.

(i) “Reasonable cause” means a determination by a state agency that any of the following conditions are present:

(1) There is a discrepancy between the invoice or claimed amount and the provisions of the contract or grant.

(2) There is a discrepancy between the invoice or claimed amount and either the claimant’s actual delivery of property or services to the state or the state’s acceptance of those deliveries.

(3) Additional evidence supporting the validity of the invoice or claimed amount is required to be provided to the state agency by the claimant.

(4) The invoice has been improperly executed or needs to be corrected by the claimant.

(5) There is a discrepancy between the refund or other payment due as calculated by the person to whom the money is owed and by the state agency.

(j) “Received by a state agency” means the date an invoice is delivered to the state location or party specified in the contract or grant or, if a state location or party is not specified in the contract or grant, wherever otherwise specified by the state agency.

(k) “Required payment approval date” means the date on which payment is due as specified in a contract or grant or, if a specific date is not established by the contract or grant, 30 calendar days following the date upon which an undisputed invoice is received by a state agency.

(l) “Revolving fund” means a fund established pursuant to Article 5 (commencing with Section 16400) of Division 4 of Title 2.

(m) “Small business” means a business certified as a “small business” in accordance with subdivision (d) of Section 14837.

(n) “Small business” and “nonprofit organization” mean, in reference to providers under the Medi-Cal program, a business or organization that meets all of the following criteria:

- (1) The principal office is located in California.
- (2) The officers, if any, are domiciled in California.
- (3) If a small business, it is independently owned and operated.
- (4) The business or organization is not dominant in its field of operation.
- (5) Together with any affiliates, the business or organization has gross receipts from business operations that do not exceed three million dollars (\$3,000,000) per year, except that the Director of Health Services may increase this amount if the director deems that this action would be in furtherance of the intent of this chapter.

SEC. 15. Section 927.3 of the Government Code is amended to read:

927.3. (a) Except where payment is made directly by a state agency pursuant to Section 927.6, an undisputed invoice received by a state agency shall be submitted to the Controller for payment by the required payment approval date. A state agency may dispute an invoice submitted by a claimant for reasonable cause if the state agency notifies the claimant within 15 working days from receipt of the invoice, or delivery of property or services, whichever is later. No state employee shall dispute an invoice, on the basis of minor or technical defects, in order to circumvent or avoid the general intent or any of the specific provisions of this chapter.

(b) Except where payment is made directly by a state agency pursuant to Section 927.13, a notice of refund or other payment due received by a state agency shall be submitted to the Controller within 30 calendar days of the agency's receipt of the notice. A state agency may dispute a refund request for reasonable cause if the state agency notifies the claimant within 15 working days after the state agency receives notice from the individual that the refund is due.

SEC. 16. Section 927.5 of the Government Code is amended to read:

927.5. This chapter shall not apply to claims for reimbursement for health care services provided under the Medi-Cal program, unless the Medi-Cal health care services provider is a small business or nonprofit organization. In applying this section to claims submitted to the state, or its fiscal intermediary, by providers of services or equipment under the Medi-Cal program, payment for claims shall be due 30 days after a claim is received by the state or its fiscal intermediary, unless reasonable cause for nonpayment exists. With regard to Medi-Cal claims, reasonable cause shall include review of claims to determine medical necessity, review of claims for providers subject to special prepayment fraud and abuse controls, and claims that require review by the fiscal intermediary or State Department of Health Care Services due to special circumstances. Claims requiring special review as specified above shall not be eligible for a late payment penalty.

SEC. 17. Section 927.6 of the Government Code is amended to read:

927.6. (a) State agencies shall pay applicable penalties, without requiring that the claimant submit an additional invoice for these amounts, whenever the state agency fails to submit a correct claim schedule to the Controller by the required payment approval date and payment is not issued within 45 calendar days from the state agency receipt of an undisputed invoice. The

penalty shall cease to accrue on the date the state agency submits the claim schedule to the Controller for payment or pays the claimant directly, and shall be paid for out of the state agency's support appropriation. If the claimant is a certified small business, a nonprofit organization, a nonprofit public benefit corporation, or a small business or nonprofit organization that provides services or equipment under the Medi-Cal program, the state agency shall pay to the claimant a penalty at a rate of 10 percent above the United States Prime Rate on June 30 of the prior fiscal year. However, a nonprofit organization shall only be eligible to receive a penalty payment if it has been awarded a contract or grant in an amount less than five hundred thousand dollars (\$500,000). If the amount of the penalty is ten dollars (\$10) or less, the penalty shall be waived and not paid by the state agency.

(b) For all other businesses, the state agency shall pay a penalty at a rate of 1 percent above the Pooled Money Investment Account daily rate on June 30 of the prior fiscal year, not to exceed a rate of 15 percent. If the amount of the penalty is one hundred dollars (\$100) or less, the penalty shall be waived and not paid by the state agency. On an exception basis, state agencies may avoid payment of penalties for failure to submit a correct claim schedule to the Controller by the required payment approval date by paying the claimant directly from the state agency's revolving fund within 45 calendar days following the date upon which an undisputed invoice is received by the state agency.

SEC. 18. Section 927.7 of the Government Code is amended to read:

927.7. The Controller shall pay claimants within 15 calendar days of receipt of a correct claim schedule from the state agency. If the Controller fails to make payment within 15 calendar days of receipt of the claim schedule from a state agency, and payment is not issued within 45 calendar days from state agency receipt of an undisputed invoice, the Controller shall pay applicable penalties to the claimant without requiring that the claimant submit an invoice for these amounts. Penalties shall cease to accrue on the date full payment is made, and shall be paid for out of the Controller's funds. If the claimant is a certified small business, a nonprofit organization, a nonprofit public benefit corporation, or a small business or nonprofit organization that provides services or equipment under the Medi-Cal program, the Controller shall pay to the claimant a penalty at a rate of 10 percent above the United States Prime Rate on June 30 of the prior fiscal year, from the 16th calendar day following receipt of the claim schedule from the state agency. However, a nonprofit organization shall only be eligible to receive a penalty payment if it has been awarded a contract or grant in an amount less than five hundred thousand dollars (\$500,000). If the amount of the penalty is ten dollars (\$10) or less, the penalty shall be waived and not paid by the Controller. For all other businesses, the Controller shall pay penalties at a rate of 1 percent above the Pooled Money Investment Account daily rate on June 30 of the prior fiscal year, not to exceed a rate of 15 percent. If the amount of the penalty is one hundred dollars (\$100) or less, the penalty shall be waived and not paid by the Controller.

SEC. 19. Section 927.9 of the Government Code is amended to read:

927.9. (a) On an annual basis, within 90 calendar days following the end of each fiscal year, state agencies shall provide the Director of General Services with a report on late payment penalties that were paid by the state agency in accordance with this chapter during the preceding fiscal year.

(b) The report shall separately identify the total number and dollar amount of late payment penalties paid to small businesses, other businesses, and refunds or other payments to individuals. State agencies may, at their own initiative, provide the director with other relevant performance measures. The director shall prepare a report separately listing the number and total dollar amount of all late payment penalties paid to small businesses, other businesses, and refunds and other payments to individuals by each state agency during the preceding fiscal year, together with other relevant performance measures, and shall make the information available to the public.

SEC. 20. Section 927.13 is added to the Government Code, to read:

927.13. (a) Unless otherwise provided for by statute, any state agency that fails to submit a correct claim schedule to the Controller within 30 days of receipt of a notice of refund or other payment due, and fails to issue payment within 45 days from the notice of refund or other payment due, shall be liable for penalties on the undisputed amount pursuant to this section. The penalties shall be paid out of the agency's funds at a rate equal to the Pooled Money Investment Account daily rate on June 30 of the prior fiscal year minus 1 percent. The penalties shall cease to accrue on the date full payment or refund is made. If the amount of the penalty is ten dollars (\$10) or less, the penalty shall be waived and not paid by the state agency. On an exception basis, state agencies may avoid payment of penalties for failure to submit a correct claim schedule to the Controller by paying the claimant directly from the state agency's revolving fund within 45 calendar days following the agency's receipt of the notice of refund or other payment due.

(b) The Controller shall pay claimants within 15 calendar days of receipt of a correct claim schedule from the state agency. If the Controller fails to make payment within 15 calendar days of receipt of the claim schedule from a state agency, and payment is not issued within 45 calendar days following the agency's receipt of a notice of refund or undisputed payment due, the Controller shall pay applicable penalties to the claimant. Penalties shall cease to accrue on the date full payment is made, and shall be paid out of the Controller's funds. If the amount of the penalty is ten dollars (\$10) or less, the penalty shall be waived and not paid by the Controller.

(c) No person shall receive an interest payment pursuant to this section if it is determined that the person has intentionally overpaid on a liability solely for the purpose of receiving a penalty payment.

(d) No penalty shall accrue during any time period for which there is no Budget Act in effect, nor on any payment or refund that is the result of a federally mandated program or that is directly dependent upon the receipt of federal funds by a state agency.

(e) This section shall not apply to any of the following:

(1) Payments, refunds, or credits for income tax purposes.

(2) Payment of claims for reimbursement for health care services or mental health services provided under the Medi-Cal program, pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code.

(3) Any payment made pursuant to a public social service or public health program to a recipient of benefits under that program.

(4) Payments made on claims by the California Victim Compensation and Government Claims Board.

(5) Payments made by the Commission on State Mandates.

(6) Payments made by the Department of Personnel Administration pursuant to Section 19823.

SEC. 21. Section 7072.3 is added to the Government Code, to read:

7072.3. The department shall deposit funds collected pursuant to subdivision (c) of Section 7076, subdivision (a) of Section 7097.1, and subdivision (a) of Section 7114.2 into the Enterprise Zone Fund, which is hereby created in the State Treasury. Moneys deposited into the fund shall be available to the department, upon appropriation by the Legislature, for expenditure in carrying out the provisions of this chapter, Chapter 12.93 (commencing with Section 7097), and Chapter 12.97 (commencing with Section 7105), including, but not limited to, establishing a reasonable reserve in the fund.

SEC. 22. Section 7076 of the Government Code is amended to read:

7076. (a) (1) The department shall provide technical assistance to the enterprise zones designated pursuant to this chapter with respect to all of the following activities:

(A) Furnish limited onsite assistance to the enterprise zones when appropriate.

(B) Ensure that the locality has developed a method to make residents, businesses, and neighborhood organizations aware of the opportunities to participate in the program.

(C) Help the locality develop a marketing program for the enterprise zone.

(D) Coordinate activities of other state agencies regarding the enterprise zones.

(E) Monitor the progress of the program.

(F) Help businesses to participate in the program.

(2) Notwithstanding existing law, the provision of services in subparagraphs (A) to (F), inclusive, shall be a high priority of the department.

(3) The department may, at its discretion, undertake other activities in providing management and technical assistance for successful implementation of this chapter.

(b) The applicant shall be required to begin implementation of the enterprise zone plan contained in the final application within six months after notification of final designation or the enterprise zone shall lose its designation.

(c) The department shall assess a fee of fifteen dollars (\$15) on each enterprise zone and manufacturing enhancement area for each application

for issuance of a certificate pursuant to subdivision (j) of Section 17053.47 of, subdivision (c) of Section 17053.74 of, subdivision (c) of Section 23622.7 of, or subdivision (i) of Section 23622.8 of, the Revenue and Taxation Code. The department shall collect the fee for deposit into the Enterprise Zone Fund, pursuant to Section 7072.3, for the costs of administering this chapter. The enterprise zone or manufacturing enhancement area administrator shall collect this fee at the time an application is submitted for issuance of a certificate.

SEC. 23. Section 7097.1 of the Government Code is amended to read:

7097.1. (a) The department shall assess each targeted tax area a fee of fifteen dollars (\$15) for each application for issuance of a certificate pursuant to subdivision (d) of Section 17053.34 of the Revenue and Taxation Code and subdivision (d) of Section 23634 of the Revenue and Taxation Code. The department shall collect the fee for deposit into the Enterprise Zone Fund, pursuant to Section 7072.3, for the costs of administering this chapter. The targeted tax area administrator shall collect this fee at the time an application is submitted for issuance of a certificate.

(b) The department shall adopt regulations governing the issuance of certificates pursuant to subdivision (d) of Section 17053.34 and subdivision (d) of Section 23634 of the Revenue and Taxation Code. The adoption of the regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. Notwithstanding subdivision (c) of Section 11346.1, the regulations shall remain in effect for not more than 360 days unless the department complies with all the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 as required by subdivision (e) of Section 11346.1.

SEC. 24. Section 7114.2 of the Government Code is amended to read:

7114.2. (a) The department shall assess each LAMBRA a fee of fifteen dollars (\$15) for each application for issuance of a certificate pursuant to subdivision (c) of Section 17053.46 of the Revenue and Taxation Code and subdivision (c) of Section 23646 of the Revenue and Taxation Code. The department shall collect the fee for deposit into the Enterprise Zone Fund, pursuant to Section 7072.3, for the costs of administering this chapter. The LAMBRA administrator shall collect this fee at the time an application is submitted for issuance of a certificate.

(b) The department shall adopt regulations governing the imposition and collection of fees pursuant to this section and the issuance of certificates pursuant to subdivision (c) of Section 17053.46 of the Revenue and Taxation Code and subdivision (c) of Section 23646 of the Revenue and Taxation Code. The regulations shall provide for a notice or invoice to fee payers as to the amount and purpose of the fee. The adoption of the regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. Notwithstanding subdivision (e) of Section 11346.1, the regulations shall remain in effect for no more than 360 days unless the agency complies with all the provisions

of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 as required by subdivision (e) of Section 11346.1.

SEC. 25. Section 7591 of the Government Code is amended to read:

7591. (a) The amount of fifteen million dollars (\$15,000,000) is appropriated, subject to subdivision (b), from the General Fund to the Trade and Commerce Agency for a loan for allocation over three years in three equal amounts to that nonprofit organization currently named the San Diego National Sports Training Foundation, for purposes of developing and constructing, with the participation and advice of the United States Olympic Committee, a California Olympic Training Center.

(b) The loan allocations provided for by this section shall be made no earlier than December 31, of 1990, 1991, and 1992, and shall be made only if the San Diego National Sports Training Foundation is able and willing by each of those dates to provide the sum of five million dollars (\$5,000,000), for purposes of developing and constructing, with the participation and advice of the United States Olympic Committee, a California Olympic Training Center.

(c) Notwithstanding any other provision of law, any outstanding loan balance and any accrued interest that exist on the operative date of the act adding this subdivision shall not be required to be repaid.

SEC. 26. Section 7592 of the Government Code is amended to read:

7592. There is in the General Fund the California Olympic Training Account. The account shall consist of those revenues derived from the additional vehicle registration fees provided for in Section 5023 of the Vehicle Code and shall be annually transferred to the General Fund by the Controller.

SEC. 27. Section 11544 of the Government Code, as added by Section 1 of Chapter 533 of the Statutes of 2006, is amended to read:

11544. (a) The Technology Services Revolving Fund, hereafter known as the fund, is hereby created within the State Treasury. The fund shall be administered by the State Chief Information Officer to receive all revenues from the sale of technology or technology services provided for in this chapter, for other services rendered by the office of the State Chief Information Officer, and all other moneys properly credited to the office of the State Chief Information Officer from any other source, to pay, upon appropriation by the Legislature, all costs arising from this chapter and rendering of services to state and other public agencies, including, but not limited to, employment and compensation of necessary personnel and expenses, such as operating and other expenses of the board and the office of the State Chief Information Officer, and costs associated with approved information technology projects, and to establish reserves. At the discretion of the State Chief Information Officer, segregated, dedicated accounts within the fund may be established. The amendments made to this section by the act adding this sentence shall apply to all revenues earned on or after July 1, 2010.

(b) The fund shall consist of all of the following:

(1) Moneys appropriated and made available by the Legislature for the purposes of this chapter.

(2) Any other moneys that may be made available to the office of the State Chief Information Officer from any other source, including the return from investments of moneys by the Treasurer.

(c) The office of the State Chief Information Officer may collect payments from public agencies for providing services to those agencies that the agencies have requested from the office of the State Chief Information Officer. The office of the State Chief Information Officer may require monthly payments by client agencies for the services the agencies have requested. Pursuant to Section 11255, the Controller shall transfer any amounts so authorized by the office of the State Chief Information Officer, consistent with the annual budget of each department, to the fund. The office of the State Chief Information Officer shall notify each affected state agency upon requesting the Controller to make the transfer.

(d) At the end of any fiscal year, if the balance remaining in the fund at the end of that fiscal year exceeds 25 percent of the portion of the office of the State Chief Information Officer's current fiscal year budget used for support of data center and other client services, the excess amount shall be used to reduce the billing rates for services rendered during the following fiscal year.

SEC. 28. Section 11546.4 is added to the Government Code, to read:

11546.4. Notwithstanding any other law, any service contract proposed to be entered into by an agency that would not otherwise be subject to review, approval, or oversight by the office of the State Chief Information Officer but that contains an information technology component that would be subject to oversight by the office of the State Chief Information Officer if it was a separate information technology project, shall be subject to review, approval, and oversight by the office of the State Chief Information Officer as set forth in Section 11546.

SEC. 29. Chapter 2 (commencing with Section 13996) of Part 4.7 of Division 3 of Title 2 of the Government Code is repealed.

SEC. 30. Section 16429.1 of the Government Code is amended to read:

16429.1. (a) There is in trust in the custody of the Treasurer the Local Agency Investment Fund, which fund is hereby created. The Controller shall maintain a separate account for each governmental unit having deposits in this fund.

(b) Notwithstanding any other provisions of law, a local governmental official, with the consent of the governing body of that agency, having money in its treasury not required for immediate needs, may remit the money to the Treasurer for deposit in the Local Agency Investment Fund for the purpose of investment.

(c) Notwithstanding any other provisions of law, an officer of any nonprofit corporation whose membership is confined to public agencies or public officials, or an officer of a qualified quasi-governmental agency, with the consent of the governing body of that agency, having money in its treasury not required for immediate needs, may remit the money to the

Treasurer for deposit in the Local Agency Investment Fund for the purpose of investment.

(d) Notwithstanding any other provision of law or of this section, a local agency, with the approval of its governing body, may deposit in the Local Agency Investment Fund proceeds of the issuance of bonds, notes, certificates of participation, or other evidences of indebtedness of the agency pending expenditure of the proceeds for the authorized purpose of their issuance. In connection with these deposits of proceeds, the Local Agency Investment Fund is authorized to receive and disburse moneys, and to provide information, directly with or to an authorized officer of a trustee or fiscal agent engaged by the local agency, the Local Agency Investment Fund is authorized to hold investments in the name and for the account of that trustee or fiscal agent, and the Controller shall maintain a separate account for each deposit of proceeds.

(e) The local governmental unit, the nonprofit corporation, or the quasi-governmental agency has the exclusive determination of the length of time its money will be on deposit with the Treasurer.

(f) The trustee or fiscal agent of the local governmental unit has the exclusive determination of the length of time proceeds from the issuance of bonds will be on deposit with the Treasurer.

(g) The Local Investment Advisory Board shall determine those quasi-governmental agencies which qualify to participate in the Local Agency Investment Fund.

(h) The Treasurer may refuse to accept deposits into the fund if, in the judgment of the Treasurer, the deposit would adversely affect the state's portfolio.

(i) The Treasurer may invest the money of the fund in securities prescribed in Section 16430. The Treasurer may elect to have the money of the fund invested through the Surplus Money Investment Fund as provided in Article 4 (commencing with Section 16470) of Chapter 3 of Part 2 of Division 4 of Title 2.

(j) Money in the fund shall be invested to achieve the objective of the fund which is to realize the maximum return consistent with safe and prudent treasury management.

(k) All instruments of title of all investments of the fund shall remain in the Treasurer's vault or be held in safekeeping under control of the Treasurer in any federal reserve bank, or any branch thereof, or the Federal Home Loan Bank of San Francisco, with any trust company, or the trust department of any state or national bank.

(l) Immediately at the conclusion of each calendar quarter, all interest earned and other increment derived from investments shall be distributed by the Controller to the contributing governmental units or trustees or fiscal agents, nonprofit corporations, and quasi-governmental agencies in amounts directly proportionate to the respective amounts deposited in the Local Agency Investment Fund and the length of time the amounts remained therein. An amount equal to the reasonable costs incurred in carrying out the provisions of this section, not to exceed a maximum of 5 percent of the

earnings of this fund and not to exceed the amount appropriated in the annual Budget Act for this function, shall be deducted from the earnings prior to distribution. The amount of this deduction shall be credited as reimbursements to the state agencies, including the Treasurer, the Controller, and the Department of Finance, having incurred costs in carrying out the provisions of this section.

(m) The Treasurer shall prepare for distribution a monthly report of investments made during the preceding month.

(n) As used in this section, “local agency,” “local governmental unit,” and “local governmental official” includes a campus or other unit and an official, respectively, of the California State University who deposits moneys in funds described in Sections 89721, 89722, and 89725 of the Education Code.

SEC. 31. Section 17556 of the Government Code is amended to read:

17556. The commission shall not find costs mandated by the state, as defined in Section 17514, in any claim submitted by a local agency or school district, if, after a hearing, the commission finds any one of the following:

(a) The claim is submitted by a local agency or school district that requests or previously requested legislative authority for that local agency or school district to implement the program specified in the statute, and that statute imposes costs upon that local agency or school district requesting the legislative authority. A resolution from the governing body or a letter from a delegated representative of the governing body of a local agency or school district that requests authorization for that local agency or school district to implement a given program shall constitute a request within the meaning of this subdivision. This subdivision applies regardless of whether the resolution from the governing body or a letter from a delegated representative of the governing body was adopted or sent prior to or after the date on which the statute or executive order was enacted or issued.

(b) The statute or executive order affirmed for the state a mandate that has been declared existing law or regulation by action of the courts. This subdivision applies regardless of whether the action of the courts occurred prior to or after the date on which the statute or executive order was enacted or issued.

(c) The statute or executive order imposes a requirement that is mandated by a federal law or regulation and results in costs mandated by the federal government, unless the statute or executive order mandates costs that exceed the mandate in that federal law or regulation. This subdivision applies regardless of whether the federal law or regulation was enacted or adopted prior to or after the date on which the state statute or executive order was enacted or issued.

(d) The local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the mandated program or increased level of service. This subdivision applies regardless of whether the authority to levy charges, fees, or assessments was enacted or adopted prior to or after the date on which the statute or executive order was enacted or issued.

(e) The statute, executive order, or an appropriation in a Budget Act or other bill provides for offsetting savings to local agencies or school districts that result in no net costs to the local agencies or school districts, or includes additional revenue that was specifically intended to fund the costs of the state mandate in an amount sufficient to fund the cost of the state mandate. This subdivision applies regardless of whether a statute, executive order, or appropriation in the Budget Act or other bill that either provides for offsetting savings that result in no net costs or provides for additional revenue specifically intended to fund the costs of the state mandate in an amount sufficient to fund the cost of the state mandate was enacted or adopted prior to or after the date on which the statute or executive order was enacted or issued.

(f) The statute or executive order imposes duties that are necessary to implement, or are expressly included in, a ballot measure approved by the voters in a statewide or local election. This subdivision applies regardless of whether the statute or executive order was enacted or adopted before or after the date on which the ballot measure was approved by the voters.

(g) The statute created a new crime or infraction, eliminated a crime or infraction, or changed the penalty for a crime or infraction, but only for that portion of the statute relating directly to the enforcement of the crime or infraction.

SEC. 32. Section 17557 of the Government Code is amended to read:

17557. (a) If the commission determines there are costs mandated by the state pursuant to Section 17551, it shall determine the amount to be subvended to local agencies and school districts for reimbursement. In so doing it shall adopt parameters and guidelines for reimbursement of any claims relating to the statute or executive order. The successful test claimants shall submit proposed parameters and guidelines within 30 days of adoption of a statement of decision on a test claim. The proposed parameters and guidelines may include proposed reimbursable activities that are reasonably necessary for the performance of the state-mandated program. At the request of a successful test claimant, the commission may provide for one or more extensions of this 30-day period at any time prior to its adoption of the parameters and guidelines. If proposed parameters and guidelines are not submitted within the 30-day period and the commission has not granted an extension, then the commission shall notify the test claimant that the amount of reimbursement the test claimant is entitled to for the first 12 months of incurred costs will be reduced by 20 percent, unless the test claimant can demonstrate to the commission why an extension of the 30-day period is justified.

(b) In adopting parameters and guidelines, the commission may adopt a reasonable reimbursement methodology.

(c) The parameters and guidelines adopted by the commission shall specify the fiscal years for which local agencies and school districts shall be reimbursed for costs incurred. However, the commission may not specify in the parameters and guidelines any fiscal year for which payment could be provided in the annual Budget Act.

(d) (1) A local agency, school district, or the state may file a written request with the commission to amend the parameters or guidelines. The commission may, after public notice and hearing, amend the parameters and guidelines. A parameters and guidelines amendment submitted within 90 days of the claiming deadline for initial claims, as specified in the claiming instructions pursuant to Section 17561, shall apply to all years eligible for reimbursement as defined in the original parameters and guidelines. A parameters and guidelines amendment filed more than 90 days after the claiming deadline for initial claims, as specified in the claiming instructions pursuant to Section 17561, and on or before the claiming deadline following a fiscal year, shall establish reimbursement eligibility for that fiscal year.

(2) For purposes of this subdivision, the request to amend parameters and guidelines may be filed to make any of the following changes to parameters and guidelines, consistent with the statement of decision:

(A) Delete any reimbursable activity that has been repealed by statute or executive order after the adoption of the original or last amended parameters and guidelines.

(B) Update offsetting revenues and offsetting savings that apply to the mandated program and do not require a new legal finding that there are no costs mandated by the state pursuant to subdivision (e) of Section 17556.

(C) Include a reasonable reimbursement methodology for all or some of the reimbursable activities.

(D) Clarify what constitutes reimbursable activities.

(E) Add new reimbursable activities that are reasonably necessary for the performance of the state-mandated program.

(F) Define what activities are not reimbursable.

(G) Consolidate the parameters and guidelines for two or more programs.

(H) Amend the boilerplate language. For purposes of this section, “boilerplate language” means the language in the parameters and guidelines that is not unique to the state-mandated program that is the subject of the parameters and guidelines.

(e) A test claim shall be submitted on or before June 30 following a fiscal year in order to establish eligibility for reimbursement for that fiscal year. The claimant may thereafter amend the test claim at any time, but before the test claim is set for a hearing, without affecting the original filing date as long as the amendment substantially relates to the original test claim.

(f) In adopting parameters and guidelines, the commission shall consult with the Department of Finance, the affected state agency, the Controller, the fiscal and policy committees of the Assembly and Senate, the Legislative Analyst, and the claimants to consider a reasonable reimbursement methodology that balances accuracy with simplicity.

SEC. 33. Section 17570 is added to the Government Code, to read:

17570. (a) For purposes of this section the following definitions shall apply:

(1) “Mandates law” means published court decisions arising from state mandate determinations by the State Board of Control or the Commission

on State Mandates, or that address this part or Section 6 of Article XIII B of the California Constitution. “Mandates law” also includes statutory amendments to this part and amendments to Section 6 of Article XIII B of the California Constitution.

(2) “Subsequent change in law” is a change in law that requires a finding that an incurred cost is a cost mandated by the state, as defined by Section 17514, or is not a cost mandated by the state pursuant to Section 17556, or a change in mandates law, except that a “subsequent change in law” does not include the amendments to Section 6 of Article XIII B of the California Constitution that were approved by the voters on November 2, 2004. A “subsequent change in law” also does not include a change in the statutes or executive orders that impose new state-mandated activities and require a finding pursuant to subdivision (a) of Section 17551.

(3) “Test claim decision” means a decision of the Commission on State Mandates on a test claim filed pursuant to Section 17551 or a decision of the State Board of Control on a claim for state reimbursement filed pursuant to Article 1 (commencing with Section 2201), Article 2 (commencing with Section 2227), and Article 3 (commencing with Section 2240) of Chapter 3 of Part 4 of Division 1 of the Revenue and Taxation Code prior to January 1, 1985.

(b) The commission may adopt a new test claim decision to supersede a previously adopted test claim decision only upon a showing that the state’s liability for that test claim decision pursuant to subdivision (a) of Section 6 of Article XIII B of the California Constitution has been modified based on a subsequent change in law.

(c) A local agency or school district, statewide association of local agencies or school districts, or the Department of Finance, the Controller, or other affected state agency may file a request with the commission to adopt a new test claim decision pursuant to this section.

(d) The commission shall adopt procedures for receiving requests to adopt a new test claim decision pursuant to this section and for providing notice and a hearing on those requests. The procedures shall do all of the following:

(1) Specify that all requests for adoption of a new test claim decision shall be filed on a form prescribed by the commission that shall contain at least the following elements and documents:

(A) The name, case number, and adoption date of the prior test claim decision.

(B) A detailed analysis of how and why the state’s liability for mandate reimbursement has been modified pursuant to subdivision (a) of Section 6 of Article XIII B of the California Constitution based on a subsequent change in law.

(C) The actual or estimated amount of the annual statewide change in the state’s liability for mandate reimbursement pursuant to subdivision (a) of Section 6 of Article XIII B of the California Constitution based on a subsequent change in law.

(D) Identification of all of the following, if relevant:

- (i) Dedicated state funds appropriated for the program.
- (ii) Dedicated federal funds appropriated for the program.
- (iii) Fee authority to offset the costs of the program.
- (iv) Federal law.
- (v) Court decisions.
- (vi) State or local ballot measures and the corresponding date of the election.

(E) All assertions of fact shall be supported with declarations made under penalty of perjury, based on the declarant's personal knowledge, information, or belief, and be signed by persons who are authorized and competent to do so, including, but not limited to, the following:

(i) Declarations of actual or estimated annual statewide costs that will or will not be incurred to implement the alleged mandate.

(ii) Declarations identifying all local, state, or federal funds, or fee authority that may or may not be used to offset the increased costs that will or will not be incurred by claimants to implement the alleged mandate or result in a finding of no costs mandated by the state pursuant to Section 17556.

(iii) Declarations describing new activities performed to implement specific provisions of the test claim statute or executive order alleged to impose a reimbursable state-mandated program.

(F) Specific references shall be made to chapters, articles, sections, or page numbers that are alleged to impose or not impose a reimbursable state-mandated program.

(2) Require that a request for the adoption of a new test claim decision be signed at the end of the document, under penalty of perjury, by the requester or its authorized representative, along with a declaration that the request is true and complete to the best of the declarant's personal knowledge, information, or belief. The procedures shall also require that the date of signing, the declarant's title, address, telephone number, facsimile machine telephone number, and electronic mail address be included.

(3) Provide that the commission shall return a submitted request that is incomplete to the requester and allow the requester to remedy the deficiencies. The procedures shall also provide that the commission may disallow the original filing if a complete request is not received by the commission within 30 calendar days from the date that the incomplete request was returned to the requester.

(4) Establish a two-step hearing process to consider requests for adoption of a new test claim decision pursuant to this section. As the first step, the commission shall conduct a hearing to determine if the requester has made a showing that the state's liability pursuant to subdivision (a) of Section 6 of Article XIII B of the California Constitution has been modified based on a subsequent change in law. If the commission determines that the requester has made this showing, then pursuant to the commission's authority in subdivision (b) of this section, the commission shall notice the request for a hearing to determine if a new test claim decision shall be adopted to supersede the previously adopted test claim decision.

(5) Provide for presentation of evidence and legal argument at the hearings by the requester, interested parties, the Department of Finance, the Controller, any other affected state agency, and interested persons.

(6) Permit a hearing to be postponed at the request of any party, without prejudice, until the next scheduled hearing.

(e) To implement the procedures described in subdivision (d), the commission shall initially adopt regulations as emergency regulations and, for purposes of Section 11349.6, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health and safety, and general welfare. Notwithstanding subdivision (e) of Section 11346.1, the regulations shall be repealed within 180 days after their effective date, unless the commission complies with Chapter 3.5 (commencing with Section 11340) of Part 1 as provided in subdivision (e) of Section 11346.1.

(f) A request for adoption of a new test claim decision shall be filed on or before June 30 following a fiscal year in order to establish eligibility for reimbursement or loss of reimbursement for that fiscal year.

(g) The commission shall notify interested parties, the Controller, the Department of Finance, affected state agencies, and the Legislative Analyst of any complete request for the adoption of a new test claim decision that the commission receives.

(h) If the commission determines that the requester has made a showing that the state's liability pursuant to subdivision (a) of Section 6 of Article XIII B of the California Constitution has been modified based on a subsequent change in law, and the commission notices the request for a hearing to determine whether a new test claim decision shall be adopted that supersedes a prior test claim decision, the Controller shall notify eligible claimants that the request has been filed with the commission and that the original test claim decision may be superseded by a new decision adopted by the commission. The notification may be included in the next set of claiming instructions issued to eligible claimants.

(i) If the commission adopts a new test claim decision that supersedes the previously adopted test claim decision, the commission shall adopt new parameters and guidelines or amend existing parameters and guidelines or reasonable reimbursement methodology pursuant to Sections 17557, 17557.1, and 17557.2.

(j) Any new parameters and guidelines adopted or amendments made to existing parameters and guidelines or a reasonable reimbursement methodology shall conform to the new test claim decision adopted by the commission.

(k) The Controller shall follow the procedures in Sections 17558, 17558.5, 17560, 17561, and 17561.5, as applicable, for a new test claim decision adopted by the commission pursuant to this section.

(l) If the commission adopts a new test claim decision that will result in reimbursement pursuant to Section 6 of Article XIII B of the California Constitution because a cost is a cost mandated by the state, as defined in Section 17514, the commission shall determine the amount to be subvended

to local agencies and school districts by adopting a new statewide cost estimate pursuant to Section 17557.

(m) In addition to the reports required pursuant to Sections 17600 and 17601, the commission shall notify the Legislature within 30 days of adopting a new test claim decision that supersedes a prior test claim decision and determining the amount to be subvended to local agencies and school districts for reimbursement pursuant to this section.

SEC. 34. Section 17570.1 is added to the Government Code, to read:

17570.1. As part of its review and consideration pursuant to Sections 17581 and 17581.5, the Legislature may, by statute, request that the Department of Finance consider exercising its authority pursuant to subdivision (c) of Section 17570.

SEC. 45. Section 50199.9 of the Health and Safety Code is amended to read:

50199.9. (a) The committee shall establish and charge fees which it determines are reasonably sufficient to cover all of the costs of the committee in carrying out its responsibilities under this chapter. The Tax Credit Allocation Fee Account is hereby established in the State Treasury. The fees shall be deposited by the committee in the Tax Credit Allocation Fee Account and shall be available, upon appropriation by the Legislature, to the committee for the purpose of covering all of those costs, except that fees may be shared, in an amount determined by the committee, with any state or local agency that assists the committee in performing its duties.

(b) Funds deposited in the Tax Credit Allocation Fee Account are continuously appropriated without regard to fiscal year for purposes of sharing with state and local agencies pursuant to subdivision (a).

(c) Until the time that sufficient fee revenue is received by the committee, the committee may borrow any money as may be required for the purpose of meeting necessary expenses of the operation of the committee, not to exceed the amount appropriated. Any loan made to the committee pursuant to this subdivision shall be repayable solely from moneys appropriated to the committee from the Tax Credit Allocation Fee Account and shall not constitute a general obligation for which the faith and credit of the state are pledged.

(d) There shall be established a subaccount within the Tax Credit Allocation Fee Account named the Occupancy Compliance Monitoring Account.

(e) Fees collected for the purpose of paying the costs of monitoring projects with allocations of tax credits for compliance with federal and state law, as required by Section 42(m) of the federal Internal Revenue Code, and Section 50199.15, shall be deposited in the Occupancy Compliance Monitoring Account to be used solely for this purpose. Any performance deposits forfeited to the committee shall be deposited in the Occupancy Compliance Monitoring Account.

(f) Notwithstanding any other law, the Controller may use the fees deposited in the accounts established by this section for daily cash flow

loans to the General Fund or the General Cash Revolving Fund, as provided in Sections 16310 and 16381 of the Government Code.

SEC. 46. Section 62.9 of the Labor Code is amended to read:

62.9. (a) (1) The director shall levy and collect assessments from employers in accordance with this section. The total amount of the assessment collected shall be the amount determined by the director to be necessary to produce the revenue sufficient to fund the programs specified by Section 62.7, except that the amount assessed in any year for those purposes shall not exceed 50 percent of the amounts appropriated from the General Fund for the support of the occupational safety and health program for the 1993–94 fiscal year, adjusted for inflation. The director also shall include in the total assessment amount the department's costs for administering the assessment, including the collections process and the cost of reimbursing the Franchise Tax Board or another agency or department for its cost of collection activities pursuant to subdivision (c).

(2) The insured employers and private sector self-insured employers that, pursuant to subdivision (b), are subject to assessment shall be assessed, respectively, on the basis of their annual payroll subject to premium charges or their annual payroll that would be subject to premium charges if the employer were insured, as follows:

(A) An employer with a payroll of less than two hundred fifty thousand dollars (\$250,000) shall be assessed one hundred dollars (\$100).

(B) An employer with a payroll of two hundred fifty thousand dollars (\$250,000) or more, but not more than five hundred thousand dollars (\$500,000), shall be assessed two hundred dollars (\$200).

(C) An employer with a payroll of more than five hundred thousand dollars (\$500,000), but not more than seven hundred fifty thousand dollars (\$750,000), shall be assessed four hundred dollars (\$400).

(D) An employer with a payroll of more than seven hundred fifty thousand dollars (\$750,000), but not more than one million dollars (\$1,000,000), shall be assessed six hundred dollars (\$600).

(E) An employer with a payroll of more than one million dollars (\$1,000,000), but not more than one million five hundred thousand dollars (\$1,500,000), shall be assessed eight hundred dollars (\$800).

(F) An employer with a payroll of more than one million five hundred thousand dollars (\$1,500,000), but not more than two million dollars (\$2,000,000), shall be assessed one thousand dollars (\$1,000).

(G) An employer with a payroll of more than two million dollars (\$2,000,000), but not more than two million five hundred thousand dollars (\$2,500,000), shall be assessed one thousand five hundred dollars (\$1,500).

(H) An employer with a payroll of more than two million five hundred thousand dollars (\$2,500,000), but not more than three million five hundred thousand dollars (\$3,500,000), shall be assessed two thousand dollars (\$2,000).

(I) An employer with a payroll of more than three million five hundred thousand dollars (\$3,500,000), but not more than four million five hundred

thousand dollars (\$4,500,000), shall be assessed two thousand five hundred dollars (\$2,500).

(J) An employer with a payroll of more than four million five hundred thousand dollars (\$4,500,000), but not more than five million five hundred thousand dollars (\$5,500,000), shall be assessed three thousand dollars (\$3,000).

(K) An employer with a payroll of more than five million five hundred thousand dollars (\$5,500,000), but not more than seven million dollars (\$7,000,000), shall be assessed three thousand five hundred dollars (\$3,500).

(L) An employer with a payroll of more than seven million dollars (\$7,000,000), but not more than twenty million dollars (\$20,000,000), shall be assessed six thousand seven hundred dollars (\$6,700).

(M) An employer with a payroll of more than twenty million dollars (\$20,000,000) shall be assessed ten thousand dollars (\$10,000).

(b) (1) In the manner as specified by this section, the director shall identify those insured employers having a workers' compensation experience modification rating of 1.25 or more, and private sector self-insured employers having an equivalent experience modification rating of 1.25 or more as determined pursuant to subdivision (e).

(2) The assessment required by this section shall be levied annually, on a calendar year basis, on those insured employers and private sector self-insured employers, as identified pursuant to paragraph (1), having the highest workers' compensation experience modification ratings or equivalent experience modification ratings, that the director determines to be required numerically to produce the total amount of the assessment to be collected pursuant to subdivision (a).

(c) The director shall collect the assessment from insured employers as follows:

(1) Upon the request of the director, the Department of Insurance shall direct the licensed rating organization designated as the department's statistical agent to provide to the director, for purposes of subdivision (b), a list of all insured employers having a workers' compensation experience rating modification of 1.25 or more, according to the organization's records at the time the list is requested, for policies commencing the year preceding the year in which the assessment is to be collected.

(2) The director shall determine the annual payroll of each insured employer subject to assessment from the payroll that was reported to the licensed rating organization identified in paragraph (1) for the most recent period for which one full year of payroll information is available for all insured employers.

(3) On or before September 1 of each year, the director shall determine each of the current insured employers subject to assessment, and the amount of the total assessment for which each insured employer is liable. The director immediately shall notify each insured employer, in a format chosen by the insurer, of the insured's obligation to submit payment of the assessment to the director within 30 days after the date the billing was

mailed, and warn the insured of the penalties for failure to make timely and full payment as provided by this subdivision.

(4) The director shall identify any insured employers that, within 30 days after the mailing of the billing notice, fail to pay, or object to, their assessments. The director shall mail to each of these employers a notice of delinquency and a notice of the intention to assess penalties, advising that, if the assessment is not paid in full within 15 days after the mailing of the notices, the director will levy against the employer a penalty equal to 25 percent of the employer's assessment, and will refer the assessment and penalty to the Franchise Tax Board or another agency or department for collection. The notices required by this paragraph shall be sent by United States first-class mail.

(5) If an assessment is not paid by an insured employer within 15 days after the mailing of the notices required by paragraph (4), the director shall refer the delinquent assessment and the penalty to the Franchise Tax Board, or another agency or department, as deemed appropriate by the director, for collection pursuant to Section 19290.1 of the Revenue and Taxation Code, or Section 1900 of the Unemployment Insurance Code.

(d) The director shall collect the assessment directly from private sector self-insured employers. The failure of any private sector self-insured employer to pay the assessment as billed constitutes grounds for the suspension or termination of the employer's certificate to self-insure.

(e) The director shall adopt regulations implementing this section that include provision for a method of determining experience modification ratings for private sector self-insured employers that is generally equivalent to the modification ratings that apply to insured employers and is weighted by both severity and frequency.

(f) The director shall determine whether the amount collected pursuant to any assessment exceeds expenditures, as described in subdivision (a), for the current year and shall credit the amount of any excess to any deficiency in the prior year's assessment or, if there is no deficiency, against the assessment for the subsequent year.

SEC. 47. Section 1771.3 of the Labor Code is amended to read:

1771.3. (a) (1) The State Public Works Enforcement Fund is hereby created as a special fund in the State Treasury. Notwithstanding Section 13340 of the Government Code, moneys in the fund shall be continuously appropriated for the purposes the Department of Industrial Relations' enforcement of prevailing wage requirements applicable to public works pursuant to this chapter, and labor compliance enforcement as set forth in subdivision (b) of Section 1771.55, and shall not be used or borrowed for any other purpose.

(2) The Director of Industrial Relations, with the approval of the Director of Finance, shall determine and assess a fee on any awarding body using funds derived from any bond issued by the state to fund public works projects, in an amount not to exceed one-fourth of 1 percent of the bond proceeds. The fee shall be set to cover the expenses of the Department of Industrial Relations for administering the prevailing wage requirements on

public works projects using those bond funds. The fee shall be payable by the board, commission, department, agency, or official responsible for the allocation of bond proceeds from the bond funds awarded to each project at the time the funds are released to the project or other such time the Department of Industrial Relations and the entity responsible for allocation of the bond proceeds may agree. All fees collected pursuant to this section shall be deposited in the State Public Works Enforcement Fund, and shall be used only for enforcement of prevailing wage requirements on projects using bond funds and other projects for which awarding bodies pay into the fund. The administration and enforcement of prevailing wage requirements is an administrative expense associated with public works construction.

(b) The fee imposed by this section shall not apply to any contract awarded prior to the effective date of regulations adopted by the department pursuant to paragraph (2) of subdivision (b) of Section 1771.55.

(c) The department shall report to the Legislature, not later than March 1, 2011, on its administration of the State Public Works Enforcement Fund, and the prevailing wage enforcement activities undertaken by the department utilizing that funding.

SEC. 48. Section 1771.5 of the Labor Code is amended to read:

1771.5. (a) Notwithstanding Section 1771, an awarding body may not require the payment of the general prevailing rate of per diem wages or the general prevailing rate of per diem wages for holiday and overtime work for any public works project of twenty-five thousand dollars (\$25,000) or less when the project is for construction work, or for any public works project of fifteen thousand dollars (\$15,000) or less when the project is for alteration, demolition, repair, or maintenance work, if the awarding body elects to initiate and enforce a labor compliance program pursuant to subdivision (b) for every public works project under the authority of the awarding body.

(b) For purposes of this section, a labor compliance program shall include, but not be limited to, the following requirements:

(1) All bid invitations and public works contracts shall contain appropriate language concerning the requirements of this chapter.

(2) A prejob conference shall be conducted with the contractor and subcontractors to discuss federal and state labor law requirements applicable to the contract.

(3) Project contractors and subcontractors shall maintain and furnish, at a designated time, a certified copy of each weekly payroll containing a statement of compliance signed under penalty of perjury.

(4) The awarding body shall review, and, if appropriate, audit payroll records to verify compliance with this chapter.

(5) The awarding body shall withhold contract payments when payroll records are delinquent or inadequate.

(6) The awarding body shall withhold contract payments equal to the amount of underpayment and applicable penalties when, after investigation, it is established that underpayment has occurred.

(c) For purposes of this chapter, “labor compliance program” means a labor compliance program that is approved, as specified in state regulations, by the Director of the Department of Industrial Relations.

(d) For purposes of this chapter, the Director of the Department of Industrial Relations may revoke the approval of a labor compliance program in the manner specified in state regulations.

SEC. 49. Section 1771.7 of the Labor Code is amended to read:

1771.7. (a) (1) An awarding body that chooses to use funds derived from either the Kindergarten-University Public Education Facilities Bond Act of 2002 or the Kindergarten-University Public Education Facilities Bond Act of 2004 for a public works project, shall initiate and enforce, or contract with a third party to initiate and enforce, a labor compliance program, as described in subdivision (b) of Section 1771.5, with respect to that public works project.

(2) If an awarding body described in paragraph (1) chooses to contract with a third party to initiate and enforce a labor compliance program for a project described in paragraph (1), that third party shall not review the payroll records of its own employees or the employees of its subcontractors, and the awarding body or an independent third party shall review these payroll records for purposes of the labor compliance program.

(b) This section applies to public works that commence on or after April 1, 2003. For purposes of this subdivision, work performed during the design and preconstruction phases of construction, including, but not limited to, inspection and land surveying work, does not constitute the commencement of a public work.

(c) (1) For purposes of this section, if any campus of the California State University chooses to use the funds described in subdivision (a), then the “awarding body” is the Chancellor of the California State University. For purposes of this subdivision, if the chancellor is required by subdivision (a) to initiate and enforce, or to contract with a third party to initiate and enforce, the labor compliance program described in that subdivision, then in addition to the requirements imposed upon an awarding body by subdivision (b) of Section 1771.5, the Chancellor of the California State University shall review the payroll records described in paragraphs (3) and (4) of subdivision (b) of Section 1771.5 on at least a monthly basis to ensure the awarding body’s compliance with the labor compliance program.

(2) For purposes of this subdivision, if an awarding body described in subdivision (a) is the University of California or any campus of that university, and that awarding body is required by subdivision (a) to initiate and enforce, or to contract with a third party to initiate and enforce, the labor compliance program described in that subdivision, then in addition to the requirements imposed upon an awarding body by subdivision (b) of Section 1771.5, the payroll records described in paragraphs (3) and (4) of subdivision (b) of Section 1771.5 shall be reviewed on at least a monthly basis to ensure the awarding body’s compliance with the labor compliance program.

(d) (1) An awarding body described in subdivision (a) shall make a written finding that the awarding body has initiated and enforced, or has

contracted with a third party to initiate and enforce, the labor compliance program described in subdivision (a).

(2) (A) If an awarding body described in subdivision (a) is a school district, the governing body of that district shall transmit to the State Allocation Board, in the manner determined by that board, a copy of the finding described in paragraph (1).

(B) The State Allocation Board shall not release the funds described in subdivision (a) to an awarding body that is a school district until the State Allocation Board has received the written finding described in paragraph (1).

(C) If the State Allocation Board conducts a postaward audit procedure with respect to an award of the funds described in subdivision (a) to an awarding body that is a school district, the State Allocation Board shall verify, in the manner determined by that board, that the school district has complied with the requirements of this subdivision.

(3) If an awarding body described in subdivision (a) is a community college district, the Chancellor of the California State University, or the office of the President of the University of California or any campus of the University of California, that awarding body shall transmit, in the manner determined by the Director of the Department of Industrial Relations, a copy of the finding described in paragraph (1) to the director of that department, or the director of any successor agency that is responsible for the oversight of employee wage and employee work hours laws.

(e) Notwithstanding Section 17070.63 of the Education Code, for purposes of this act, the State Allocation Board shall increase the grant amounts as described in Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code to accommodate the state's share of the increased costs of a new construction or modernization project due to the initiation and enforcement of the labor compliance program.

(f) This section shall not apply to a contract awarded on or after the latter of the effective date of regulations adopted by the Department of Industrial Relations pursuant to paragraph (2) of subdivision (b) of Section 1771.55 or the effective date of the fees adopted by the department pursuant to Section 1771.75.

SEC. 50. Section 1771.75 of the Labor Code is amended to read:

1771.75. (a) An awarding body that chooses to use funds derived from either the Kindergarten-University Public Education Facilities Bond Act of 2002 or the Kindergarten-University Public Education Facilities Bond Act of 2004 for a public works project, shall pay a fee to the Department of Industrial Relations, in an amount that the department shall establish, and as it may from time to time amend, in an amount not to exceed one-fourth of 1 percent of the bond proceeds, sufficient to support the department's costs in ensuring compliance with and enforcing prevailing wage requirements on the project, and labor compliance enforcement as set forth in subdivision (b) of Section 1771.55. All fees collected pursuant to this subdivision shall be deposited in the State Public Works Enforcement Fund

created by Section 1771.3, and shall be used only for enforcement of prevailing wage requirements on those projects. The department may waive the fee set forth in this section for an awarding body that has previously been granted approval by the director to initiate and operate a labor compliance program on the awarding body's projects, and requests to continue to operate that labor compliance program on its projects in lieu of labor compliance by the department pursuant to subdivision (b) of Section 1771.55. This fee shall not be waived for an awarding body that contracts with a third party to initiate and enforce labor compliance programs on the awarding body's projects.

(b) This section applies to public works that commence on or after April 1, 2003. For purposes of this subdivision, work performed during the design and preconstruction phases of construction, including, but not limited to, inspection and land surveying work, does not constitute the commencement of a public work.

(c) (1) For purposes of this section, if any campus of the California State University chooses to use the funds described in subdivision (a), then the awarding body is the Chancellor of the California State University and the chancellor is required by subdivision (a) to pay a fee to the Department of Industrial Relations.

(2) For purposes of this subdivision, if an awarding body described in subdivision (a) is the University of California or any campus of that university, and that awarding body is required by subdivision (a) to pay a fee to the Department of Industrial Relations, then the university shall review the payroll records on at least a monthly basis to ensure the university's compliance with prevailing wage obligations.

(d) The State Allocation Board shall notify the Department of Industrial Relations of awarding bodies that are awarded funds subject to the fee required by subdivision (a).

(e) Notwithstanding Section 17070.63 of the Education Code, for purposes of this section, the State Allocation Board shall increase the grant amounts as described in Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code to accommodate the state's share of the increased costs of a new construction or modernization project due to the fee required to be paid to the Department of Industrial Relations to ensure compliance with and enforcement of prevailing wage laws on the project. The State Allocation Board shall pay the fee to the Department of Industrial Relations at the time bond funds are released to the awarding body. All fees collected pursuant to this subdivision shall be deposited in the State Public Works Enforcement Fund created by Section 1771.3.

(f) This section shall only apply to a contract awarded on or after both the effective date of the department's adoption of the fee set forth in subdivision (a) and of regulations pursuant to paragraph (2) of subdivision (b) of Section 1771.55.

SEC. 51. Section 1771.8 of the Labor Code is amended to read:

1771.8. (a) The body awarding any contract for a public works project financed in any part with funds made available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code) shall adopt and enforce, or contract with a third party to adopt and enforce, a labor compliance program pursuant to subdivision (b) of Section 1771.5 for application to that public works project.

(b) This section shall become operative only if the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code) is approved by the voters at the November 5, 2002, statewide general election.

(c) This section shall not apply to a contract awarded on or after the latter of the effective date of the regulations adopted by the Department of Industrial Relations pursuant to paragraph (2) of subdivision (b) of Section 1771.55 or the effective date of the fees adopted by the department pursuant to Section 1771.85.

SEC. 52. Section 1777.5 of the Labor Code is amended to read:

1777.5. (a) Nothing in this chapter shall prevent the employment of properly registered apprentices upon public works.

(b) Every apprentice employed upon public works shall be paid the prevailing rate of per diem wages for apprentices in the trade to which he or she is registered and shall be employed only at the work of the craft or trade to which he or she is registered.

(c) Only apprentices, as defined in Section 3077, who are in training under apprenticeship standards that have been approved by the Chief of the Division of Apprenticeship Standards and who are parties to written apprentice agreements under Chapter 4 (commencing with Section 3070) of Division 3 are eligible to be employed at the apprentice wage rate on public works. The employment and training of each apprentice shall be in accordance with either of the following:

(1) The apprenticeship standards and apprentice agreements under which he or she is training.

(2) The rules and regulations of the California Apprenticeship Council.

(d) When the contractor to whom the contract is awarded by the state or any political subdivision, in performing any of the work under the contract, employs workers in any apprenticeable craft or trade, the contractor shall employ apprentices in at least the ratio set forth in this section and may apply to any apprenticeship program in the craft or trade that can provide apprentices to the site of the public work for a certificate approving the contractor under the apprenticeship standards for the employment and training of apprentices in the area or industry affected. However, the decision of the apprenticeship program to approve or deny a certificate shall be subject to review by the Administrator of Apprenticeship. The apprenticeship program or programs, upon approving the contractor, shall arrange for the dispatch of apprentices to the contractor. A contractor covered by an apprenticeship program's standards shall not be required to submit any additional application in order to include additional public works contracts

under that program. “Apprenticeable craft or trade,” as used in this section, means a craft or trade determined as an apprenticeable occupation in accordance with rules and regulations prescribed by the California Apprenticeship Council. As used in this section, “contractor” includes any subcontractor under a contractor who performs any public works not excluded by subdivision (o).

(e) Prior to commencing work on a contract for public works, every contractor shall submit contract award information to an applicable apprenticeship program that can supply apprentices to the site of the public work. The information submitted shall include an estimate of journeyman hours to be performed under the contract, the number of apprentices proposed to be employed, and the approximate dates the apprentices would be employed. A copy of this information shall also be submitted to the awarding body if requested by the awarding body. Within 60 days after concluding work on the contract, each contractor and subcontractor shall submit to the awarding body, if requested, and to the apprenticeship program a verified statement of the journeyman and apprentice hours performed on the contract. The information under this subdivision shall be public. The apprenticeship programs shall retain this information for 12 months.

(f) The apprenticeship program that can supply apprentices to the area of the site of the public work shall ensure equal employment and affirmative action in apprenticeship for women and minorities.

(g) The ratio of work performed by apprentices to journeymen employed in a particular craft or trade on the public work may be no higher than the ratio stipulated in the apprenticeship standards under which the apprenticeship program operates where the contractor agrees to be bound by those standards, but, except as otherwise provided in this section, in no case shall the ratio be less than one hour of apprentice work for every five hours of journeyman work.

(h) This ratio of apprentice work to journeyman work shall apply during any day or portion of a day when any journeyman is employed at the jobsite and shall be computed on the basis of the hours worked during the day by journeymen so employed. Any work performed by a journeyman in excess of eight hours per day or 40 hours per week shall not be used to calculate the ratio. The contractor shall employ apprentices for the number of hours computed as above before the end of the contract or, in the case of a subcontractor, before the end of the subcontract. However, the contractor shall endeavor, to the greatest extent possible, to employ apprentices during the same time period that the journeymen in the same craft or trade are employed at the jobsite. Where an hourly apprenticeship ratio is not feasible for a particular craft or trade, the Chief of the Division of Apprenticeship Standards, upon application of an apprenticeship program, may order a minimum ratio of not less than one apprentice for each five journeymen in a craft or trade classification.

(i) A contractor covered by this section that has agreed to be covered by an apprenticeship program’s standards upon the issuance of the approval certificate, or that has been previously approved for an apprenticeship

program in the craft or trade, shall employ the number of apprentices or the ratio of apprentices to journeymen stipulated in the applicable apprenticeship standards, but in no event less than the 1-to-5 ratio required by subdivision (g).

(j) Upon proper showing by a contractor that he or she employs apprentices in a particular craft or trade in the state on all of his or her contracts on an annual average of not less than one hour of apprentice work for every five hours of labor performed by journeymen, the Chief of the Division of Apprenticeship Standards may grant a certificate exempting the contractor from the 1-to-5 hourly ratio, as set forth in this section for that craft or trade.

(k) An apprenticeship program has the discretion to grant to a participating contractor or contractor association a certificate, which shall be subject to the approval of the Administrator of Apprenticeship, exempting the contractor from the 1-to-5 ratio set forth in this section when it finds that any one of the following conditions is met:

(1) Unemployment for the previous three-month period in the area exceeds an average of 15 percent.

(2) The number of apprentices in training in the area exceeds a ratio of 1 to 5.

(3) There is a showing that the apprenticeable craft or trade is replacing at least one-thirtieth of its journeymen annually through apprenticeship training, either on a statewide basis or on a local basis.

(4) Assignment of an apprentice to any work performed under a public works contract would create a condition that would jeopardize his or her life or the life, safety, or property of fellow employees or the public at large, or the specific task to which the apprentice is to be assigned is of a nature that training cannot be provided by a journeyman.

(l) When an exemption is granted pursuant to subdivision (k) to an organization that represents contractors in a specific trade from the 1-to-5 ratio on a local or statewide basis, the member contractors shall not be required to submit individual applications for approval to local joint apprenticeship committees, if they are already covered by the local apprenticeship standards.

(m) (1) A contractor to whom a contract is awarded, who, in performing any of the work under the contract, employs journeymen or apprentices in any apprenticeable craft or trade shall contribute to the California Apprenticeship Council the same amount that the director determines is the prevailing amount of apprenticeship training contributions in the area of the public works site. A contractor may take as a credit for payments to the council any amounts paid by the contractor to an approved apprenticeship program that can supply apprentices to the site of the public works project. The contractor may add the amount of the contributions in computing his or her bid for the contract.

(2) At the conclusion of the 2002–03 fiscal year and each fiscal year thereafter, the California Apprenticeship Council shall distribute training contributions received by the council under this subdivision, less the

expenses of the Division of Apprenticeship Standards for administering this subdivision, by making grants to approved apprenticeship programs for the purpose of training apprentices. The funds shall be distributed as follows:

(A) If there is an approved multiemployer apprenticeship program serving the same craft or trade and geographic area for which the training contributions were made to the council, a grant to that program shall be made.

(B) If there are two or more approved multiemployer apprenticeship programs serving the same craft or trade and geographic area for which the training contributions were made to the council, the grant shall be divided among those programs based on the number of apprentices registered in each program.

(C) All training contributions not distributed under subparagraphs (A) and (B) shall be used to defray the future expenses of the Division of Apprenticeship Standards.

(3) All training contributions received pursuant to this subdivision shall be deposited in the Apprenticeship Training Contribution Fund, which is hereby created in the State Treasury. Upon appropriation by the Legislature, all money in the Apprenticeship Training Contribution Fund shall be used for the purpose of carrying out this subdivision and to pay the expenses of the Division of Apprenticeship Standards.

(n) The body awarding the contract shall cause to be inserted in the contract stipulations to effectuate this section. The stipulations shall fix the responsibility of compliance with this section for all apprenticeable occupations with the prime contractor.

(o) This section does not apply to contracts of general contractors or to contracts of specialty contractors not bidding for work through a general or prime contractor when the contracts of general contractors or those specialty contractors involve less than thirty thousand dollars (\$30,000).

(p) All decisions of an apprenticeship program under this section are subject to Section 3081.

SEC. 53. Section 11105.8 is added to the Penal Code, to read:

11105.8. A nonprofit organization that is funded pursuant to subsection (a) of Section 3796h of Title 42 of the United States Code may be granted access to local, state, or federal criminal justice system information available to law enforcement agencies, including access to the California Law Enforcement Telecommunications System, provided that the nonprofit agency meets all other federal and state requirements for access to that information or system.

SEC. 54. Section 5164 of the Public Resources Code is amended to read:

5164. (a) (1) A county, city, city and county, or special district shall not hire a person for employment, or hire a volunteer to perform services, at a county, city, city and county, or special district operated park, playground, recreational center, or beach used for recreational purposes, in a position having supervisory or disciplinary authority over a minor, if that person has been convicted of an offense specified in paragraph (2).

(2) (A) A violation or attempted violation of Section 220, 261.5, 262, 273a, 273d, or 273.5 of the Penal Code, or a sex offense listed in Section 290 of the Penal Code, except for the offense specified in subdivision (d) of Section 243.4 of the Penal Code.

(B) A felony or misdemeanor conviction specified in subparagraph (C) within 10 years of the date of the employer's request.

(C) A felony conviction that is over 10 years old, if the subject of the request was incarcerated within 10 years of the employer's request, for a violation or attempted violation of an offense specified in Chapter 3 (commencing with Section 207) of Title 8 of Part 1 of the Penal Code, Section 211 or 215 of the Penal Code, wherein it is charged and proved that the defendant personally used a deadly or dangerous weapon, as provided in subdivision (b) of Section 12022 of the Penal Code, in the commission of that offense, Section 217.1 of the Penal Code, Section 236 of the Penal Code, an offense specified in Chapter 9 (commencing with Section 240) of Title 8 of Part 1 of the Penal Code, or an offense specified in subdivision (c) of Section 667.5 of the Penal Code, provided that a record of a misdemeanor conviction shall not be transmitted to the requester unless the subject of the request has a total of three or more misdemeanor convictions, or a combined total of three or more misdemeanor and felony convictions, for violations listed in this section within the 10-year period immediately preceding the employer's request or has been incarcerated for any of those convictions within the preceding 10 years.

(b) (1) To give effect to this section, a county, city, city and county, or special district shall require each such prospective employee or volunteer to complete an application that inquires as to whether or not that individual has been convicted of an offense specified in subdivision (a). The county, city, city and county, or special district shall screen, pursuant to Section 11105.3 of the Penal Code, any such prospective employee or volunteer, having supervisory or disciplinary authority over a minor, for that person's criminal background.

(2) A local agency request for Department of Justice records pursuant to this subdivision shall include the prospective employee's or volunteer's fingerprints, which may be taken by the local agency, and any other data specified by the Department of Justice. The request shall be made on a form approved by the Department of Justice. A fee shall not be charged to the local agency for requesting the records of a prospective volunteer pursuant to this subdivision.

(3) A county, city, city and county, or special district may charge a prospective employee or volunteer described in subdivision (a) a fee to cover all of the county, city, city and county, or special district's costs attributable to the requirements imposed by this section.

SEC. 55. Section 11006 of the Revenue and Taxation Code is amended to read:

11006. (a) Commencing on December 31, 2001, the Controller, in consultation with the Department of Motor Vehicles and the Department of Finance, shall recalculate the distribution of the amount of motor vehicle

license fees paid by commercial vehicles that are subject to Section 9400.1 of the Vehicle Code and transfer the following sums from the General Fund in the following order:

(1) An amount sufficient to cover all allocations and interception of funds associated with all pledges, liens, encumbrances and priorities as set forth in Section 25350.6 of the Government Code, which shall be transferred so as to pay that allocation.

(2) An amount sufficient to continue allocations to the State Treasury to the credit of the Vehicle License Fee Account of the Local Revenue Fund, as established pursuant to Section 17600 of the Welfare and Institutions Code, which would be in the same amount had the amendments made by the act that added this section to Section 10752 of the Revenue and Taxation Code not been enacted, which shall be deposited in the State Treasury to the credit of the Vehicle License Fee Account of the Local Revenue Fund, as established pursuant to Section 17600 of the Welfare and Institutions Code. This paragraph shall be inoperative commencing with the 2010–11 fiscal year.

(3) An amount sufficient to continue allocations to the State Treasury to the credit of the Vehicle License Fee Growth Account of the Local Revenue Fund, as established pursuant to Section 17600 of the Welfare and Institutions Code, which would be in the same amount had the amendments made by the act that added this section to Section 10752 of the Revenue and Taxation Code not been enacted, which shall be deposited in the State Treasury to the credit of the Vehicle License Fee Growth Account of the Local Revenue Fund, as established pursuant to Section 17600 of the Welfare and Institutions Code.

(4) An amount sufficient to cover all allocations and interception of funds associated with all pledges, liens, encumbrances and priorities, other than those referred to in paragraph (1), as set forth in Section 25350 and following of, Section 53584 and following of, 5450 and following of, the Government Code, which shall be transferred so as to pay those allocations.

(b) The balance of any funds not otherwise allocated pursuant to subdivision (a) shall continue to be deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund and allocated to each city, county, and city and county as otherwise provided by law.

(c) In enacting paragraphs (1) and (4) of subdivision (a), the Legislature declares that paragraphs (1) and (4) of subdivision (a), shall not be construed to obligate the State of California to make any payment to a city, city and county, or county from the Motor Vehicle License Fee Account in the Transportation Tax Fund in any amount or pursuant to any particular allocation formula, or to make any other payment to a city, city and county, or county, including, but not limited to, any payment in satisfaction of any debt or liability incurred or so guaranteed if the State of California had not so bound itself prior to the enactment of this section.

(d) Notwithstanding subdivisions (a) and (b), on and after July 1, 2010, that amount equal to the amount that would have been transferred pursuant

to paragraph (2) of subdivision (a) had the act adding this subdivision not been enacted, shall not be transferred from the General Fund.

SEC. 56. Section 19558 of the Revenue and Taxation Code is amended to read:

19558. (a) Subject to the limitations of this section and federal law, the Franchise Tax Board may provide the Public Employees' Retirement System with the names and addresses or other identification or location information from income tax returns or other records required under Part 10 (commencing with Section 17001) or this part, for both of the following:

(1) Solely for the purposes of disbursing unclaimed benefits pursuant to Chapter 13 (commencing with Section 21250) and Chapter 14 (commencing with Section 21490) of Part 3 of Division 5 of Title 2 of the Government Code and distributing member statements on an annual basis.

(2) Until June 30, 2016, solely for the purpose of filing required data pursuant to the Early Retiree Reinsurance Program (Sec. 1102, Public Law 111-148; 42 U.S.C. Sec. 18002), Part 149 of Title 45 of the Code of Federal Regulations, and related departmental directives.

(b) Neither the Public Employees' Retirement System, nor its agents, nor any of its current or former officers or employees, shall disclose or use any information obtained pursuant to this section except as provided in this section. Any disclosure not authorized by this section is a misdemeanor.

(c) The Franchise Tax Board may from time to time review the use of information provided to the Public Employees' Retirement System pursuant to this section and the Public Employees' Retirement System shall provide the Franchise Tax Board with access for that purpose. The reviews shall be limited to ensuring that the Public Employees' Retirement System uses the information provided by the Franchise Tax Board only in the manner specified in subdivision (a). The Franchise Tax Board shall report all findings to the Public Employees' Retirement System.

SEC. 57. Section 1088 of the Unemployment Insurance Code is amended to read:

1088. (a) (1) Each employer shall file with the director within the time required by subdivision (a) or (d) of Section 1110 for payment of employer contributions, a report of contributions, a quarterly return, and a report of wages paid to his or her workers in the form and containing any information as the director prescribes. An electronic funds transfer of contributions pursuant to subdivision (f) of Section 1110 shall satisfy the requirement for a report of contributions. The quarterly return shall include the total amount of wages, employer contributions required under Sections 976 and 976.6, worker contributions required under Section 984, the amounts required to be withheld under Section 13020, or withheld under Section 13028, and any other information as the director shall prescribe. The report of wages shall include individual amounts required to be withheld under Section 13020 or withheld under Section 13028.

(2) (A) In order to enhance efforts to reduce tax fraud and to reduce the personal income tax reporting burden, effective January 1, 1997, the report of wages shall also include the full first name of the employee and total

wages, as defined in Section 13009, paid to each employee. This paragraph shall apply to reports of wages for all periods ending on or before December 31, 1999.

(B) For all periods beginning on or after January 1, 2000, the report of wages shall also include total wages subject to personal income tax, as defined in Section 13009.5, paid to each employee.

(b) Each employer shall file with the director within the time required by subdivision (b) or (d) of Section 1110 for payment of worker contributions, a report of contributions containing the employer's business name, address, and account number, the total amount of worker contributions due, and any other information as the director shall prescribe. The director shall prescribe the form for the report of contributions. An electronic funds transfer of contributions pursuant to subdivision (f) of Section 1110 shall satisfy the requirement for a report of contributions.

(c) In addition to the report of contributions, quarterly return, and report of wages required by employers under subdivision (a), an individual who has elected coverage under subdivision (a) of Section 708 is also required to file a separate report of contributions, and quarterly return, subject to Part 2 (commencing with Section 2601).

(d) Any employer making an election under subdivision (d) of Section 1110 shall submit the report of wages described in subdivision (a), within the time required for submitting employer contributions under subdivision (a) of Section 1110.

(e) (1) In addition to the report of contributions, quarterly return, and report of wages described in subdivision (a), each employer shall file with the director an annual reconciliation return showing the total amount of wages, employer contributions required under Sections 976 and 976.6, worker contributions required under Section 984, the amounts required to be withheld under Section 13020 or withheld under Section 13028, and any other information as the director shall prescribe. This annual reconciliation return shall be due on the first day of January following the close of the prior calendar year and shall become delinquent if not filed on or before the last day of that month.

(2) This subdivision shall not apply to individuals electing coverage under Section 708 or 708.5 or employers electing financing under Section 821.

(3) The requirement to file the annual reconciliation return for the prior calendar year under this subdivision shall not apply to the 2012 calendar year and thereafter.

(f) For purposes of making a report of wages under subdivision (a), employers who are required under Section 6011 of the Internal Revenue Code and authorized regulations thereunder to file magnetic media returns, shall, within 90 days of becoming subject to this requirement, do one of the following:

(1) Submit a magnetic media format to the department for approval, and upon receiving approval from the department, submit any subsequent reports of wages on magnetic media.

(2) Establish to the satisfaction of the director that there is a lack of automation, a severe economic hardship, a current exemption from submitting magnetic media information returns for federal purposes, or other good cause for not complying with the provisions of this subdivision. Approved waivers shall be valid for six months or longer, at the discretion of the director.

(g) The Franchise Tax Board shall be allowed access to the information filed with the department pursuant to this section.

(h) The requirement in subdivision (a) to file a quarterly return shall begin with the first calendar quarter of the 2011 calendar year.

SEC. 58. Section 1112.5 of the Unemployment Insurance Code is amended to read:

1112.5. (a) Any employer who without good cause fails to file the return and reports required by subdivision (a) of Section 1088 and subdivision (a) of Section 13021 within 60 days of the time required under subdivision (a) of Section 1110 shall pay a penalty of 10 percent of the amount of contributions and personal income tax withholding required by this report. This penalty shall be in addition to the penalties required by Sections 1112 and 1126.

(b) For purposes of subdivision (a), the amount of contributions and personal income tax required by the report of contributions shall be reduced by the amount of any contributions and personal income tax paid on or before the prescribed payment dates.

SEC. 59. Section 1113.1 of the Unemployment Insurance Code is amended to read:

1113.1. An employer who, through an error caused by excusable neglect, makes an underpayment of the amount due on a report of contributions pursuant to subdivision (b) of Section 1088 shall not be liable for penalty or interest under Sections 1112, 1113, 1127 or 1129 if proper adjustment is made at the time of the filing of the quarterly report of contributions and quarterly return, for the same calendar quarter under subdivision (a) of Section 1088 and an explanation of the error is attached to the report or return.

SEC. 60. Section 1275 of the Unemployment Insurance Code is amended to read:

1275. (a) Unemployment compensation benefit award computations shall be based on wages paid in the base period. "Base period" means: for benefit years beginning in October, November, or December, the four calendar quarters ended in the next preceding month of June; for benefit years beginning in January, February, or March, the four calendar quarters ended in the next preceding month of September; for benefit years beginning in April, May, or June, the four calendar quarters ended in the next preceding month of December; for benefit years beginning in July, August, or September, the four calendar quarters ended with the next preceding month of March. Wages used in the determination of benefits payable to an individual during any benefit year may not be used in determining that individual's benefits in any subsequent benefit year.

(b) For any new claim filed on or after September 3, 2011, or earlier if the department implements the technical changes necessary to establish claims under the alternate base period, as specified in subdivision (c), if an individual cannot establish a claim under subdivision (a), then “base period” means: for benefit years beginning in October, November, or December, the four calendar quarters ended in the next preceding month of September; for benefit years beginning in January, February, or March, the four calendar quarters ended in the next preceding month of December; for benefit years beginning in April, May, or June, the four calendar quarters ended in the next preceding month of March; for benefit years beginning in July, August, or September, the four calendar quarters ended in the next preceding month of June. As provided in Section 1280, the quarter with the highest wages shall be used to determine the individual’s weekly benefit amount. Wages used in the determination of benefits payable to an individual during any benefit year may not be used in determining that individual’s benefits in any subsequent benefit year.

(c) The department shall implement the technical changes necessary to establish claims under the alternate base period specified in subdivision (b) as soon as possible, but no later than September 3, 2011.

SEC. 61. Article 9 (commencing with Section 1900) is added to Chapter 7 of Part 1 of Division 1 of the Unemployment Insurance Code, to read:

Article 9. Penalty Assessments

1900. (a) (1) Notwithstanding any other law, the Department of Industrial Relations may enter into an agreement with the department that provides for the transfer of all or part of the responsibility from the Department of Industrial Relations, or any office or division within that department, to the department for the collection of penalty assessments including, but not limited to, delinquent fees, wages, penalties, judgments, assessments, costs, citations, debts, and any interest thereon, arising out of the enforcement of any law within the jurisdiction of the Department of Industrial Relations or any office or division within. The agreement shall specify the terms under which those items and interest shall become subject to collection by the department.

(2) The agreement shall also prescribe a procedure for the Department of Industrial Relations to reimburse the department for the costs of collection, and provide that the amount of any reimbursement shall not exceed the actual costs of collection, including court costs and reasonable attorney’s fees. Wherever possible the collection costs shall be borne by the debtor.

(b) For amounts referred for collection under subdivision (a), interest shall accrue at the adjusted annual rate and by the method established pursuant to Section 685.010 of the Code of Civil Procedure from and after the date of notice until paid.

(c) Amounts referred for collection under subdivision (a) shall be treated as final liabilities and due and payable to the State of California and may

be collected from the debtor by the department in any manner authorized under the law for collection of any amount imposed under this division. Any information, information sources, enforcement remedies, and capabilities available to the Department of Industrial Relations shall be available to the department to be used in conjunction with, or independent of, the information, information sources, remedies, and capabilities available to the department for purposes of administering this code.

(d) The provisions of Article 8 (commencing with Section 1870) and Section 1110.1 shall not apply to amounts referred for collection under subdivision (a).

SEC. 62. Section 13021 of the Unemployment Insurance Code is amended to read:

13021. (a) Every employer required to withhold any tax under Section 13020 shall for each calendar quarter, whether or not wages or payments are paid in the quarter, file a withholding report, a quarterly return, as prescribed in subdivision (a) of Section 1088, and a report of wages in a form prescribed by the department, and pay over the taxes so required to be withheld. The report of wages shall include individual amounts required to be withheld under Section 13020 or withheld under Section 13028. Except as provided in subdivisions (c) and (d), the employer shall file a withholding report, a quarterly return, as prescribed in subdivision (a) of Section 1088, and a report of wages, and remit the total amount of income taxes withheld during the calendar quarter on or before the last day of the month following the close of the calendar quarter.

(b) Every employer electing to file a single annual return under subdivision (d) of Section 1110 shall report and pay any taxes withheld under Section 13020 on an annual basis within the time specified in subdivision (d) of Section 1110.

(c) (1) Effective January 1, 1995, whenever an employer is required, for federal income tax purposes, to remit the total amount of withheld federal income tax in accordance with Section 6302 of the Internal Revenue Code and regulations thereunder, and the accumulated amount of state income tax withheld is more than five hundred dollars (\$500), the employer shall remit the total amount of income tax withheld for state income tax purposes within the number of banking days as specified for withheld federal income taxes by Section 6302 of the Internal Revenue Code, and regulations thereunder.

(2) Effective January 1, 1996, the five hundred dollar (\$500) amount referred to in paragraph (1) shall be adjusted annually as follows, based on the annual average rate of interest earned on the Pooled Money Investment Fund as of June 30 in the prior fiscal year:

Average Rate of Interest	
Greater than or equal to 9 percent:	\$ 75
Less than 9 percent, but greater than or equal to 7 percent:	250

Less than 7 percent, but greater than or equal to	
4 percent:	400
Less than 4 percent:	500

(d) (1) Notwithstanding subdivisions (a) and (c), for calendar years beginning prior to January 1, 1995, if in the 12-month period ending June 30 of the prior year the cumulative average payment made pursuant to this division or Section 1110, for eight-month periods, as defined under Section 6302 of the Internal Revenue Code and regulations thereunder, was fifty thousand dollars (\$50,000) or more, the employer shall remit the total amount of income tax withheld within three banking days following the close of each eight-month period, as defined by Section 6302 of the Internal Revenue Code and regulations thereunder. For purposes of this subdivision, payment shall be made by electronic funds transfer in accordance with Section 13021.5, for one calendar year beginning on January 1. Payment is deemed complete on the date the electronic funds transfer is initiated if settlement to the state's demand account occurs on or before the banking day following the date the transfer is initiated. If settlement to the state's demand account does not occur on or before the banking day following the date the transfer is initiated, payment is deemed complete on the date settlement occurs. The department shall, on or before October 31 of the prior year, notify all employers required to make payment by electronic funds transfer of these requirements.

(2) Notwithstanding subdivisions (a) and (c), for calendar years beginning on or after January 1, 1995, if in the 12-month period ending June 30 of the prior year, the cumulative average payment made pursuant to this division or Section 1110 for any deposit periods, as defined under Section 6302 of the Internal Revenue Code and regulations thereunder, was twenty thousand dollars (\$20,000) or more, the employer shall remit the total amount of income tax withheld within the number of banking days as specified for federal income taxes by Section 6302 of the Internal Revenue Code and regulations thereunder. For purposes of this subdivision, payment shall be made by electronic funds transfer in accordance with Section 13021.5, for one calendar year beginning on January 1. Payment is deemed complete on the date the electronic funds transfer is initiated if settlement to the state's demand account occurs on or before the banking day following the date the transfer is initiated. If settlement to the state's demand account does not occur on or before the banking day following the date the transfer is initiated, payment is deemed complete on the date settlement occurs. The department shall, on or before October 31 of the prior year, notify all employers required by this paragraph to make payments by electronic funds transfer of these requirements.

(3) Notwithstanding paragraph (2), effective January 1, 1995, electronic funds transfer payments that are subject to the one-day deposit rule, as defined by Section 6302 of the Internal Revenue Code and regulations thereunder, shall be deemed timely if the payment settles to the state's

demand account within three banking days after the date the employer meets the threshold for the one-day deposit rule.

(4) Any taxpayer required to remit payments pursuant to paragraphs (1) and (2) may request from the department a waiver of those requirements. The department may grant a waiver only if it determines that the particular amounts paid in excess of fifty thousand dollars (\$50,000) or twenty thousand dollars (\$20,000), as stated in paragraphs (1) and (2), respectively, were the result of an unprecedented occurrence for that employer, and were not representative of the employer's cumulative average payment in prior years.

(5) Any state agency required to remit payments pursuant to paragraphs (1) and (2) may request a waiver of those requirements from the department. The department may grant a waiver if it determines that there will not be a negative impact on the interest earnings of the General Fund. If there is a negative impact to the General Fund, the department may grant a waiver if the requesting state agency follows procedures designated by the department to mitigate the impact to the General Fund.

(e) Any employer not required to make payment pursuant to subdivision (d) of this section may elect to make payment by electronic funds transfer in accordance with Section 13021.5 under the following conditions:

(1) The election shall be made in a form, and shall contain information, as prescribed by the director, and shall be subject to approval by the department.

(2) If approved, the election shall be effective on the date specified in the notification to the employer of approval.

(3) The election shall be operative from the date specified in the notification of approval, and shall continue in effect until terminated by the employer or the department.

(4) Funds remitted by electronic funds transfer pursuant to this subdivision shall be deemed complete in accordance with subdivision (d) or as deemed appropriate by the director to encourage use of this payment method.

(f) Notwithstanding Section 1112, no interest or penalties shall be assessed against any employer who remits at least 95 percent of the amount required by subdivision (c) or (d) if the failure to remit the full amount is not willful and any remaining amount due is paid with the next payment. The director may allow any employer to submit the amounts due from multiple locations upon a showing that those submissions are necessary to comply with subdivision (c) or (d).

(g) The department may, if it believes that action is necessary, require any employer to make the report or return required by this section and pay to it the tax deducted and withheld at any time, or from time to time but no less frequently than provided for in subdivision (a).

(h) Any employer required to withhold any tax and who is not required to make payment under subdivision (c) shall remit the total amount of income tax withheld during each month of each calendar quarter, on or before the 15th day of the subsequent month if the income tax withheld for any of the

three months or, cumulatively for two or more months, is three hundred fifty dollars (\$350) or more.

(i) For purposes of subdivisions (a), (c), and (h), payment is deemed complete when it is placed in a properly addressed envelope, bearing the correct postage, and it is deposited in the United States mail.

(j) (1) In addition to the withholding report, quarterly return, and report of wages described in subdivision (a), each employer shall file with the director an annual reconciliation return showing the amount required to be withheld under Section 13020, and any other information the director shall prescribe. This annual reconciliation return shall be due on the first day of January following the close of the prior calendar year and shall become delinquent if not filed on or before the last day of that month.

(2) The requirement to file the annual reconciliation return for the prior calendar year under this subdivision shall not apply to the 2012 calendar year and thereafter.

(k) The requirement in subdivision (a) to file a quarterly return shall begin with the first calendar quarter of the 2011 calendar year.

SEC. 63. Section 13050 of the Unemployment Insurance Code is amended to read:

13050. (a) Every employer or person required to deduct and withhold from an employee a tax under Section 986, 3260, or 13020, or who would have been required to deduct and withhold a tax under Section 13020 (determined without regard to Section 13025) if the employee had claimed no more than one withholding exemption, shall furnish to each employee in respect of the remuneration paid by the person to the employee during the calendar year, on or before January 31 of the succeeding year, or, if his or her employment is terminated before the close of the calendar year, on the day on which the last payment of remuneration is made, a written statement showing all of the following:

(1) The name of the person.

(2) The name of the employee, and his or her social security or identifying number if wages have been paid.

(3) The total amount of wages subject to personal income tax, as defined by Section 13009.5.

(4) The total amount deducted and withheld as tax under Section 13020.

(5) The total amount of worker contributions paid by the employee pursuant to Section 986.

(6) The total amount of worker contributions paid by the employee pursuant to Section 3260.

(7) The total amount of elective deferrals (within the meaning of Section 402(g)(3) of the Internal Revenue Code) and compensation deferred pursuant to Section 457 of the Internal Revenue Code.

(b) The statement required to be furnished pursuant to this section in respect of any remuneration shall be furnished at other times, shall contain other information, and shall be in a form, as the department may by authorized regulations prescribe.

(c) If, during any calendar year, any person makes a payment of third-party sick pay to an employee, that person shall, on or before January 15 of the succeeding year, furnish a written statement to the employer in respect of whom the payment was made showing all of the following:

(1) The name and, if there is withholding under this division, the social security number of that employee.

(2) The total amount of the third-party sick pay paid to that employee during the calendar year.

(3) The total amount, if any, deducted and withheld from that sick pay under this division. For purposes of the preceding sentence, the term “third-party sick pay” means any sick pay, as defined in subdivision (b) of Section 13028.6, which does not constitute wages for purposes of this division, determined without regard to subdivision (a) of Section 13028.6.

(A) For purposes of Chapter 10 (commencing with Section 2101) of Part 1 of Division 1, the statements required to be furnished by this subdivision shall be treated as statements required under this section to be furnished to employees.

(B) Every employer who receives a statement under this subdivision with respect to sick pay paid to any employee during any calendar year shall, on or before January 31 of the succeeding year, furnish a written statement to that employee showing all of the information shown on the statement furnished under this subdivision.

(d) The Franchise Tax Board shall be allowed access to the information filed with the department pursuant to this section.

SEC. 64. Section 1673.2 of the Vehicle Code is amended to read:

1673.2. (a) The department, in coordination with the Department of Finance, shall do all of the following:

(1) Search its records to identify the registered owner or lessee. Except as required under Section 1673.4, the department shall mail to the registered owner or lessee a refund notification form notifying the registered owner or lessee that he or she is eligible for a refund of the smog impact fee. This form shall identify the vehicle make and year, and include a refund claim that shall be signed, under penalty of perjury, and returned to the department.

(2) Shall acknowledge by mail claims for refund from registered owners or lessees received prior to the effective date of this section.

(3) Except as provided in Section 1673.4, shall verify whether the information provided in any claim is true and correct and shall refund the three hundred dollar (\$300) smog impact fee, plus the amount of any penalty collected for late payment of the smog impact fee, and any interest earned on those charges, to the person shown to be the registered owner or lessee.

(b) Notwithstanding any other provision of law, interest shall be paid on all claims at a single annual rate, calculated by the Department of Finance, that averages the annualized interest rates earned by the Pooled Money Investment Account for the period beginning October 1990 and ending on the effective date of this section. Interest on each refund shall be calculated from the date the smog impact fee and vehicle registration transaction was

completed to the date the refund is issued. Accrual of interest shall terminate one year after the effective date of this section.

(c) (1) Notwithstanding any other provision of law, those who paid the smog impact fee between October 15, 1990, and October 19, 1999, may file a claim for refund.

(2) Claims for refund by a registered owner or lessee shall be filed with the Department of Motor Vehicles within three years of the effective date of this section.

SEC. 65. (a) The Legislature finds and declares all of the following:

(1) The Legislature appropriated thirty million two hundred eighty-three thousand dollars (\$30,283,000) in Item 0855-101-0367 of the Budget Act of 2007 for the purpose of providing grants to local government agencies to mitigate impacts from tribal government gaming.

(2) The Governor deleted thirty million dollars (\$30,000,000) for grants to local government agencies, citing a Bureau of State Audits report finding in which some local governments were not using grant moneys for their sole intended purpose.

(3) In 2008, the Legislature passed, and the Governor signed into law, Chapter 754 of the Statutes of 2008 (A.B. 158), enacting several recommendations from the Bureau of State Audits to help ensure grant funds be spent for their intended purpose.

(b) The sum of thirty million dollars (\$30,000,000) is hereby appropriated from the Indian Gaming Special Distribution Fund to restore funding deleted from the Budget Act of 2007 for the purpose of providing grants to local government agencies pursuant to Section 12715 of the Government Code. For the purpose of this specific appropriation, distribution of appropriations to local government agencies impacted by tribal gaming shall be in accordance with the method for determining appropriations into individual tribal casino accounts in effect in the 2006–07 fiscal year, and based on payments made into the Indian Gaming Special Distribution Fund in the 2006–07 fiscal year.

SEC. 66. The provisions of Section 67 this act are subject to the applicable provisions of the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session).

SEC. 67. Item 0820-001-3086 of Section 2.00 of the Budget Act of 2009, as amended by Section 72 of Chapter 1 of the 2009–10 Fourth Extraordinary Session, is amended to read:

0820-001-3086—For support of Department of Justice, for	
payment to Item 0820-001-0001, payable from the DNA	
Identification Fund.....	45,355,000

SEC. 68. (a) The remaining funds appropriated in Item 0911-001-0001 of Section 2.00 of the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess., as revised by Ch. 1, 2009–10 4th Ex. Sess.) shall be available until June 30, 2012. Any funds allocated pursuant to Item 0911-001-0001 of Section 2.00 of the Budget Act of 2010 shall be available until June 30, 2013. The

Director of Finance shall allocate those funds among the Citizens Redistricting Commission, the Secretary of State, and the Bureau of State Audits not sooner than the date that both of the following have occurred:

(1) The State Auditor has randomly drawn the names of eight individuals who shall serve on the Citizens Redistricting Commission pursuant to subdivision (f) of Section 8252 of the Government Code.

(2) Thirty days have elapsed since the Department of Finance has submitted to the Chairperson of the Joint Legislative Budget Committee a written notification of intent to allocate those funds, or whatever lesser time the chairperson of the joint committee may determine.

(b) In order to receive an allocation of funds under this section, the Bureau of State Audits shall submit a request with a detailed cost estimate to the Chairperson of the Joint Legislative Budget Committee and the Director of Finance. If the chairperson of the joint committee provides a written notification to the director that the requested allocation, or a lesser amount, is needed to carry out expenses of the Bureau of State Audits as set forth in the detailed cost estimate, the director shall make an allocation of funds as identified in the written notification.

SEC. 69. (a) For the purpose of this section, the following words and terms shall have the following meanings:

(1) “Bank” means the California Infrastructure and Economic Development Bank.

(2) “IID” means the Imperial Irrigation District.

(3) “IID Infrastructure Guarantee Trust Account” means the account within the California Infrastructure Guarantee Trust Fund established by this section.

(4) “Infrastructure Bank IID Guaranteed Project Bonds” means obligations of IID issued in a principal amount providing net project proceeds of up to one hundred fifty million dollars (\$150,000,000) in 2003 dollars as adjusted to their present value by the construction cost index, comprising the net of costs of issuance and the funding of a reserve account in the maximum amount provided by federal law with respect to tax exempt obligations, the net project proceeds of which are for the purpose of completing Transfer Agreement Project Improvements.

(5) “SDCWA” means the San Diego County Water Authority.

(6) “Shortfall” means, to the extent the number is negative, revenues received by IID pursuant to the transfer agreement, less the operation and maintenance costs, administrative costs, other noncapital costs related to the Transfer Agreement Project Improvements, and debt service on the Infrastructure Bank IID Guaranteed Project Bonds, not to exceed the amount due as debt service on the Infrastructure Bank IID Guaranteed Project Bonds on any payment date for those bonds and subject to offset as set forth in this section.

(7) “Transfer agreement” means that Agreement for Transfer of Conserved Water by and between IID and SDCWA dated April 29, 1998, as amended as of October 10, 2003.

(8) “Transfer Agreement Project Improvements” means projects or programs undertaken by IID for the purposes of the development of “conserved water” as that term is used in, and for the purposes of, the Quantification Settlement Agreement that was executed on October 10, 2003, that are financed with proceeds of the Infrastructure Bank IID Guaranteed Project Bonds.

(9) “Triggering event” means any of the following:

(A) Termination of the transfer agreement on or before October 3, 2048, for reasons other than set forth in subparagraph (B) or (C).

(B) A default under the transfer agreement by SDCWA resulting in a reduction in revenues payable to IID, provided that IID has assigned to the bank that portion of its payment rights under the transfer agreement sufficient for the bank to be made whole in the event recovery is obtained from the SDCWA.

(C) A court or administrative body order or other action that results in a reduction or elimination of revenues under the transfer agreement.

(b) The amount in the California Infrastructure Guarantee Trust Fund or any account in that fund on January 1, 2010, that is held for the benefit of the IID pursuant to Resolution No. 03-18, adopted by the California Infrastructure and Economic Development Bank on June 27, 2003, shall be deposited in a guarantee reserve account within the fund, which is hereby established as the IID Infrastructure Guarantee Trust Account. This amount shall also constitute the “reserve account requirement” for the account for the purposes of Section 63064 of the Government Code.

(c) The Infrastructure Bank IID Guaranteed Project Bonds shall be guaranteed by the bank, and the IID Infrastructure Guarantee Trust Account shall constitute the guarantee reserve account for the Infrastructure Bank IID Guaranteed Project Bonds as provided in Section 63063 of the Government Code. Moneys in the IID Infrastructure Guarantee Trust Account, including any amounts appropriated to this account, shall be paid for the benefit of the holders of the Infrastructure Bank IID Guaranteed Project Bonds in the amount of the shortfall upon the occurrence of all of the following: (1) a triggering event; (2) the exhaustion of the bond reserve account funded in the maximum amount provided by federal law with respect to tax exempt obligations by the Infrastructure Bank IID Guaranteed Project Bonds; and (3) funding by IID of debt service payments for 12 consecutive months. Moneys shall be transferred from the IID Infrastructure Guarantee Trust Account by the bank to the trustee for the Infrastructure Bond IID Guaranteed Project Bonds in an amount not to exceed the shortfall for the purpose of making principal or interest payments on the Infrastructure Bank IID Guaranteed Project Bonds.

(d) If a triggering event occurs and IID enters into a water transfer agreement with one or more parties, or a subsequent water transfer agreement with SDCWA, for all or any portion of the water that otherwise would have been transferred to SDCWA pursuant to the transfer agreement, IID shall apply the net revenues received under the water transfer agreement or agreements as an offset against the shortfall.

(e) The Infrastructure Bank IID Guaranteed Project Bonds shall have maturities not to exceed 30 years from the date of issuance of each series of these obligations and bear a fixed rate of interest. The Infrastructure Bank IID Guaranteed Project Bonds shall be structured with level debt service unless the board of directors of the bank approves non-level debt service. The date or dates of issuance shall be as determined by IID.

(f) The guarantee by the bank of the Infrastructure Bank IID Guaranteed Project Bonds and any payment thereunder shall be without any rights of recourse, subrogation, reimbursement, contribution, or indemnity against IID, provided that IID shall reimburse any guarantee payments received in any IID fiscal year to the extent that transfer revenues in that fiscal year received under the transfer agreement, or under any subsequent water transfer agreements described in subdivision (d) exceed the amount required for IID to pay the operation and maintenance costs, administrative costs, and other noncapital costs related to the Transfer Agreement Project Improvements plus debt service on the Infrastructure Bank IID Guaranteed Project Bonds.

(g) The obligation of the bank and of the state to pay any guarantee benefit for the Infrastructure Bank IID Guaranteed Project Bonds shall be a limited obligation of the bank payable solely from amounts deposited in the IID Infrastructure Guarantee Trust Account pursuant to this section, or subsequently appropriated for deposit in the IID Infrastructure Guarantee Trust Account pursuant to subdivision (d) of Section 63064 of the Government Code. Upon the occurrence of a triggering event and satisfaction of the conditions precedent for funding described in subdivision (c), the executive director of the bank shall take the action as provided in Section 63064 of the Government Code. The guarantee of the Infrastructure Bank IID Guaranteed Project Bonds under this section shall not directly or indirectly or contingently obligate the state or any of its political subdivisions to levy or to pledge any form of taxation whatever for them or to make any appropriation for their payment. The contract of guarantee to be entered into by the bank shall contain on its face a statement to the following effect: "Neither the faith and credit nor the taxing power of the State of California is pledged to the payment of the principal of, or interest on, this contract of guarantee."

(h) The bank shall enter into a guarantee agreement with IID that is consistent with the terms of this section, as approved by the board of directors of the bank. Article 3 (commencing with Section 63040), Article 4 (commencing with Section 63042), and Article 5 (commencing with Section 63043) of Chapter 2 of Division 1 of Title 6.7 of the Government Code shall not apply to the guarantee by the bank of the Infrastructure Bank IID Guaranteed Project Bonds.

(i) Pursuant to Section 63066 of the Government Code, the bank may charge and collect an insurance guarantee premium upon the issuance of the guarantee of the Infrastructure Bank IID Guaranteed Project Bonds, not to exceed 1 percent of the principal amount thereof from the proceeds of the bonds, in an amount established by the board of directors of the bank.

SEC. 70. The Employment Development Department until September 3, 2013, shall report to the Joint Legislative Budget Committee, no less than quarterly, on the progress and effectiveness of implementation of the alternative base period program prescribed in Sections 1275, 1277.1, 1277.5, and 1329.5 of the Unemployment Insurance Code.

SEC. 71. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 72. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to implement the Budget Act of 2010 as soon as possible, it is necessary for this act to take immediate effect.

Senate Bill No. 982

CHAPTER 203

An act to add Sections 56836.156 and 56836.157 to the Education Code, relating to special education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 12, 2001. Filed with Secretary of State August 13, 2001.]

LEGISLATIVE COUNSEL'S DIGEST

SB 982, O'Connell. Special education.

Existing law requires, if the Commission on State Mandates determines that an act contains costs mandated by the state, that reimbursement to local agencies and school districts for those costs be made, as specified.

Under existing law, every individual with exceptional needs, who is eligible to receive educational instruction, related services, or both, is required to receive educational instruction, services, or both, at no cost to his or her parents or, as appropriate, to him or her.

This bill would require the Superintendent of Public Instruction to perform specified computations with respect to special education local planning areas and affected pupils and to permanently increase the amount per unit of average daily attendance for those areas. The bill would also state that, commencing with the 2001–02 fiscal year, to the 2010–11 fiscal year, \$25,000,000 shall be appropriated, on a one-time basis each fiscal year, for allocation to school districts pursuant to a prescribed calculation.

The bill would appropriate \$100,000,000 in augmentation of Item 6110-161-0001 of Section 2.00 of the Budget Act of 2001 for the purposes of the actions taken by the superintendent, as stated above. The bill would appropriate \$270,000,000 to the Superintendent of Public Instruction for allocation on a one-time basis to school districts, county offices of education, and special education local plan areas. The bill would also appropriate \$25,000,000 in augmentation of Item 6110-161-0001 of Section 2.00 of the Budget Act of 2001 for purposes of making the first one-time allocation in each fiscal year for the 2001–02 fiscal year to school districts, as provided for above. The bill would state that the allocation of certain of those funds is in full satisfaction and in lieu of any reimbursable mandate claims relating to special education programs and services, as specified.



Section 8 of Article XVI of the California Constitution (Proposition 98) sets forth a formula for computing the minimum amount of General Fund revenues that the state is required to appropriate for the support of school districts, as defined, and community college districts for each fiscal year. That formula is adjusted in certain fiscal years for changes in pupil enrollment, as specified. Certain funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

The bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that it is in the state's interest that legislation be enacted immediately to provide funding for special education and resolve a contested state mandate issue of 20-year standing. The Legislature anticipates that the Governor will request the enactment of the legislation prior to the enactment of the 2001–02 Budget Act.

SEC. 2. Section 56836.156 is added to the Education Code, to read:

56836.156. (a) The Superintendent of Public Instruction shall determine the statewide total average daily attendance used for the purposes of Section 56836.08 for the 2001–02 fiscal year. For the purposes of this calculation, the 2000–01 second principal average daily attendance for the court, community school, and special education programs served by the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area shall be used in lieu of the average daily attendance used for that agency for the purposes of Section 56836.08.

(b) The superintendent shall divide one hundred million dollars (\$100,000,000) by the amount determined pursuant to subdivision (a).

(c) For each special education local plan area, the superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of Section 56836.08 for the 2001–02 fiscal year by the quotient determined pursuant to subdivision (b). This increase shall be effective beginning in the 2001–02 fiscal year.

(d) Notwithstanding subdivision (c), for the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the superintendent shall permanently increase the amount per unit of average daily attendance



determined pursuant to subdivision (b) of Section 56836.08 by the ratio of the amount determined pursuant to subdivision (b) to the statewide target per unit of average daily attendance determined pursuant to Section 56836.11 for the 2000–01 fiscal year. This increase shall be effective beginning in the 2001–02 fiscal year.

(e) The superintendent shall increase the statewide target per unit of average daily attendance determined pursuant to Section 56836.11 for the 2001–02 fiscal year by the amount determined pursuant to subdivision (b).

(f) The funds provided in subdivisions (a) to (e), inclusive, shall be used for the costs of any state-mandated special education programs and services established pursuant to Sections 56000 to 56885, inclusive, and Sections 3000 to 4671, inclusive, of Title 5 of the California Code of Regulations, as those sections read on or before July 1, 2000. These funds shall be considered in full satisfaction of, and are in lieu of, any reimbursable mandate claims relating to special education programs and services, with the exception of the programs and services delineated in subdivision (g). By providing this funding, the state in no way concedes the existence of any unfunded special education reimbursable mandate. These funds shall be used exclusively for programs operated under this part and, as a first priority, for the following programs, which shall be deemed to be fully funded within the meaning of subdivision (e) of Section 17556 of the Government Code:

(1) Community advisory committees established pursuant to Sections 56190 to 56192, inclusive, and Section 56194, as these sections read on July 1, 2000.

(2) Governance structure established pursuant to subdivision (a) of Section 56195.3, as this section read on July 1, 2000.

(3) Enrollment caseloads established pursuant to subdivision (c) of Section 56362, and Section 56363.3, as these sections read on July 1, 2000.

(4) Extended school year established pursuant to subdivision (d) of Section 3043 of Title 5 of the California Code of Regulations, as this section read on July 1, 2000.

(5) Resource specialist program established pursuant to subdivisions (d), (e), and (f) of Section 56362, as this section read on July 1, 2000.

(6) Maximum age limit established pursuant to paragraph (4) of subdivision (c) of Section 56026, as this section read on July 1, 2000.

(7) Interim placements established pursuant to subdivision (b) of Section 56325, as this section read on July 1, 2000, and Section 3067 of Title 5 of the California Code of Regulations, as this section read on December 31, 1994.



(8) Written consent established pursuant to Sections 56321 and 56346, as these sections read on July 1, 2000.

(9) Preschool transportation programs for ages 3 to 5, inclusive, not requiring intensive services (Not-RIS) established pursuant to Section 56441.14, as this section read on July 1, 2000.

(10) Special education for pupils ages 3 to 5, inclusive, and 18 to 21, inclusive, established pursuant to Section 56026, as this section read on July 1, 2000.

(11) With the exception of the programs delineated in subdivision (g), any other state-mandated special education programs and services established by Sections 56000 to 56885, inclusive, and Sections 3000 to 4671, inclusive, of Title 5 of the California Code of Regulations, as those sections read on or before July 1, 2000, whether or not such a mandate has been found by the Commission on State Mandates. Pursuant to subdivision (e) of Section 17556 of the Government Code, these funds shall be deemed to be additional revenue specifically intended to fund the costs of any such state-mandated special education programs and services.

(g) Notwithstanding subdivision (f), the following existing mandate test claim remains subject to the normal mandate procedure, including judicial review, if any: behavioral interventions established pursuant to Section 56523 and Sections 3001 and 3052 of Title 5 of the California Code of Regulations, as those sections read on July 1, 2000 (CSM-4464 filed by the San Diego Unified School District, the San Joaquin County Office of Education, and the Butte County Office of Education). The exclusion of this claim from subdivision (f) in no way constitutes a concession by the state that any unfunded special education mandate exists.

(h) Within the meaning of subdivision (e) of Section 17556 of the Government Code, the funds appropriated for purposes of this section are not specifically intended to fund any state-mandated special education programs and services resulting from amendments enacted after July 1, 2000, to any of the following statutes and regulations:

(1) The Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), if the amendments result in circumstances where state law exceeds federal law.

(2) Federal regulations implementing the Individuals with Disabilities Education Act (34 C.F.R. 300 and 303), if the amendments result in circumstances where state law exceeds federal law.

(3) Part 30 (commencing with Section 56000).

(4) Sections 3000 to 4671, inclusive, of Title 5 of the California Code of Regulations.



(i) State funds otherwise allocated to each special education local plan area pursuant to Chapter 7.2 (commencing with Section 56836) of Part 30 and appropriated through the annual Budget Act shall supplement and not supplant these funds.

SEC. 3. Section 56836.157 is added to the Education Code, to read:

56836.157. (a) Commencing with the 2001–02 fiscal year to the 2010–11 fiscal year, inclusive, the amount of twenty-five million dollars (\$25,000,000) shall be appropriated, on a one-time basis each fiscal year, from the General Fund for allocation to school districts on a per pupil basis. The Superintendent of Public Instruction shall compute the amount per pupil by dividing twenty-five million dollars (\$25,000,000) by the total average daily attendance, excluding attendance for regional occupational centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade 12 in all school districts as used by the Superintendent of Public Instruction for the second principal apportionment for the 1999–2000 fiscal year. Each school district’s allocation shall equal the per pupil amount times the district’s average daily attendance as reported to the Superintendent of Public Instruction for the second principal apportionment for the 1999–2000 fiscal year. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year.

(1) In any fiscal year in which the provisions of paragraph (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution are operative, the annual appropriation shall not be required to be made.

(2) The Director of Finance shall notify, in writing, the fiscal committees of both houses of the Legislature, the Controller, and the Superintendent of Public Instruction no later than May 14 that the appropriation for the following fiscal year is not required, pursuant to paragraph (1). If an appropriation is not made for a specific fiscal year, or years, it shall instead be made in the fiscal year, or years, immediately succeeding the final payment pursuant to subdivision (a).

(b) (1) From the funds appropriated for purposes of this section in subdivision (b) of Section 4 of the act adding this section, the Superintendent of Public Instruction shall allocate the following:

(A) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of ten million eight hundred thousand dollars (\$10,800,000) shall be allocated by the superintendent to county offices of education on an equal per pupil amount. The superintendent shall determine the per pupil amount by dividing ten million eight hundred thousand dollars (\$10,800,000) by the total statewide county special education pupil count only, reported by county offices of education as of December 1999. The allotment for each county



office of education shall be the per pupil amount times the county's special education pupil count reported as of December 1999.

(B) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of two million seven hundred thousand dollars (\$2,700,000) shall be allocated by the superintendent to SELPAs that existed for the 1999–2000 fiscal year. The superintendent shall determine the amount of each agency's allotment by dividing the two million seven hundred thousand dollars (\$2,700,000) by the total statewide special education pupil count as of December 1999. The allotment for each agency shall be the statewide per pupil amount times the SELPA's special education pupil count reported as of December 1999. The superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each SELPA is at least ten thousand dollars (\$10,000).

(C) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of six million dollars (\$6,000,000) shall be allocated by the superintendent to the Riverside County Office of Education.

(2) The superintendent shall compute a per pupil amount from the balance of the appropriation provided by subdivision (b) of Section 4 of the act adding this section, after the appropriation has been reduced by the amounts in paragraph (1), by dividing the remaining portion of the appropriation by the total average daily attendance, excluding attendance for regional occupational centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade 12 in all school districts as used by the Superintendent of Public Instruction for the second principal apportionment for the 1999–2000 fiscal year.

The superintendent shall apportion to each school district an amount equal to the per pupil amount times the district's reported average daily attendance for the second principal apportionment for the 1999–2000 fiscal year, excluding attendance for regional occupational centers and programs, adult education, and programs operated by the county superintendent of schools.

(c) The amounts appropriated by subdivisions (a) and (b) of Section 4 of the act adding this section are in full satisfaction and in lieu of mandate claims resulting from the Commission on State Mandates cases identified as (1) Riverside County Superintendent of Schools, et al., CSM-3986 on remand from the Superior Court of Sacramento County, No. 352795, and (2) Long Beach Unified School District, CSM-3986A (consolidated with the Santa Barbara County Superintendent of Schools, SB 90-3453).



SEC. 4. (a) The amount of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund in augmentation of Item 6110-161-0001 of Section 2.00 of the Budget Act of 2001 to the Superintendent of Public Instruction for the purposes of Section 56836.156 of the Education Code.

(b) (1) The amount of two hundred seventy million dollars (\$270,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation on a one-time basis to school districts, county offices of education, and special education local plan areas (SELPA's), as specified in subdivision (b) of Section 56836.157 of the Education Code.

(2) For the purposes of making the computation required by Section 8 of Article XVI of the California Constitution, this appropriation shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (a) of Section 41202 of the Education Code, for the 1999-2000 fiscal year, and included with the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 1999-2000 fiscal year.

(c) The amount of twenty-five million dollars (\$25,000,000) is hereby appropriated from the General Fund in augmentation of Item 6110-161-0001 of Section 2.00 of the Budget Act of 2001 for purposes of making the first one-time allocation in each fiscal year for the 2001-02 fiscal year, as required by subdivision (a) of Section 56836.157 of the Education Code.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to alleviate the fiscal hardship to local educational agencies caused by persistent shortfalls in federal funding for special education; to increase state funding for the special education program, thereby reducing encroachment; to facilitate the settlement of current litigation regarding those programs and the funding thereof; to obviate new litigation; and to resolve related school finance issues, it is necessary for this act to take effect immediately.

O





Effective: January 1, 2012

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Part 3. Of Special Proceedings of a Civil Nature [\(Refs & Annos\)](#)

[↗](#) [Title 1.](#) Of Writs of Review, Mandate, and Prohibition [\(Refs & Annos\)](#)

[↗](#) [Chapter 2.](#) Writ of Mandate [\(Refs & Annos\)](#)

→ → § 1094.5. Review of administrative orders or decisions; filing record; extent of injury; abuse of discretion; relevant evidence; judgment; stay; disposal of administrative records; application to state employees

(a) Where the writ is issued for the purpose of inquiring into the validity of any final administrative order or decision made as the result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and discretion in the determination of facts is vested in the inferior tribunal, corporation, board, or officer, the case shall be heard by the court sitting without a jury. All or part of the record of the proceedings before the inferior tribunal, corporation, board, or officer may be filed with the petition, may be filed with respondent's points and authorities, or may be ordered to be filed by the court. Except when otherwise prescribed by statute, the cost of preparing the record shall be borne by the petitioner. Where the petitioner has proceeded pursuant to Article 6 (commencing with [Section 68630](#)) of [Chapter 2 of Title 8 of the Government Code](#) and the Rules of Court implementing that section and where the transcript is necessary to a proper review of the administrative proceedings, the cost of preparing the transcript shall be borne by the respondent. Where the party seeking the writ has proceeded pursuant to [Section 1088.5](#), the administrative record shall be filed as expeditiously as possible, and may be filed with the petition, or by the respondent after payment of the costs by the petitioner, where required, or as otherwise directed by the court. If the expense of preparing all or any part of the record has been borne by the prevailing party, the expense shall be taxable as costs.

(b) The inquiry in such a case shall extend to the questions whether the respondent has proceeded without, or in excess of, jurisdiction; whether there was a fair trial; and whether there was any prejudicial abuse of discretion. Abuse of discretion is established if the respondent has not proceeded in the manner required by law, the order or decision is not supported by the findings, or the findings are not supported by the evidence.

(c) Where it is claimed that the findings are not supported by the evidence, in cases in which the court is authorized by law to exercise its independent judgment on the evidence, abuse of discretion is established if the court determines that the findings are not supported by the weight of the evidence. In all other cases, abuse of discretion is established if the court determines that the findings are not supported by substantial evidence in the light of the whole record.

(d) Notwithstanding subdivision (c), in cases arising from private hospital boards or boards of directors of districts organized pursuant to the Local Health Care District Law (Chapter 1 (commencing with [Section 32000](#)) of Division 23 of the Health and Safety Code) or governing bodies of municipal hospitals formed pursuant to Article 7 (commencing with [Section 37600](#)) or Article 8 (commencing with [Section 37650](#)) of [Chapter 5 of Part 2 of Division 3 of Title 4 of the Government Code](#), abuse of discretion is established if the court determines that the findings are not supported by substantial evidence in the light of the whole record. However, in all cases in which the petition alleges discriminatory actions prohibited by [Section 1316 of the Health and Safety Code](#), and the plaintiff makes a preliminary showing of substantial evidence in support of that allegation, the court shall exercise its independent judgment on the evidence

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and abuse of discretion shall be established if the court determines that the findings are not supported by the weight of the evidence.

(e) Where the court finds that there is relevant evidence that, in the exercise of reasonable diligence, could not have been produced or that was improperly excluded at the hearing before respondent, it may enter judgment as provided in subdivision (f) remanding the case to be reconsidered in the light of that evidence; or, in cases in which the court is authorized by law to exercise its independent judgment on the evidence, the court may admit the evidence at the hearing on the writ without remanding the case.

(f) The court shall enter judgment either commanding respondent to set aside the order or decision, or denying the writ. Where the judgment commands that the order or decision be set aside, it may order the reconsideration of the case in light of the court's opinion and judgment and may order respondent to take such further action as is specially enjoined upon it by law, but the judgment shall not limit or control in any way the discretion legally vested in the respondent.

(g) Except as provided in subdivision (h), the court in which proceedings under this section are instituted may stay the operation of the administrative order or decision pending the judgment of the court, or until the filing of a notice of appeal from the judgment or until the expiration of the time for filing the notice, whichever occurs first. However, no such stay shall be imposed or continued if the court is satisfied that it is against the public interest. The application for the stay shall be accompanied by proof of service of a copy of the application on the respondent. Service shall be made in the manner provided by Title 4.5 (commencing with [Section 405](#)) of Part 2 or Chapter 5 (commencing with [Section 1010](#)) of Title 14 of Part 2. If an appeal is taken from a denial of the writ, the order or decision of the agency shall not be stayed except upon the order of the court to which the appeal is taken. However, in cases where a stay is in effect at the time of filing the notice of appeal, the stay shall be continued by operation of law for a period of 20 days from the filing of the notice. If an appeal is taken from the granting of the writ, the order or decision of the agency is stayed pending the determination of the appeal unless the court to which the appeal is taken shall otherwise order. Where any final administrative order or decision is the subject of proceedings under this section, if the petition shall have been filed while the penalty imposed is in full force and effect, the determination shall not be considered to have become moot in cases where the penalty imposed by the administrative agency has been completed or complied with during the pendency of the proceedings.

(h)(1) The court in which proceedings under this section are instituted may stay the operation of the administrative order or decision of any licensed hospital or any state agency made after a hearing required by statute to be conducted under the Administrative Procedure Act, as set forth in Chapter 5 (commencing with [Section 11500](#)) of Part 1 of [Division 3 of Title 2 of the Government Code](#), conducted by the agency itself or an administrative law judge on the staff of the Office of Administrative Hearings pending the judgment of the court, or until the filing of a notice of appeal from the judgment or until the expiration of the time for filing the notice, whichever occurs first. However, the stay shall not be imposed or continued unless the court is satisfied that the public interest will not suffer and that the licensed hospital or agency is unlikely to prevail ultimately on the merits. The application for the stay shall be accompanied by proof of service of a copy of the application on the respondent. Service shall be made in the manner provided by Title 4.5 (commencing with [Section 405](#)) of Part 2 or Chapter 5 (commencing with [Section 1010](#)) of Title 14 of Part 2.

(2) The standard set forth in this subdivision for obtaining a stay shall apply to any administrative order or decision of an agency that issues licenses pursuant to Division 2 (commencing with [Section 500](#)) of the [Business and Professions Code](#) or pursuant to the Osteopathic Initiative Act or the Chiropractic Initiative Act. With respect to orders or decisions of other state agencies, the standard in this subdivision shall apply only when the agency has adopted the proposed decision of the administrative law judge in its entirety or has adopted the proposed decision but reduced the proposed penalty pursuant to [subdivision \(c\) of Section 11517 of the Government Code](#); otherwise the standard in subdivision (g) shall apply.

(3) If an appeal is taken from a denial of the writ, the order or decision of the hospital or agency shall not be stayed

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except upon the order of the court to which the appeal is taken. However, in cases where a stay is in effect at the time of filing the notice of appeal, the stay shall be continued by operation of law for a period of 20 days from the filing of the notice. If an appeal is taken from the granting of the writ, the order or decision of the hospital or agency is stayed pending the determination of the appeal unless the court to which the appeal is taken shall otherwise order. Where any final administrative order or decision is the subject of proceedings under this section, if the petition shall have been filed while the penalty imposed is in full force and effect, the determination shall not be considered to have become moot in cases where the penalty imposed by the administrative agency has been completed or complied with during the pendency of the proceedings.

(i) Any administrative record received for filing by the clerk of the court may be disposed of as provided in [Sections 1952, 1952.2, and 1952.3](#).

(j) Effective January 1, 1996, this subdivision shall apply to state employees in State Bargaining Unit 5. For purposes of this section, the court is not authorized to review any disciplinary decisions reached pursuant to [Section 19576.1 of the Government Code](#).

CREDIT(S)

(Added by Stats.1945, c. 868, p. 1636, § 1. Amended by Stats.1949, c. 358, p. 638, § 1; Stats.1974, c. 688, p. 1532, § 1; Stats.1975, 2nd Ex.Sess., c. 1, p. 3973, § 26.5; Stats.1978, c. 1348, § 1; Stats.1979, c. 199, § 1; Stats.1982, c. 193, p. 593, § 4, eff. May 5, 1982; Stats.1982, c. 812, p. 3102, § 3; Stats.1985, c. 324, § 1; [Stats.1991, c. 1090 \(A.B.1484\), § 5.5](#); [Stats.1992, c. 72 \(A.B.1525\), § 1, eff. May 28, 1992](#); [Stats.1995, c. 768 \(S.B.544\), § 1, eff. Oct. 12, 1995](#); [Stats.1998, c. 88 \(A.B.528\), § 5, eff. June 30, 1998](#); [Stats.1998, c. 1024 \(A.B.1291\), § 5, eff. Sept. 30, 1998](#); [Stats.1999, c. 446 \(A.B.1013\), § 1, eff. Sept. 21, 1999](#); [Stats.2000, c. 402 \(A.B.649\), § 1, eff. Sept. 11, 2000](#); [Stats.2008, c. 150 \(A.B.3042\), § 1](#); [Stats.2011, c. 296 \(A.B.1023\), § 41](#).)

VALIDITY

A prior version of this section was held unconstitutional in the case of [State Personnel Bd. v. Department of Personnel Admin. \(2005\) 36 Cal.Rptr.3d 142, 37 Cal.4th 512, 123 P.3d 169](#).

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 [Ⓜ] [Chapter 3](#). Manner of Production
 [Ⓜ] [Article 2](#). Affidavits
 → → **§ 2012. Officers before whom taken**

An affidavit to be used before any court, judge, or officer of this state may be taken before any officer authorized to administer oaths.

CREDIT(S)

(Enacted in 1872. Amended by Stats.1907, c. 393, p. 734, § 1.)

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 ▯ [Chapter 3](#). Manner of Production
 ▯ [Article 2](#). Affidavits
 → → **§ 2015.5. Certification or declaration under penalty of perjury**

Whenever, under any law of this state or under any rule, regulation, order or requirement made pursuant to the law of this state, any matter is required or permitted to be supported, evidenced, established, or proved by the sworn statement, declaration, verification, certificate, oath, or affidavit, in writing of the person making the same (other than a deposition, or an oath of office, or an oath required to be taken before a specified official other than a notary public), such matter may with like force and effect be supported, evidenced, established or proved by the unsworn statement, declaration, verification, or certificate, in writing of such person which recites that it is certified or declared by him or her to be true under penalty of perjury, is subscribed by him or her, and (1), if executed within this state, states the date and place of execution, or (2), if executed at any place, within or without this state, states the date of execution and that it is so certified or declared under the laws of the State of California. The certification or declaration may be in substantially the following form:

(a) If executed within this state:

õI certify (or declare) under penalty of perjury that the foregoing is true and correctö:

_____	_____
(Date and Place)	(Signature)

(b) If executed at any place, within or without this state:

õI certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correctö:

_____	_____
(Date)	(Signature)

CREDIT(S)

(Added by Stats.1957, c. 1612, p. 2959, § 1. Amended by Stats.1961, c. 495, p. 1589, § 1; Stats.1963, c. 2080, p. 4346, § 1; Stats.1975, c. 666, p. 1456, § 1, operative Jan. 1, 1977; Stats.1980, c. 889, p. 2789, § 1, operative July 1, 1981.)

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Part 24. School Finance [\(Refs & Annos\)](#)

[Chapter 4.](#) State School Fund--Computation of Allowance [\(Refs & Annos\)](#)

[Article 1.](#) General Provisions [\(Refs & Annos\)](#)

→ → § 41601. Reports of average daily attendance

For the purposes of this chapter, the governing board of each school district shall report to the Superintendent of Public Instruction during each fiscal year the average daily attendance of the district for all full school months during (1) the period between July 1 and December 31, inclusive, to be known as the "first period" report for the first principal apportionment, and (2) the period between July 1 and April 15, inclusive, to be known as the "second period" report for the second principal apportionment. Each county superintendent of schools shall report the average daily attendance for the schools and classes maintained by him or her and the average daily attendance for the county school tuition fund.

Each report shall be prepared in accordance with instructions on forms prescribed and furnished by the Superintendent of Public Instruction. Average daily attendance shall be computed in the following manner:

(a) The average daily attendance in the regular elementary, middle, and high schools, including continuation schools and classes, opportunity schools and classes, and special day classes, maintained by the school districts shall be determined by dividing the total number of days of attendance allowed in all full school months in each period by the number of days the schools are actually taught in all full school months in each period, exclusive of Saturdays or Sundays and exclusive of weekend makeup classes pursuant to [Section 37223](#).

(b) The attendance for schools and classes maintained by a county superintendent of schools and the county school tuition fund shall be reported in the same manner as reported by school districts. The average daily attendance in special education classes operated by county superintendents of schools shall be determined in the same manner as all other attendance under subdivision (a). The average daily attendance in all other schools and classes maintained by the county superintendents of schools shall be determined by dividing the total number of days of attendance in all full school months in the first period by a divisor of 70, in the second period by 135 and at annual time by 175. For attendance in special classes and centers pursuant to [Section 56364](#) or [Section 56364.2](#), as applicable, the average daily attendance shall be reported by the county superintendents of schools, but credited for revenue limit purposes to the district in which the pupil resides.

(c) The days of attendance in classes for adults and regional occupational centers programs shall be reported in the same manner as all other attendance under subdivision (a). The average daily attendance in those schools and classes shall be determined by dividing the total number of days of attendance in all full school months in the first period by a divisor of 85 in the second period by 135 and at annual time by 175.



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(Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1977, c. 36, § 161, eff. April 29, 1977, operative April 30, 1977; Stats.1977, c. 570, § 3; Stats.1980, c. 1353, p. 4803, § 9, eff. Sept. 30, 1980; Stats.1980, c. 1354, p. 4862, § 37.5, eff. Sept. 30, 1980; Stats.1981, c. 1044, p. 3997, § 2; Stats.1983, c. 915, § 3; [Stats.1989, c. 838, § 1](#); [Stats.1992, c. 759 \(A.B.1248\), § 13, eff. Sept. 21, 1992](#); [Stats.1995, c. 91 \(S.B.975\), § 28](#); [Stats.1997, c. 825 \(A.B.287\), § 11, eff. Oct. 9, 1997](#); [Stats.1998, c. 89 \(A.B.598\), § 11, eff. June 30, 1998](#), operative July 1, 1998; [Stats.1998, c. 691 \(S.B.1686\), § 8.](#))

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[Chapter 1](#). Burden of Proof

[Article 1](#). General ([Refs & Annos](#))

→ → § 500. Party who has the burden of proof

Except as otherwise provided by law, a party has the burden of proof as to each fact the existence or nonexistence of which is essential to the claim for relief or defense that he is asserting.

CREDIT(S)

(Stats.1965, c. 299, § 2, operative Jan. 1, 1967.)

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Division 6. Witnesses ([Refs & Annos](#))

[Chapter 3](#). Expert Witnesses

[Article 1](#). Expert Witnesses Generally ([Refs & Annos](#))

→ → **§ 720. Qualification as an expert witness**

(a) A person is qualified to testify as an expert if he has special knowledge, skill, experience, training, or education sufficient to qualify him as an expert on the subject to which his testimony relates. Against the objection of a party, such special knowledge, skill, experience, training, or education must be shown before the witness may testify as an expert.

(b) A witness' special knowledge, skill, experience, training, or education may be shown by any otherwise admissible evidence, including his own testimony.

CREDIT(S)

(Stats.1965, c. 299, § 2, operative Jan. 1, 1967.)

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[Chapter 1](#). Expert and Other Opinion Testimony ([Refs & Annos](#))

[Article 1](#). Expert and Other Opinion Testimony Generally ([Refs & Annos](#))

→ → **§ 800. Lay witnesses; opinion testimony**

If a witness is not testifying as an expert, his testimony in the form of an opinion is limited to such an opinion as is permitted by law, including but not limited to an opinion that is:

- (a) Rationally based on the perception of the witness; and
- (b) Helpful to a clear understanding of his testimony.

CREDIT(S)

(Stats.1965, c. 299, § 2, operative Jan. 1, 1967.)

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[Chapter 1](#). Expert and Other Opinion Testimony ([Refs & Annos](#))

[Article 1](#). Expert and Other Opinion Testimony Generally ([Refs & Annos](#))

→ → § 801. Expert witnesses; opinion testimony

If a witness is testifying as an expert, his testimony in the form of an opinion is limited to such an opinion as is:

(a) Related to a subject that is sufficiently beyond common experience that the opinion of an expert would assist the trier of fact; and

(b) Based on matter (including his special knowledge, skill, experience, training, and education) perceived by or personally known to the witness or made known to him at or before the hearing, whether or not admissible, that is of a type that reasonably may be relied upon by an expert in forming an opinion upon the subject to which his testimony relates, unless an expert is precluded by law from using such matter as a basis for his opinion.

CREDIT(S)

(Stats.1965, c. 299, § 2, operative Jan. 1, 1967.)

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[Chapter 1](#). Expert and Other Opinion Testimony ([Refs & Annos](#))

[Article 1](#). Expert and Other Opinion Testimony Generally ([Refs & Annos](#))

→ → § 805. Opinion on ultimate issue

Testimony in the form of an opinion that is otherwise admissible is not objectionable because it embraces the ultimate issue to be decided by the trier of fact.

CREDIT(S)

(Stats.1965, c. 299, § 2, operative Jan. 1, 1967.)

Current with urgency legislation through Ch. 876 of 2012 Reg.Sess. and all propositions on 2012 ballots.

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C

Effective:[See Text Amendments]

West's Annotated California Codes [Currentness](#)

Government Code ([Refs & Annos](#))

Title 2. Government of the State of California

Division 3. Executive Department ([Refs & Annos](#))

[Part 1](#). State Departments and Agencies ([Refs & Annos](#))

[Chapter 5](#). Administrative Adjudication: Formal Hearing ([Refs & Annos](#))

→ → § 11513. Evidence; examination of witnesses

(a) Oral evidence shall be taken only on oath or affirmation.

(b) Each party shall have these rights: to call and examine witnesses, [\[FN1\]](#) to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence against him or her. If respondent does not testify in his or her own behalf he or she may be called and examined as if under cross-examination.

(c) The hearing need not be conducted according to technical rules relating to evidence and witnesses, except as hereinafter provided. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions.

(d) Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but over timely objection shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. An objection is timely if made before submission of the case or on reconsideration.

(e) The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing.

(f) The presiding officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.

CREDIT(S)

(Added by [Stats.1992, c. 1302 \(A.B.3107\), § 9, eff. Sept. 30, 1992](#), operative July 1, 1995. Amended by [Stats.1995, c. 938 \(S.B.523\), § 40, operative July 1, 1997](#).)

[\[FN1\]](#) Punctuation so in chaptered copy.

LAW REVISION COMMISSION COMMENTS



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Subdivision (d) of Section 11513 is intended to avoid or eliminate routine objections to administrative hearsay. If a proposed finding is supported only by hearsay evidence, a single objection at the conclusion of testimony, or on petition for reconsideration by the agency, is sufficient and timely.

The irrelevant and unduly repetitious standard formerly found in Section 11513 is replaced in subdivision (f) by the general standard of [Evidence Code Section 352](#). The basic standard of admissibility of relevant evidence is stated in subdivision (c); nothing in subdivision (f) authorizes admission of irrelevant evidence.

The unnumbered paragraph formerly located between subdivisions (c) and (d) is restated in [Section 11440.40\(a\)](#).

Former subdivisions (d)-(n) are restated in [Sections 11435.20-11435.65](#).

Former subdivision (o) is restated in [Section 11440.40\(b\)](#).

Former subdivision (p) is restated in [Section 11440.40\(c\)](#).

Former subdivision (q) is deleted as obsolete. [25 Cal.L.Rev.Comm. Reports 711 (1995)]

HISTORICAL AND STATUTORY NOTES

2005 Main Volume

Section 2 of Stats.1993, c. 701 (S.B.358), provides:

“The Employment Development Department shall, not later than October 1, 1994, adopt regulations to clarify the factors by which the employment status of language interpreters will be determined.”

The 1995 amendment rewrote the section, which read:

“(a) Oral evidence shall be taken only on oath or affirmation.

“(b) Each party shall have these rights: to call and examine witnesses, to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence against him or her. If respondent does not testify in his or her own behalf he or she may be called and examined as if under cross-examination.

“(c) The hearing need not be conducted according to technical rules relating to evidence and witnesses, except as hereinafter provided. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

“In any proceeding under subdivision (i) or (j) of Section 12940, or Section 19572 or 19702, alleging conduct which

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constitutes sexual harassment, sexual assault, or sexual battery, evidence of specific instances of a complainant's sexual conduct with individuals other than the alleged perpetrator is not admissible at hearing unless offered to attack the credibility of the complainant, as provided for under subdivision (o). Reputation or opinion evidence regarding the sexual behavior of the complainant is not admissible for any purpose.

õ(d) The hearing, or any medical examination conducted for the purpose of determining compensation or monetary award, shall be conducted in the English language, except that a party who does not proficiently speak or understand the English language and who requests language assistance shall be provided an interpreter. Except as provided in subdivision (k), interpreters utilized in hearings shall be certified pursuant to subdivision (e). Except as provided in subdivision (k), interpreters utilized in medical examinations shall be certified pursuant to subdivision (f). The cost of providing the interpreter shall be paid by the agency having jurisdiction over the matter if the administrative law judge or hearing officer so directs, otherwise the party for whom the interpreter is provided.

õThe administrative law judge's or hearing officer's decision to direct payment shall be based upon an equitable consideration of all the circumstances in each case, such as the ability of the party in need of the interpreter to pay, except with respect to hearings before the Workers' Compensation Appeals Board or the Division of Workers' Compensation relating to workers' compensation claims. With respect to these hearings, the payment of the costs of providing an interpreter shall be governed by the rules and regulations promulgated by the Workers' Compensation Appeals Board or the Administrative Director of the Division of Workers' Compensation, as appropriate.

õ(e) The State Personnel Board shall establish, maintain, administer, and publish annually, an updated list of certified administrative hearing interpreters it has determined meet the minimum standards in interpreting skills and linguistic abilities in languages designated pursuant to subdivision (g). Any interpreter so listed may be examined by each employing agency to determine the interpreter's knowledge of the employing agency's technical program terminology and procedures. Court interpreters certified pursuant to Section 68562, and interpreters listed on the State Personnel Board's recommended lists of court and administrative hearing interpreters prior to July 1, 1993, shall be deemed certified for purposes of this subdivision.

õ(f) The State Personnel Board shall establish, maintain, administer, and publish annually, an updated list of certified medical examination interpreters it has determined meet the minimum standards in interpreting skills and linguistic abilities in languages designated pursuant to subdivision (g). Court interpreters certified pursuant to Section 68562 and administrative hearing interpreters certified pursuant to subdivision (e) shall be deemed certified for purposes of this subdivision.

õ(g) The State Personnel Board shall designate the languages for which certification shall be established under subdivisions (e) and (f). The languages designated shall include, but not be limited to, Spanish, Tagalog, Arabic, Cantonese, Japanese, Korean, Portuguese, and Vietnamese until the State Personnel Board finds that there is an insufficient need for interpreting assistance in these languages. The language designations shall be based on the following:

õ(1) The language needs of non-English-speaking persons appearing before the administrative agencies, as determined by consultation with the agencies.

õ(2) The cost of developing a language examination.

õ(3) The availability of experts needed to develop a language examination.

õ(4) Other information the board deems relevant.

õ(h) Each certified administrative hearing interpreter and each certified medical examination interpreter shall pay a fee, due on July 1 of each year, for the renewal of his or her certification. Court interpreters certified under Section

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08302 shall not pay any fees required by this section.

õ(i) The State Personnel Board shall establish and charge fees for applications to take interpreter examinations and for renewal of certifications. The purpose of these fees is to cover the annual projected costs of carrying out this section. The fees may be adjusted each fiscal year by a percent that is equal to or less than the percent change in the California Necessities Index prepared by the Commission on State Finance. If the amount of money collected in fees is not sufficient to cover the costs of carrying out this section, the board shall charge and be reimbursed a pro rata share of the additional costs by the state agencies that conduct administrative hearings.

õ(j) The State Personnel Board may remove the names of people from the list of certified interpreters if the following conditions occur:

õ(1) A person on the list is deceased.

õ(2) A person on the list notifies the board that he or she is unavailable for work.

õ(3) A person on the list does not submit a renewal fee as required by subdivision (h).

õ(k) In the event that interpreters certified pursuant to subdivision (e) cannot be present at the hearing, the hearing agency shall have discretionary authority to provisionally qualify and utilize other interpreters. In the event that interpreters certified pursuant to subdivision (f) cannot be present at the medical examination, the physician provisionally may utilize another interpreter if that fact is noted in the record of the medical evaluation.

õ(l) Every state agency affected by this section shall advise each party of their right to an interpreter at the same time that each party is advised of the hearing date or medical examination. Each party in need of an interpreter shall also be encouraged to give timely notice to the agency conducting the hearing or medical examination so that appropriate arrangements can be made.

õ(m) The rules of confidentiality of the agency, if any, that may apply in an adjudicatory hearing, shall apply to any interpreter in the hearing or medical examination, whether or not the rules so state.

õ(n) The interpreter shall not have had any involvement in the issues of the case prior to the hearing.

õAs used in subdivisions (d) and (e), the terms ~~administrative law judge~~ and ~~hearing officer~~ shall not be construed to require the use of an Office of Administrative Hearings, administrative law judge or hearing officer.

õ(o) Evidence of specific instances of a complainant's sexual conduct with individuals other than the alleged perpetrator is presumed inadmissible absent an offer of proof establishing its relevance and reliability and that its probative value is not substantially outweighed by the probability that its admission will create substantial danger of undue prejudice or confuse the issue.

õ(p) For purposes of this section ~~complainant~~ means any person claiming to have been subjected to conduct which constitutes sexual harassment, sexual assault, or sexual battery.

õ(q) This section shall become operative on July 1, 1995.

Former Notes

Former § 11513, added by Stats.1992, c. 1302 (A.B.3107), § 8, amended by Stats.1993, c. 701 (S.B.358), § 1, relating

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to the applicable rules of evidence, became inoperative July 1, 1995, and was repealed by its own terms, operative January 1, 1996. See this section.

Former § 11513, added by Stats.1945, c. 867, p. 1632, § 1, amended by Stats.1965, c. 299, p. 1366, § 135, operative Jan. 1, 1967; Stats.1972, c. 1390, p. 2887, § 1; Stats.1977, c. 1057, p. 3197, § 4, operative July 1, 1978; Stats.1985, c. 324, § 20; Stats.1985, c. 1328, § 6; Stats.1992, c. 1302, § 7, relating to evidence, examination of witnesses, interpreters, and inadmissibility of evidence of complainant's sexual conduct, by its own terms became inoperative July 1, 1993, and was repealed Jan. 1, 1994. See this section.

Derivation

Former § 11513, added by Stats.1992, c. 1302, § 8, amended by Stats.1993, c. 701, § 1.

Former § 11513, added by Stats.1945, c. 867, p. 1632, § 1; amended by Stats.1965, c. 299, p. 1366, § 135, operative Jan. 1, 1967; Stats.1972, c. 1390, p. 2887, § 1; Stats.1977, c. 1057, p. 3197, § 4, operative July 1, 1978; Stats.1985, c. 324, § 20; Stats.1985, c. 1328, § 6.

CROSS REFERENCES

Control of illegally taken fish and wildlife, hearing, see [Fish and Game Code § 2584](#).

Cross-examination of witnesses, see [Evidence Code §§ 761, 773](#).

Disciplinary proceedings against state employees, conduct of hearing in accordance with this section, see [Government Code § 19578](#).

Evidence, in general, see [Evidence Code §§ 1 et seq., 140](#).

Examination of witnesses, see [Evidence Code § 765 et seq.](#)

Hearsay, see [Evidence Code § 1200 et seq.](#)

Medical examination requested by insurer or defendant in civil action, presence of certified interpreter when party not proficient in English language, see [Evidence Code § 755.5](#).

Oath of affirmation, administration, see [Code of Civil Procedure § 2093 et seq.](#)

Party defined for purposes of this chapter, see [Government Code § 11500](#).

Privilege, see [Evidence Code §§ 970 et seq., 980 et seq., 990 et seq., 1010 et seq., 1030 et seq., 1040 et seq., 1070](#).

Respondent defined for purposes of this chapter, see [Government Code § 11500](#).

CODE OF REGULATIONS REFERENCES

Agency alternatives to formal hearings-alternative dispute resolution, procedures at arbitration, see [1 Cal. Code of Regs. § 1252](#).

Appeal hearings, see [2 Cal. Code of Regs. § 1896.20](#).

Division of workers' compensation, fees for interpreter services, see [8 Cal. Code of Regs. § 9795.3](#).

Division of workers' compensation, fees for interpreter services, definitions, see [8 Cal. Code of Regs. § 9795.1](#).

Division of workers' compensation, fees for interpreter services, notice of right to interpreter, see [8 Cal. Code of Regs. § 9795.2](#).

Fair employment and housing commission, hearings, see [2 Cal. Code of Regs. § 7429](#).

Informal hearings,

Conduct of hearings, see [3 Cal. Code of Regs. § 1310.3](#).

Filing deadlines and procedures, see [3 Cal. Code of Regs. § 1310.1](#).

Hearing schedule and notification, see [3 Cal. Code of Regs. § 1310.2](#).

Interpreters,

Occupational safety and health appeals board, see [8 Cal. Code of Regs. § 376.5](#).

Workers' compensation appeals board hearings, see [8 Cal. Code of Regs. § 10564](#).

Regulations for the Check Cashiers Permit Program, denial, revocation, and appeal process, evidence rules, see [11 Cal. Code of Regs. § 993.6](#).

Whistleblowers,

Cases referred to informal hearing, see [2 Cal. Code of Regs. § 67.5](#).

Consolidation with other hearings, see [2 Cal. Code of Regs. § 67.8](#).

LAW REVIEW AND JOURNAL COMMENTARIES

[Admin per se for the practitioner. Charles A. Pacheco, 24 Pac. L.J. 461 \(1993\).](#)

Administrative due process for public safety officers. 15 U.West L.A.L.Rev. 181 (1983).

Administrative process and due process, a synthesis updated. John B. Molinari, 10 Santa Clara L. Rev. 274 (1970).

Court interpreters. 63 Cal. L. Rev. 801 (1975).

Do the different approaches to business and official records found in the CEC and FRE tell the whole story?: [Exploring the differences, exposing the expansive hearsay exception hidden in general applicability provisions, and questioning the efficacy of unified evidentiary rules in civil and criminal cases. Myrna S. Raeder, 36 Sw. U. L. Rev. 677 \(2008\).](#)

Essential elements of administrative findings, particularly under the Federal Administrative Procedure Act. Kenneth Culp Davis, 38 Cal. L. Rev. 218 (1950).

Evidence at equalization hearings. A. R. Early, 45 Los Angeles B.Bull. 331 (June 1970).

Evidentiary concepts in labor arbitration. Edgar A. Jones, Jr., 13 UCLA L. Rev. 1241 (1966).

Examination of witnesses in administrative proceeding. 44 Cal. L. Rev. 400 (1956).

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Hearsay testimony, consideration by administrative tribunal. 13 Cal. L. Rev. 384, 394 (1925).

Hearsay under the Administrative Procedure Act. 13 Hastings L.J. 369 (1964).

Impact of the Dorado, Lopez and Griffin cases on administrative law. Maxwell S. Boas, 40 Los Angeles B.Bull. 473 (1965).

Interpreters: Legislative review. 4 Pac. L.J. 332 (1973).

Language barriers and due process--is mailed notice in English constitutionally sufficient? Charles F. Adams, 61 Cal. L. Rev. 1395 (1973).

Latitude of administrative tribunals in the admission of evidence. 16 Cal. L. Rev. 208, 215 (1928).

The legal residuum [rule should be retained in Pennsylvania because of its function to insure fundamental fairness and due process. John L. Gedid, 75 Pa. B.A. Q. 7 \(2004\).](#)

Reception of evidence on hearing by administrative tribunal. 20 Cal.St.B.J. 360 (1945).

Wire tapping and admission of testimony of secret witnesses in certain administrative proceedings as undermining the principle of due process. William O. Douglas, 39 A.B.A.J. 871 (1953).

[Workers' compensation: An introductory commentary. Hon. Samuel C. Banis, 40 Orange County Law. 28 \(Nov. 1998\).](#)

LIBRARY REFERENCES

2005 Main Volume

[Administrative Law and Procedure](#) 461, 476, 477.

Westlaw Topic No. [15A](#).

[C.J.S. Public Administrative Law and Procedure §§ 124 to 125, 134, 136, 138 to 139.](#)

RESEARCH REFERENCES

ALR Library

[23 ALR 5th 108](#), Admissibility, in Motor Vehicle License Suspension Proceedings, of Evidence Obtained by Unlawful Search and Seizure.

[36 ALR 3rd 12](#), Comment Note.--Hearsay Evidence in Proceedings Before State Administrative Agencies.

[113 ALR 1179](#), What Amounts to Conviction or Satisfies Requirement as to Showing of Conviction, Within Statute Making Conviction a Ground for Refusing to Grant or for Canceling License or Special Privilege.

[132 ALR 738](#), Assumption of Jurisdiction by Court Before Completion of Administrative Procedure as Ground of Prohibition.

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[141 ALR 1037](#), Presumption that Public Officers Have Properly Performed Their Duty, as Evidence.

[142 ALR 1388](#), Hearsay in Proceeding for Suspension or Revocation of License to Conduct Business or Profession.

Encyclopedias

[38 Am. Jur. Proof of Facts 3d 63](#), Defense of a Teacher Charged With Unfitness to Teach.

[24 Am. Jur. Trials 421](#), Defending Civil Service Employee from Discharge.

[44 Am. Jur. Trials 171](#), Videotape Evidence.

[66 Am. Jur. Trials 1](#), Use of Surveillance Videotape to Prove Workers' Compensation Fraud.

[Am. Jur. 2d Automobiles and Highway Traffic § 151](#), Nature and Sufficiency of Notice.

[CA Jur. 3d Administrative Law § 528](#), Generally; Rules of Evidence.

[CA Jur. 3d Administrative Law § 529](#), Relevancy and Reliability Requirements.

[CA Jur. 3d Administrative Law § 544](#), Generally; Rights of Parties.

[CA Jur. 3d Administrative Law § 546](#), Right of Rebuttal.

[CA Jur. 3d Administrative Law § 552](#), Under the APA.

[CA Jur. 3d Administrative Law § 555](#), Requirement of Sworn Testimony.

[CA Jur. 3d Administrative Law § 558](#), Privilege, Generally.

[CA Jur. 3d Administrative Law § 560](#), Cross-Examination; Impeachment.

[CA Jur. 3d Automobiles § 182](#), Notice of Hearing.

[CA Jur. 3d Automobiles § 183](#), Hearing.

[CA Jur. 3d Brokers § 40](#), Evidence.

[CA Jur. 3d Business and Occupation Licenses § 52](#), Procedure.

[CA Jur. 3d Evidence § 8](#), Applicability to Courts and Proceedings.

[CA Jur. 3d Franchises from Private Parties § 93](#), New Motor Vehicle Board Hearings on Protests.

[CA Jur. 3d Healing Arts and Institutions § 334](#), Evidence.

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[CA Jur. 3d Hearing Arts and Institutions § 530](#), Hearing.

[CA Jur. 3d Public Officers and Employees § 177](#), Investigation or Hearing.

[Cal. Civ. Prac. Environmental Litigation § 7:177](#), Hearing and Determination.

[Cal. Civ. Prac. Workers' Compensation § 6:20](#), Deposition and Subpoena of Records.

Forms

[West's Cal. Code Forms, Bus. & Prof. § 475 COMMENT](#), Administrative Procedure Act.

[West's California Code Forms, Education § 44944 Form 4](#), Notice of Hearing.

[West's California Code Forms, Government § 11507.6 Form 1](#), Request for Discovery.

Treatises and Practice Aids

[Rutter, Cal. Practice Guide: Civil Trials & Evidence Ch. 8D-C](#), C. General Parameters Re Admissibility of Hearsay Evidence.

[Employment Coordinator Workplace Safety § 4:232](#), Informal Rules of Evidence Applied.

[Employment Coordinator Workplace Safety § 4:233](#), Taking of Oral Evidence.

[Miller and Starr California Real Estate § 4:42](#), Disciplinary Process--Hearing Procedure.

[16 NO. 1 Miller & Starr, California Real Estate Newsalert 22](#), Regulation of the Real Estate Industry.

[20 NO. 4 Miller & Starr, California Real Estate Newsalert 41](#), Regulation of the Real Estate Industry.

[Taxing California Property 3d § 27:9](#), Conduct of Hearing--Rules of Evidence.

[1 Witkin Cal. Evid. 4th Introduction § 54](#), (S 54) Right to Present Evidence.

[1 Witkin Cal. Evid. 4th Introduction § 55](#), (S 55) Technical Rules of Admissibility Not Applicable.

[1 Witkin Cal. Evid. 4th Introduction § 58](#), Legally Admissible Evidence: Residuum Rule.

[1 Witkin Cal. Evid. 4th Introduction § 64](#), (S 64) Relevancy.

[1 Witkin Cal. Evid. 4th Introduction § 66](#), Incompetent Hearsay: Administrative Procedure Act.

[1 Witkin Cal. Evid. 4th Introduction § 69](#), Administrative Procedure Act.

[1 Witkin Cal. Evid. 4th Introduction § 74](#), Privileges.

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[1 Witkin Cal. Evid. 4th Introduction § 83](#), in General.

[1 Witkin Cal. Evid. 4th Introduction § 84](#), Cross-Examination.

[1 Witkin Cal. Evid. 4th Introduction § 85](#), Rebuttal.

[9 Witkin Cal. Proc. 5th Administrative Proceedings § 74](#), (S 74) General Prohibition.

[9 Witkin Cal. Proc. 5th Administrative Proceedings § 111](#), Evidence.

NOTES OF DECISIONS

Administrative proceedings [3.5](#)

Admissibility of evidence [10-18](#)

Admissibility of evidence - In general [10](#)

Admissibility of evidence - Affidavits [12](#)

Admissibility of evidence - Extrajudicial evidence [11](#)

Admissibility of evidence - Laboratory tests, generally [15](#)

Admissibility of evidence - Newspaper articles [17](#)

Admissibility of evidence - Police reports [14](#)

Admissibility of evidence - Polygraph tests [16](#)

Admissibility of evidence - Prior offenses [13](#)

Admissibility of evidence - Rebuttal [18](#)

Admissible, hearsay evidence [19.5](#)

Admissions, hearsay evidence [23](#)

Affidavits, admissibility of evidence [12](#)

Blood alcohol tests, hearsay evidence [27](#)

Burden of proof [6](#)

Business licensing, generally, sufficiency of evidence [30](#)

Construction with evidentiary law [1](#)

Continuance [38](#)

Driver licensing, sufficiency of evidence [34](#)

Evidence, admissibility of [10-18](#)

Evidence, hearsay [19-27, 29](#)

Evidence, sufficiency of [28-34](#)

Ex parte communications [8](#)

Explaining or supplementing, hearsay evidence [20](#)

Extrajudicial evidence, admissibility of evidence [11](#)

Failure to object [36](#)

Full and fair hearing, generally [3](#)

Hearsay evidence [19-27, 29](#)

Hearsay evidence - In general [19](#)

Hearsay evidence - Admissible [19.5](#)

Hearsay evidence - Admissions [23](#)

Hearsay evidence - Blood alcohol tests [27](#)

Hearsay evidence - Multiple hearsay evidence [22](#)

Hearsay evidence - Other purposes [21](#)

Hearsay evidence - Police reports [26](#)

Hearsay evidence - Stipulations [25](#)

Hearsay evidence - Sufficiency of evidence [29](#)

Hearsay evidence - Supplementing or explaining [20](#)

[Click Here to upgrade to
Unlimited Pages and Expanded Features](#)

Hearsay evidence - Transcripts [24](#)
Laboratory tests, blood alcohol tests, hearsay evidence [27](#)
Laboratory tests, generally, admissibility of evidence [15](#)
Limitation of actions [37](#)
Liquor licensing, sufficiency of evidence [32](#)
Mandamus [39](#)
Medical licensing, sufficiency of evidence [31](#)
Multiple hearsay evidence [22](#)
Nature of proceedings [2](#)
Newspaper articles, admissibility of evidence [17](#)
Objections, waiver [36](#)
Order of proof [7](#)
Other purposes, hearsay evidence [21](#)
Pleadings [5](#)
Police reports, admissibility of evidence [14](#)
Police reports, hearsay evidence [26](#)
Polygraph tests, admissibility of evidence [16](#)
Presumptions and burden of proof [6](#)
Prior offenses, admissibility of evidence [13](#)
Privilege [35](#)
Pro se appearance [4](#)
Proceedings, nature of [2](#)
Rebuttal, admissibility of evidence [18](#)
Review [40](#)
Statute of limitations [37](#)
Stipulations, hearsay evidence [25](#)
Sufficiency of evidence [28-34](#)
 Sufficiency of evidence - In general [28](#)
 Sufficiency of evidence - Business licensing, generally [30](#)
 Sufficiency of evidence - Driver licensing [34](#)
 Sufficiency of evidence - Hearsay evidence [29](#)
 Sufficiency of evidence - Liquor licensing [32](#)
 Sufficiency of evidence - Medical licensing [31](#)
 Sufficiency of evidence - Teacher licensing [33](#)
Supplementing or explaining, hearsay evidence [20](#)
Taking evidence outside hearing, admissibility of evidence [11](#)
Teacher licensing, sufficiency of evidence [33](#)
Transcripts, hearsay evidence [24](#)
Witnesses, generally [9](#)

<See, also, Notes of Decisions under Government Code § 11513.5.>

[1](#). Construction with evidentiary law

Common-law rules of evidence are not based on constitutional interdictions and administrative tribunals are not bound by such rules except those perpetuated in governing regulations. [Schoeps v. Carmichael, C.A.9 \(Cal.\)1949, 177 F.2d 391](#), certiorari denied [70 S.Ct. 566, 339 U.S. 914, 94 L.Ed. 1340](#). [Administrative Law And Procedure](#)  [313](#)

Ordinary rules of evidence or procedure do not apply to those who exercise executive or administrative functions or functions akin to them, and usual incidences attending upon a judicial or quasi-judicial hearing need not be present when an administrative functionary has the duty to determine a fact, but it is enough that the functionary has before

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min facts upon which to act. [The Golden Sun, S.D.Cal.1939, 30 F.Supp. 354. Officers And Public Employees](#)  107

Technical rules of evidence do not apply to administrative hearings. [Big Boy Liquors, Limited v. Alcoholic Beverage Control Appeals Bd. \(1969\) 81 Cal.Rptr. 258, 71 Cal.2d 1226, 459 P.2d 674. Administrative Law And Procedure](#)  313

Administrative bodies are not expected to observe meticulously all of rules of evidence applicable to court trial, but common sense and fair play dictate certain basic requirements for conduct of any hearing at which facts are to be determined, and among those are the following: evidence must be produced at hearing by witnesses personally present, or by authenticated documents, maps or photographs; ordinarily, hearsay evidence standing alone can have no weight, including hearsay evidence concerning someone else's opinion; cross-examination within reasonable limits must be allowed; and telephone calls to officials sitting in case, statements made in letters and arguments made in petitions should not be considered as evidence. [Desert Turf Club v. Board of Sup'rs of Riverside County \(App. 1956\) 141 Cal.App.2d 446, 296 P.2d 882. Administrative Law And Procedure](#)  458.1

Where the legislature has created a professional board such as the board of dental examiners and has conferred on it power to administer the provisions of a general regulatory plan governing the members of the profession, such a board is not required to conduct its proceedings for the revocation of a license in accordance with theories developed in the field of criminal law on matters of evidence. [Webster v. Board of Dental Examiners of Cal. \(1941\) 17 Cal.2d 534, 110 P.2d 992. Health](#)  218

Rules of evidence followed in administrative proceedings are more liberal than those in formal judicial proceedings and all relevant evidence probative of the issues is admissible. 14 Op.Atty.Gen. 155 (1949).

2. Nature of proceedings

In quasi-judicial proceedings, witnesses should be sworn and examined, and a record made, upon which reviewing courts may be enabled to determine whether substantial evidence was or was not considered by quasi-judicial body, and proceedings should be conducted in a quasi-judicial manner. [Nishkian v. City of Long Beach \(App. 1951\) 103 Cal.App.2d 749, 230 P.2d 156. Administrative Law And Procedure](#)  475; [Administrative Law And Procedure](#)  476

A hearing by the board of medical examiners for revocation of license of physician for unprofessional conduct need not be conducted according to the technical rules relating to evidence and witnesses, and any relevant evidence may be admitted, if it is the sort of evidence on which responsible persons rely in conduct of serious affairs. [Stuck v. Board of Medical Examiners of State \(App. 1 Dist. 1949\) 94 Cal.App.2d 751, 211 P.2d 389. Health](#)  218

3. Full and fair hearing, generally

Motorist was deprived of the opportunity to present a meaningful defense in Department of Motor Vehicles (DMV) proceeding to suspend his driving privileges such that his due process rights were violated, where motorist's counsel requested blood alcohol test results approximately one month before suspension hearing but initially received the results only minutes before the hearing, and DMV hearing officer denied counsel's request for a continuance. [Petrus v. State Dept. of Motor Vehicles \(App. 4 Dist. 2011\) 123 Cal.Rptr.3d 686, 194 Cal.App.4th 1240. Automobiles](#)  144.2(1); [Constitutional Law](#)  4358

Due process rights of correctional officers dismissed from their employment by the Department of Youth Authority were not violated by denial of opportunity to speak personally to Department's wards to request interviews prior to

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State Personnel Board hearing, where officers had been provided with wards' prior statements and, at the hearing, officers could call and examine witnesses, introduce exhibits, cross-examine opposing witnesses on any relevant matter even if not covered on direct examination, impeach witnesses, and rebut evidence. [Cimarusti v. Superior Court \(App. 2 Dist. 2000\) 94 Cal.Rptr.2d 336, 79 Cal.App.4th 799](#), as modified. [Officers And Public Employees](#) 🔑72.65

The fact that a fact finding tribunal does not see or hear witnesses does not in every instance constitute a denial of a fair and full hearing, but such hearing is given where fact finder fully reviews record and an opportunity is given parties to argue their contentions as to credibility of witnesses and other matters involved in the proceeding. [Leeds v. Gray \(App. 1 Dist. 1952\) 109 Cal.App.2d 874, 242 P.2d 48](#). [Administrative Law And Procedure](#) 🔑473

[3.5. Administrative proceedings](#)

Unauthenticated videotapes purportedly showing school district employee working on a job on a day he took sick leave, on which the school district relied to terminate his employment, were improperly admitted; absent a proper authenticating foundation for the videotapes, they were irrelevant to the administrative proceeding. [Ashford v. Culver City Unified School Dist. \(App. 2 Dist. 2005\) 29 Cal.Rptr.3d 728, 130 Cal.App.4th 344](#). [Schools](#) 🔑121

While administrative bodies are not expected to observe meticulously all of the rules of evidence applicable to a court trial, certain basic requirements for the conduct of any hearing at which facts are to be determined are necessary, including the evidence must be produced at the hearing by witnesses personally present, or by authenticated documents, maps or photographs, and ordinarily, hearsay evidence standing alone can have no weight. [Ashford v. Culver City Unified School Dist. \(App. 2 Dist. 2005\) 29 Cal.Rptr.3d 728, 130 Cal.App.4th 344](#). [Administrative Law And Procedure](#) 🔑462; [Administrative Law And Procedure](#) 🔑476

[4. Pro se appearance](#)

Licensees electing to appear in propria persona, in administrative proceedings which culminated in suspension of their license, were not, by so appearing, entitled to any special privileges, and if objectionable evidence was offered they were required to object, just as if they were represented by counsel. [Griswold v. Department of Alcoholic Beverage Control \(App. 1956\) 141 Cal.App.2d 807, 297 P.2d 762](#). [Administrative Law And Procedure](#) 🔑474; [Intoxicating Liquors](#) 🔑108.9

[5. Pleading](#)

In administrative proceedings, the courts are more interested with fair notice to the accused than they are to adherence to the technical rules of pleading. [Nelson v. Department of Alcoholic Beverage Control \(App. 1959\) 166 Cal.App.2d 783, 333 P.2d 771](#). [Administrative Law And Procedure](#) 🔑312

[6. Burden of proof](#)

In proceeding for mandate to compel board of examiners to permit plaintiff to take an examination for a license as a physician and surgeon of osteopathy, plaintiff had the burden to show her right to take the examination. [Lay v. State Board of Osteopathic Examiners of Cal. \(App. 3 Dist. 1960\) 3 Cal.Rptr. 727, 179 Cal.App.2d 356](#). [Mandamus](#) 🔑168(2)

In disciplinary administrative proceedings the burden of proof is upon the party asserting the affirmative and guilt must be established to a reasonable certainty and cannot be based on surmise or conjecture, suspicion or theoretical conclusions, or uncorroborated hearsay, but such disciplinary proceedings are not criminal in nature and are not governed by the law applicable to criminal cases. [Cornell v. Reilly \(App. 1 Dist. 1954\) 127 Cal.App.2d 178, 273 P.2d](#)

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[5/2. Administrative Law And Procedure 460; Administrative Law And Procedure 462](#)

7. Order of proof

Administrative law judge has discretion to control the order of evidence and testimony in an administrative hearing. [Douglass v. Board of Medical Quality Assur. \(App. 4 Dist. 1983\) 190 Cal.Rptr. 506, 141 Cal.App.3d 645. Administrative Law And Procedure 476](#)

Licensee's admission that he had bought five cases of beer from an unlicensed vendor for resale by his business was admissible in proceeding to suspend his on-sale general license as an admission by a party, an exception to hearsay rule. [Mumford v. Department of Alcoholic Beverage Control \(App. 4 Dist. 1968\) 65 Cal.Rptr. 495, 258 Cal.App.2d 49. Evidence 222\(2\)](#)

8. Ex parte communications

Ex parte communication between new motor vehicle dealer franchisor's attorney and administrative law judge (ALJ) could be characterized as "evidence," within ambit of Government Code, only if information was considered by ALJ for its bearing on issues resolved by findings in his proposed decision; if information was not so considered, it was not "evidence" taken or admitted, nor could attorney be characterized as opposing witness. [Mathew Zaheri Corp. v. New Motor Vehicle Bd. \(App. 3 Dist. 1997\) 64 Cal.Rptr.2d 705, 55 Cal.App.4th 1305, rehearing denied, review denied. Antitrust And Trade Regulation 366](#)

New motor vehicle dealer franchisee did not establish that franchisor's attorney's ex parte communication with administrative law judge (ALJ) resulted in violation of Government Code section governing evidence and examination of witnesses; ALJ did not consider this information for illicit purpose. [Mathew Zaheri Corp. v. New Motor Vehicle Bd. \(App. 3 Dist. 1997\) 64 Cal.Rptr.2d 705, 55 Cal.App.4th 1305, rehearing denied, review denied. Antitrust And Trade Regulation 341](#)

9. Witnesses, generally

Any error by the Department of Consumer Affairs, Bureau of Security and Investigative Services in refusing to consider the transcript of proceedings in which alarm company manager pled no contest to disturbing the peace was not prejudicial and did not require reversal of decision to revoke manager's license as an alarm company manager; a more favorable result was not likely if the ALJ considered defense counsel's representations at the plea hearing to the effect that the victim was a supporter of environmental terrorist causes and related matters, as, even if true, it did not justify manager chasing her down a residential street carrying a rifle and then holding her at gun point. [Lone Star Sec. & Video, Inc. v. Bureau of Sec. and Investigative Services \(App. 2 Dist. 2009\) 98 Cal.Rptr.3d 559, 176 Cal.App.4th 1249, review denied. Telecommunications 1403](#)

Day-care operators' right to confrontation of witness was not violated, in proceeding to revoke operators' day-care license, by exclusion of the operators from the hearing room during testimony of four-and one-half-year-old girl, who was allegedly sexually abused by one of the operators; girl's psychiatrist stated that requiring girl to testify in the physical presence of the operators would carry risk that girl would incur additional injury and would likely raise her level of fear, and operators were permitted to view girl's testimony on live, closed circuit television and to confer with their attorney prior to the commencement of his cross-examination of the girl. [Seering v. Department of Social Services of State of Cal. \(App. 1 Dist. 1987\) 239 Cal.Rptr. 422, 194 Cal.App.3d 298. Constitutional Law 4278; Infants 1385; Infants 1402](#)

Even if [Evid.C. § 800 et seq.](#) provisions governing expert testimony apply to violations of occupational safety

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standards, employer waived any claim or error by failing to object to testimony of engineer from division of industrial safety that power line located near scaffolding carried more than 750 volts and, in any event, engineer's testimony concerning the "high voltage" warning marking was not hearsay. [Gaehwiler v. Occupational Safety & Health Appeals Bd.](#) (App. 1 Dist. 1983) 191 Cal.Rptr. 336, 141 Cal.App.3d 1041. [Labor And Employment](#) 🔑2612

Section 11500 and this section permitting each party, who has been allowed to appear in proceeding to call and examine witnesses and to cross-examine opposing witnesses do not apply to county boards of equalization or assessment appeals boards. [Stevens v. Fox Realty Corp. of Cal.](#) (App. 2 Dist. 1972) 100 Cal.Rptr. 63, 23 Cal.App.3d 199. [Taxation](#) 🔑2625; [Taxation](#) 🔑2667

In a disciplinary action before a hearing officer conducted under the Administrative Procedure Act, to revoke or suspend a license issued by the insurance commissioner the respondent may not be called as a witness by the department under this section until he has had opportunity to testify in his own behalf and has failed to do so, and when so called he may be examined as if under cross-examination. 11 Op.Atty.Gen. 116 (1948).

10. Admissibility of evidence--In general

The more liberal the practice in admitting testimony in administrative proceedings, the more imperative the obligation to preserve the essential rules of evidence by which rights are asserted or defended. [Bridges v. Wixon, U.S. Cal. 1945, 65 S.Ct. 1443, 326 U.S. 135, 89 L.Ed. 2103.](#) [Administrative Law And Procedure](#) 🔑313

In administrative law judge (ALJ) hearing on a tenured teacher's termination, evidence of a prior administrative decision finding that two junior teachers were properly retained in a prior force reduction and school district superintendent's testimony regarding the junior teachers' qualifications were properly considered for the purpose of supplementing other evidence that had not been subject to any timely hearsay objection, even if the administrative decision and testimony would not have been sufficient by themselves to support a finding on the issue of the junior teachers' qualifications because they had been subject to timely hearsay objections. [Bledsoe v. Biggs Unified School Dist.](#) (App. 3 Dist. 2008) 88 Cal.Rptr.3d 13, 170 Cal.App.4th 127, modified on denial of rehearing, review denied. [Schools](#) 🔑147.40(1)

A photocopy of letter written by husband of former patient was not admissible in physician's disciplinary proceeding in light of incompleteness of document, uncertainty of author as to when letter was written, and equivocal information as to how letter came into physician's possession. [Pasha v. Board of Medical Quality Assur.](#) (App. 2 Dist. 1985) 219 Cal.Rptr. 778, 174 Cal.App.3d 439. [Health](#) 🔑218

Testimony given by witnesses under promise of immunity made in reliance on repealed statute could be considered against dentist seeking to vacate order suspending him from practicing dentistry. [Parker v. Board of Dental Examiners of State of Cal.](#) (1932) 216 Cal. 285, 14 P.2d 67. [Evidence](#) 🔑154

11. ---- Extrajudicial evidence, admissibility of evidence

Administrative tribunals which are required to make a determination after a hearing cannot act upon their own information, and nothing can be considered as evidence that was not introduced at a hearing of which the parties had notice or at which they were present and the fact that there may be substantial and properly introduced evidence which supports the board's ruling is immaterial. [English v. City of Long Beach \(1950\) 217 P.2d 22, 35 Cal.2d 155;](#) [La Prade v. Department of Water and Power of City of Los Angeles \(1945\) 162 P.2d 13, 27 Cal.2d 47.](#)

In an administrative law judge (ALJ) hearing under the Administrative Procedure Act (APA) on a school district's termination of a tenured teacher in an economic layoff, a prior administrative law decision finding that school district

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properly skipped two community day school teachers in an earlier economic layoff in favor of terminating more senior teachers was the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, thus supporting its admission into evidence, even if it was hearsay; the decision was relevant to explain why the teachers were being skipped again in the new layoff, and thus why the plaintiff teacher was unable to bump them from their positions. [Bledsoe v. Biggs Unified School Dist. \(App. 3 Dist. 2008\) 88 Cal.Rptr.3d 13, 170 Cal.App.4th 127](#), modified on denial of rehearing, review denied. [Schools](#) 147.40(1)

Hearing officer's observing of witnesses while testifying did not constitute taking of evidence outside hearing and was not an improper or secret method of taking evidence. [Steele v. Los Angeles County Civil Service Commission \(App. 1958\) 166 Cal.App.2d 129, 333 P.2d 171](#). [Administrative Law And Procedure](#) 473

12. ---- Affidavits, admissibility of evidence

In proceeding to revoke optometrist's license on ground of violation of [Bus. & Prof.C. § 650](#), prohibiting payment of unearned rebates as inducement for referring patients, affidavits of persons who allegedly had received rebates for referring patients were admissible. [Mast v. State Bd. of Optometry \(App. 2 Dist. 1956\) 139 Cal.App.2d 78, 293 P.2d 148](#). [Health](#) 218

Under §§ 11510, 11514, relating to evidence in contested administrative hearings, where an affidavit is offered in evidence by the licensee or applicant and prior to the submission of the case for decision, and the presenting deputy of the department so requests, the licensee or applicant need not produce the affiant for cross-examination, but the affidavit remains subject to the limitations imposed by this section and would in itself be insufficient to support a finding, notwithstanding that affiant may be beyond the range of subpoena under § 11510(b). 6 Op.Atty.Gen. 219 (1945).

In hearings under §§ 11504, 11510 relating to evidence in contested administrative hearings, an affidavit under this section containing irrelevant matter need not be accepted in toto and relevant and otherwise admissible portions may be received and the inadmissible portion rejected. 6 Op.Atty.Gen. 219 (1945).

Under this section an officer of the insurance department presenting an affidavit in evidence is not a party, but the commissioner of insurance is a party in legal contemplation to the proceeding, and the presenting officer of the department would be required to follow the procedure set forth in the section. 6 Op.Atty.Gen. 219 (1945).

13. ---- Prior offenses, admissibility of evidence

It was prejudicial error, at disciplinary hearing involving state hospital psychiatric technician charged with masturbating a male mentally retarded patient to admit evidence of almost ten-year-old misdemeanor conviction under [Pen.C. § 647](#) where prior offense involved only a vague suggestion of homosexual conduct, at time evidence was presented the employee had not put on a defense warranting rebuttal, evidence came among an array of irrelevant and incompetent suggestions of prior sexual misconduct and sole issue was credibility of witnesses. [Coburn v. California State Personnel Bd. \(App. 1 Dist. 1978\) 148 Cal.Rptr. 134, 83 Cal.App.3d 801](#). [Officers And Public Employees](#) 72.62

Officer who conducted disciplinary hearing with respect to alleged fraudulent conduct of plumbing contractor properly admitted in evidence judgment showing conviction of the contractor for violation of building ordinance in connection with contractor's conduct in purportedly testing gas line it had installed whereas, in reality, it only tested two inch capped pipe. [McNeil's Inc. v. Contractors' State License Bd. \(App. 4 Dist. 1968\) 68 Cal.Rptr. 640, 262 Cal.App.2d 322](#). [Licenses](#) 38

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A judgment of conviction in federal court is sort of evidence on which responsible persons rely within purview of government code subsection making evidence of that sort admissible in administrative hearings, and therefore federal court judgment convicting real estate licensee of conspiracy, with regard to false statement in home loan report presented to Veterans' Administration was admissible, in license suspension proceedings, as proof of conduct of licensee on which such judgment was based, but being a determination of guilt by third persons upon evidence not before administrative agency in which such judgment was offered, evidence of such judgment was hearsay. [Manning v. Watson \(App. 1 Dist. 1952\) 108 Cal.App.2d 705, 239 P.2d 688. Brokers](#) 🔑3

Under Educ.C.1959, § 12012 providing that any record of conviction of any applicant or holder of a teacher certification document shall be admissible in evidence in any civil action or administrative proceedings pertaining to the issuance, suspension or revocation of such certification document, a finding of fact may be made that a convicted party has committed the act constituting the crime for which the conviction is suffered based upon the sole evidence of a record of conviction even though the record of conviction may remain hearsay evidence as to the conduct of the convicted party. 34 Op.Atty.Gen. 34 (1959).

14. ---- Police reports, admissibility of evidence

A police officer's report, even if unsworn, constitutes the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, within the meaning of the statute governing evidence in administrative proceedings. [Hildebrand v. Department of Motor Vehicles \(App. 4 Dist. 2007\) 62 Cal.Rptr.3d 234, 152 Cal.App.4th 1562. Administrative Law And Procedure](#) 🔑461

Department of Motor Vehicles (DMV) could consider, in addition to the arresting officer's sworn statement, the arresting officer's unsworn statement in license suspension hearing for driver driving with excessive blood-alcohol level, notwithstanding statute requiring officer to forward to DMV sworn statement of all relevant information; unsworn statement constituted type of evidence on which persons were accustomed to rely, and, provided that sworn statement was not devoid of relevant information, relaxed evidentiary standard furthered statutory purpose of providing efficient mechanism for suspending licenses of those driving with excessive blood-alcohol levels; disapproving [Solovij v. Gourley, 87 Cal.App.4th 1229, 105 Cal.Rptr.2d 278](#), and [Dibble v. Gourley, 103 Cal.App.4th 496, 126 Cal.Rptr.2d 709. MacDonald v. Gutierrez \(2004\) 8 Cal.Rptr.3d 48, 32 Cal.4th 150, 81 P.3d 975. Automobiles](#) 🔑144.2(9.7)

In contested hearing for review of suspension of driver's license for driving with blood-alcohol concentration of .08% or higher, non-arresting officer's report that licensee was driving at time of accident, which was based on statements of eyewitnesses and on licensee's own admission, constituted admissible evidence, even though report was not sworn. [Lake v. Reed \(1997\) 65 Cal.Rptr.2d 860, 16 Cal.4th 448, 940 P.2d 311](#), rehearing denied. [Automobiles](#) 🔑144.2(9.7)

15. ---- Laboratory tests, generally, admissibility of evidence

A forensic lab report need not be sworn, because of the relaxation of evidentiary rules applicable in administrative driver's license suspension hearing; such a report, prepared by a properly licensed lab, is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs and is thus admissible under the Administrative Procedure Act. [Petricka v. Department of Motor Vehicles \(App. 1 Dist. 2001\) 107 Cal.Rptr.2d 909, 89 Cal.App.4th 1341. Automobiles](#) 🔑144.2(9.7)

Letter, signed by an assistant public health chemist of the department of public health's food and drug laboratory, giving analysis of alcoholic content of contents of bottles, though hearsay, would be admissible in evidence, to supplement other evidence, in proceedings before state department of alcoholic beverage control upon accusation that liquor licensee had violated rule by permitting waitresses to accept alcoholic drinks purchased for them by customers. [Mercurio v. Department of Alcoholic Beverage Control \(App. 1956\) 144 Cal.App.2d 626, 301 P.2d 474. Intoxicating](#)

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[Liquors](#)  108.5

Under this section, admission in proceeding before board for revocation of physician's license for having procured a criminal abortion, of laboratory tests indicating pregnancy of victim, was not improper. [Marlo v. State Board of Medical Examiners of Department of Professional Standards \(App. 2 Dist. 1952\) 112 Cal.App.2d 276, 246 P.2d 69.](#)

[16.](#) ---- Polygraph tests, admissibility of evidence

In administrative disciplinary proceedings resulting in finding that doctor was grossly negligent in treating child, it was proper to exclude evidence concerning polygraph test administered by friendly polygrapher and arranged by the doctor's attorney. [Aengst v. Board of Medical Quality Assur. \(App. 2 Dist. 1980\) 167 Cal.Rptr. 796, 110 Cal.App.3d 275. Health](#)  218

[17.](#) ---- Newspaper articles, admissibility of evidence

Hearing officer's excluding of article from trade journal containing excerpts from speech allegedly referring to unfair practices in sale of unspecified brands of alcoholic beverages was not erroneous, when liquor licensee was charged with violation of retail price maintenance provisions of [Bus. & Prof.C. §§ 24749 to 24757. Wilke & Holzheiser, Inc. v. Department of Alcoholic Beverage Control \(1966\) 55 Cal.Rptr. 23, 65 Cal.2d 349, 420 P.2d 735. Intoxicating Liquors](#)  108.5

Although hearsay, newspaper press clipping reporting indictment of specified persons on federal charge of illegally using telephones for organized nationwide horse racing betting system was admissible in proceeding before state horse racing board, for purpose of supplementing or explaining direct evidence. [Epstein v. California Horse Racing Bd. \(App. 2 Dist. 1963\) 35 Cal.Rptr. 642, 222 Cal.App.2d 831. Evidence](#)  318(1)

[18.](#) ---- Rebuttal, admissibility of evidence

Proof offered before hearing officer of state personnel board in disciplinary proceeding against employee of department of human resources who had been convicted of possession of marijuana that no letters, calls or other indications of actual discredit to the department had been received concerning employee's conduct or conviction was admissible to rebut inference that could be drawn from the misbehavior that the agency or the employment was discredited and to show that employee's conduct would not cause further discredit. [Vielehr v. State Personnel Bd. \(App. 5 Dist. 1973\) 107 Cal.Rptr. 852, 32 Cal.App.3d 187. States](#)  53

The evidence, including doctor's stipulation as to the truth of the allegations of the accusation and doctor's additional evidence by way of mitigation and testimony of witness given by way of rebuttal, supported decision of board of osteopathic examiners that doctor's license should be revoked for employing and aiding and abetting such witness, an unlicensed person, in treating the sick and for signing death certificate representing that doctor had attended a decedent whom doctor had never seen. [Thayer v. Board of Osteopathic Examiners \(App. 1958\) 157 Cal.App.2d 4, 320 P.2d 28. Health](#)  212

[19.](#) Hearsay evidence--In general

Unauthenticated videotapes purportedly showing school district employee working on a job on a day he took sick leave, on which the school district relied to terminate his employment, were hearsay evidence because they constituted out-of-court statements by the person making the videotapes, about employee's activities, and were offered to prove the truth of the district's assertion that employee was actively working on three specific days when he had claimed to be ill. [Ashford v. Culver City Unified School Dist. \(App. 2 Dist. 2005\) 29 Cal.Rptr.3d 728, 130 Cal.App.4th 344.](#)

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[Evidence](#)  [318\(1\)](#); [Schools](#)  [121](#)

There must be substantial evidence to support an administrative decision, and hearsay, unless specially permitted by statute, is not competent evidence to that end. [Furman v. Department of Motor Vehicles \(App. 6 Dist. 2002\) 122 Cal.Rptr.2d 520, 100 Cal.App.4th 416](#), review denied. [Administrative Law And Procedure](#)  [461](#); [Administrative Law And Procedure](#)  [791](#)

Hearsay, which is admitted without objection in administration proceeding, will have probative value unless there is some evidence, admissible in administrative proceedings, to contrary, and, unless objected to, will serve to shift burden of producing evidence of existence or nonexistence of fact disclosed; overruling [Swegle v. State Board of Equalization, 125 Cal.App.2d 432, 270 P.2d 518](#), [Benedetti v. Department of Alcoholic Beverage Control, 187 Cal.App.2d 213, 9 Cal.Rptr. 525](#), and [Sunseri v. Board of Medical Examiners, 224 Cal.App.2d 309, 36 Cal.Rptr. 553](#). [Kirby v. Alcoholic Beverage Control Appeals Bd. \(App. 1 Dist. 1970\) 87 Cal.Rptr. 908, 8 Cal.App.3d 1009](#). [Administrative Law And Procedure](#)  [462](#)

Hearsay evidence is admissible in administrative proceeding, but its use is limited and it alone cannot support a finding, though it may be used to supplement other evidence and aid in support of findings. [Sunseri v. Board of Medical Examiners \(App. 1 Dist. 1964\) 36 Cal.Rptr. 553, 224 Cal.App.2d 309](#). [Administrative Law And Procedure](#)  [461](#); [Administrative Law And Procedure](#)  [462](#)

Hearsay evidence is admissible in an administrative hearing if it is relevant and of such character or quality as that on which responsible persons are accustomed to rely in conduct of serious affairs. [Mast v. State Bd. of Optometry \(App. 2 Dist. 1956\) 139 Cal.App.2d 78, 293 P.2d 148](#). [Administrative Law And Procedure](#)  [313](#)

[19.5](#). ---- Admissible, hearsay evidence

Fire captain's hearsay statements of his observations of finding driver's vehicle stuck on railroad tracks and escorting him to safety were admissible in administrative hearing to suspend driver's license to supplement or explain driver's admissions about event. [Hildebrand v. Department of Motor Vehicles \(App. 4 Dist. 2007\) 62 Cal.Rptr.3d 234, 152 Cal.App.4th 1562](#). [Automobiles](#)  [144.2\(9.7\)](#)

[20](#). ---- Supplementing or explaining, hearsay evidence

Letter from real estate broker who had been convicted of violating Corporate Securities Act to his probation officer that he and real estate salesman who had sold stock in sand and gravel corporation had loaned \$15,000 of their money to third parties and letter from persons who had purchased stock to same probation officer that broker and salesman had used money received in sale of stock to repay themselves \$15,000 which had been loaned to third parties were hearsay but were admissible in disciplinary proceedings against broker and salesman to supplement testimony that money received for sale of stock was used to pay off old obligations and to pay broker and salesman salaries. [Ring v. Smith \(App. 2 Dist. 1970\) 85 Cal.Rptr. 227, 5 Cal.App.3d 197](#). [Brokers](#)  [3](#)

At hearing before state board of equalization, minor's testimony that he bought beer from bartender behind bar and whiskey from same bartender who worked there all night, another minor's testimony that minors ordered beer at bar and saw bartender serve it, and bartender's testimony that he was bartender that night, was not hearsay, and, under this section, testimony as to prior identification of bartender by the minors was then admissible to supplement such direct evidence. [Moyer v. State Bd. of Equalization \(App. 1956\) 140 Cal.App.2d 651, 295 P.2d 583](#). [Evidence](#)  [317\(2\)](#); [Intoxicating Liquors](#)  [108.5](#)

In proceeding before state real estate commissioner for revocation of license of broker on ground that she obtained

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tees from registrants by false representations in newspaper advertisements concerning rental properties, testimony of registrants that at some of the places where registrants were directed to go by broker the owners told registrants that the places had been rented or that broker had been notified of such renting or that such places were not for rent or had not been listed with broker, was hearsay, but was properly admitted to explain direct evidence that registrants were unable to rent places. [Dyer v. Watson \(App. 1 Dist. 1953\) 121 Cal.App.2d 84, 262 P.2d 873.](#) [Administrative Law And Procedure](#) 327; [Brokers](#) 3; [Evidence](#) 116; [Evidence](#) 317(4)

[21. ---- Other purposes, hearsay evidence](#)

Where witness' testimony was introduced at hearing before fair employment practice commission as proof that absent witness and landlord spoke certain words, not to prove that those words represented the truth, but to show that landlord presented requirements to black prospective tenant that he did not present to the absent witness, a white man, when he represented himself to be a prospective tenant, testimony of witness concerning transaction between landlord and the absent witness was not inadmissible before the commission as hearsay. [Stearns v. Fair Employment Practice Commission \(1971\) 98 Cal.Rptr. 467, 6 Cal.3d 205, 490 P.2d 1155.](#) [Civil Rights](#) 1710

In proceeding to punish for violation of department of alcoholic beverage control rule prohibiting liquor licensees' female employees from soliciting alcoholic drinks, statements of these female employees in soliciting drinks, and questions posed by bartender to such an employee as to whether she wanted a drink were admissible to show what was said, and were not excluded by the hearsay rule. [Greenblatt v. Munro \(App. 1958\) 161 Cal.App.2d 596, 326 P.2d 929.](#) [Evidence](#) 317(2)

[22. ---- Multiple hearsay evidence](#)

Multiple hearsay testimony to the fact that witness interviewed prison inmate who told him what another inmate had said concerning activities of correctional officer was not sufficient in itself to support finding of violation of regulations by correctional officer when measured against this section admitting hearsay evidence in administrative hearing for purpose of supplementing or explaining other evidence but declaring such testimony not sufficient in itself to support finding unless it would be admissible over objection in civil action. [Martin v. State Personnel Bd. \(App. 3 Dist. 1972\) 103 Cal.Rptr. 306, 26 Cal.App.3d 573.](#) [Administrative Law And Procedure](#) 462; [Officers And Public Employees](#) 72.63

[23. ---- Admissions, hearsay evidence](#)

Since, as regarded hearing before state personnel board on charges that plaintiff correctional officer maintained a supply of marijuana at his residence, smoked marijuana in public, and on one occasion brought three marijuana cigarettes with him onto the prison premises, the testimony of an agent and officer of the department of corrections concerning admissions made by plaintiff would, over a hearsay objection, be admissible in a civil action as an admission by a party, such evidence could support a finding of fact by the hearing officer against plaintiff, if the evidence was not inadmissible on some other ground. [Szmciarz v. California State Personnel Bd. \(App. 1 Dist. 1978\) 145 Cal.Rptr. 396, 79 Cal.App.3d 904.](#) [Officers And Public Employees](#) 72.62

[24. ---- Transcripts, hearsay evidence](#)

In administrative law judge (ALJ) hearing on a tenured teacher's termination, teacher's failure to make hearsay objections to all of the evidence of the qualifications of junior teachers who were not laid off waived the argument that all such evidence was hearsay evidence not sufficient in itself to support a finding; teacher made hearsay objections to admission of a prior administrative decision finding that the junior teachers were properly retained in a prior force reduction and to district superintendent's testimony regarding the qualifications of one junior teacher, but never objected to admission and consideration of a seniority list or superintendent's testimony regarding the other junior

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teacher. [Bledsoe v. Biggs Unified School Dist.](#) (App. 3 Dist. 2008) 88 Cal.Rptr.3d 13, 170 Cal.App.4th 127, modified on denial of rehearing, review denied. [Schools](#) 147.40(1)

Where board of public health, in a proceeding to revoke a clinical laboratory technologist's license, admitted into evidence, a transcript of testimony taken in a prior proceeding against the licensee before the board of medical examiners, to revoke licensee's drugless practitioner's license when transcript was used solely for purpose of supplementing and explaining direct evidence, its admission was not prejudicial error. [Cooper v. State Bd. of Public Health](#) (App. 1951) 102 Cal.App.2d 926, 229 P.2d 27. [Administrative Law And Procedure](#) 764.1; [Health](#) 219

A transcript of testimony taken in a proceeding before the board of medical examiners to revoke license of drugless practitioner who was also a licensed chemical laboratory technologist, constituted hearsay evidence in a subsequent proceeding before the state board of health to revoke his license as a clinical laboratory technologist. [Cooper v. State Bd. of Public Health](#) (App. 1951) 102 Cal.App.2d 926, 229 P.2d 27. [Administrative Law And Procedure](#) 461; [Health](#) 218

25. ---- Stipulations, hearsay evidence

Department's receipt into evidence of verified complaint and stipulation settling fraud action against holder of real estate salesman's license and affirming truth of allegations of complaint, even if hearsay, was admissible to supplement or explain direct evidence in license revocation proceeding. [Borror v. Department of Inv., Division of Real Estate](#) (App. 1 Dist. 1971) 92 Cal.Rptr. 525, 15 Cal.App.3d 531.

In disciplinary proceeding, testimony contained in stipulation was properly received in evidence, notwithstanding its hearsay character, where it was used only for purpose of supplementing or explaining other evidence concerning conduct of bail agents sought to be disciplined and parties with whom they were dealing. [Nardoni v. McConnell](#) (1957) 48 Cal.2d 500, 310 P.2d 644. [Stipulations](#) 14(7)

26. ---- Police reports, hearsay evidence

In contested hearing for review of suspension of driver's license for driving with blood-alcohol concentration of .08% or higher, statements of witnesses that licensee was driving, which were contained in or attached to officer's report, were admissible under exception to hearsay rule to supplement or explain licensee's own admission that he was driving. [Lake v. Reed](#) (1997) 65 Cal.Rptr.2d 860, 16 Cal.4th 448, 940 P.2d 311, rehearing denied. [Automobiles](#) 144.2(9.7)

Although hearsay, officer's observations of licensee's driving that were incorporated into report of second officer, who did not have personal knowledge of licensee's driving, were admissible under public employee records exception in license suspension proceeding, and thus could be considered as competent evidence establishing that licensee was driving vehicle. [McNary v. Department of Motor Vehicles](#) (App. 4 Dist. 1996) 53 Cal.Rptr.2d 55, 45 Cal.App.4th 688. [Automobiles](#) 144.2(9.7)

Hearsay statement of police officer reporting blood test results was admissible as public employee record to the extent it recorded the officer's firsthand observations. [Imachi v. Department of Motor Vehicles](#) (App. 1 Dist. 1992) 3 Cal.Rptr.2d 478, 2 Cal.App.4th 809, modified. [Administrative Law And Procedure](#) 459; [Automobiles](#) 144.2(9.7)

In hearing to determine whether one's driver's license should be suspended for failure to submit to blood, breath or urine chemical test after arrest for drunken driving, arresting officer's sworn statement and police arrest reports were admissible to supplement and explain driver's testimony but not to impeach it. [Goss v. Department of Motor Vehicles](#)

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[\(App. 4 Dist. 1968\) 70 Cal.Rptr. 447, 264 Cal.App.2d 268. Automobiles](#)  [144.2\(9.7\)](#)

Police officer's compilation of disposition of cases of 76 arrested persons, which was not an official record, was clearly hearsay as officer who made compilation had no personal knowledge of arrests or convictions and sentencing of persons arrested, but under circumstances would be used for purpose of supplementing and explaining direct evidence at hearing to revoke on-sale beer and wine license. [Harris v. Alcoholic Beverage Control Appeals Bd. \(App. 1 Dist. 1963\) 28 Cal.Rptr. 74, 212 Cal.App.2d 106. Intoxicating Liquors](#)  [108.5](#)

In hearing before city's board of police commissioners with respect to revocation of permit of owner of Turkish bath to operate Turkish bath and application for renewal of permit, testimony of police officers that, as to some of the patrons arrested at Turkish bath, there were convictions in court, was admissible, over objection that testimony was hearsay, where officers testified as to their own knowledge and the only arrest reports, to which objection was made, were those in which there was no disposition shown. [Sultan Turkish Bath, Inc. v. Board of Police Com'rs of City of Los Angeles \(App. 1959\) 169 Cal.App.2d 188, 337 P.2d 203. Licenses](#)  [38](#)

[27. ---- Blood alcohol tests, hearsay evidence](#)

Alcohol analysis report was not inadmissible hearsay, in hearing to suspend driver's license, even though the report was not typed until 6 days after driver's blood was analyzed; although the writing was not made at or near the time of the drunk driving incident, the report was substantially reliable in that the wording of the report reflected a postponement, not in the recording of the analysis, but merely in the typing of a journal-type entry, the report supplemented other evidence introduced at the hearing, and the report was relevant to show that driver's blood alcohol content was above the legal limit. [Komizu v. Gourley \(App. 1 Dist. 2002\) 127 Cal.Rptr.2d 229, 103 Cal.App.4th 1001. Automobiles](#)  [144.2\(9.7\)](#)

A forensic alcohol report becomes an official record of the Department of Motor Vehicles (DMV), and thus is admissible at an administrative per se hearing, if it complies with the requirements governing the admission of evidence, including hearsay. [Furman v. Department of Motor Vehicles \(App. 6 Dist. 2002\) 122 Cal.Rptr.2d 520, 100 Cal.App.4th 416, review denied. Automobiles](#)  [144.2\(9.7\)](#); [Automobiles](#)  [411](#)

Emblem on scientific investigation report concerning motorist's blood alcohol level did not constitute a seal within meaning of evidence code, and thus report was not sufficiently authenticated to be admissible over motorist's hearsay objection in administrative hearing to suspend his driver's license, where the report was not signed by anyone. [Jacobson v. Gourley \(App. 4 Dist. 2000\) 100 Cal.Rptr.2d 349, 83 Cal.App.4th 1331. Automobiles](#)  [144.2\(9.7\)](#); [Automobiles](#)  [422.1](#)

Trial court, in proceeding challenging administrative suspension of drivers license for driving while intoxicated, properly considered driver's hearsay evidence which indicated that second of three blood-alcohol breath tests was invalid due to presence of mouth alcohol, since hearsay evidence supplemented Department of Motor Vehicle's (DMV) evidence indicating that second test was invalid but which gave no explanation; also, statute which placed limitation on how hearsay evidence could be used in administrative adjudication was to serve as check on sufficiency of evidence to warrant license suspension, but did not expressly limit manner in which driver's evidence may be considered. [Robertson v. Zolin \(App. 4 Dist. 1996\) 51 Cal.Rptr.2d 420, 44 Cal.App.4th 147. Automobiles](#)  [144.2\(9.7\)](#); [Automobiles](#)  [422.1](#)

Testing laboratory's report of blood test results was admissible in proceeding to suspend motorist's driving privileges under public records exception to hearsay rule, absent evidence report was not properly prepared. [Santos v. Department of Motor Vehicles \(App. 1 Dist. 1992\) 7 Cal.Rptr.2d 10, 5 Cal.App.4th 537, rehearing denied and modified, review denied. Evidence](#)  [333\(1\)](#)

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Vehicle Code provisions requiring Department of Motor Vehicles to determine whether person was driving motor vehicle with blood alcohol level of .08 percent or more on basis of police officer's report and to consider its official records did not establish hearsay exception for reports of chemical test results. [Santos v. Department of Motor Vehicles \(App. 1 Dist. 1992\) 7 Cal.Rptr.2d 10, 5 Cal.App.4th 537](#), rehearing denied and modified , review denied. [Evidence §333\(1\)](#)

Hearsay statement of public employee, such as statement of police officer or blood-alcohol tester's written report of test results, is admissible at Department of Motor Vehicles (DMV) hearing and is sufficient in and of itself to support finding that driver's blood-alcohol concentration exceeded permissible limits, if statements meet criteria of public employee business record exception to hearsay rule. [Burge v. Department of Motor Vehicles \(App. 1 Dist. 1992\) 7 Cal.Rptr.2d 5, 5 Cal.App.4th 384](#), rehearing denied and modified , review denied. [Administrative Law And Procedure §461](#); [Automobiles §144.2\(9.7\)](#); [Automobiles §144.2\(10.2\)](#); [Automobiles §411](#)

28. Sufficiency of evidence--In general

School district, which terminated employment of school bus driver when she lost her license after being convicted of drunk driving, produced convincing proof to a reasonable certainty of the alleged misconduct to support her termination. [California School Employees Ass'n v. Board of Trustees of Templeton Unified School Dist. \(App. 2 Dist. 1983\) 192 Cal.Rptr. 633, 144 Cal.App.3d 392](#). [Schools §63\(1\)](#)

In proceeding before state personnel board to determine fitness of certain referee of unemployment insurance appeals board, the weight of the evidence was for the determination of the personnel board. [Leeds v. Gray \(App. 1 Dist. 1952\) 109 Cal.App.2d 874, 242 P.2d 48](#). [Administrative Law And Procedure §793](#); [Officers And Public Employees §72.55\(1\)](#)

A determination of an administrative body must be supported by the evidence which would be admissible in a court of law. 14 Op.Atty.Gen. 155 (1949).

29. ---- Hearsay evidence, sufficiency of evidence

Officer's sworn "Officer's Statement" and his unsworn arrest report, each incorporating hearsay statement that fire captain, a non-peace officer, observed driver was driver of vehicle, were admissible in administrative hearing to suspend driver's license, as records by public employees, to prove driver was driving vehicle; in reporting his personal observations of seeing driver's vehicle stuck on railroad tracks to the reporting police officer, fire captain was acting pursuant to his duty to observe the facts and report them correctly. [Hildebrand v. Department of Motor Vehicles \(App. 4 Dist. 2007\) 62 Cal.Rptr.3d 234, 152 Cal.App.4th 1562](#). [Automobiles §144.2\(9.7\)](#)

Substantial evidence supported rejection of application for real estate salesperson's license by the Department of Real Estate (DRE), based on applicant's previous disbarment as an attorney, where hearsay evidence in opinions of State Bar Court and Review Department and unpublished appellate court opinions affirming underlying fraud judgment against attorney by former client was used only to supplement or explain prior disbarment, and thus was permissible. [Berg v. Davi \(App. 3 Dist. 2005\) 29 Cal.Rptr.3d 803, 130 Cal.App.4th 223](#), rehearing denied , review denied. [Brokers §3](#)

Although former teacher failed to appear at hearing before commission for teacher preparation and licensing which recommended revocation of teacher's credentials and failed to object to hearsay evidence, where only evidence presented by commission to support its findings was hearsay, evidence did not support revocation of credentials. [Carl S. v. Commission for Teacher Preparation and Licensing \(App. 2 Dist. 1981\) 178 Cal.Rptr. 753, 126 Cal.App.3d 365](#).

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[Schools](#)  132

In an administrative proceeding, for revocation of license, hearsay evidence alone is insufficient to satisfy requirement of due process of law, and mere uncorroborated hearsay does not constitute substantial evidence. [Dyer v. Watson \(App. 1 Dist. 1953\) 121 Cal.App.2d 84, 262 P.2d 873](#). [Administrative Law And Procedure](#)  327; [Constitutional Law](#)  4262; [Licenses](#)  38

Generally, in absence of special statutes, an administrative agency cannot over objection, make findings of facts supported solely by hearsay evidence. [Steen v. Board of Civil Service Com'rs \(1945\) 26 Cal.2d 716, 160 P.2d 816](#). [Administrative Law And Procedure](#)  462; [Administrative Law And Procedure](#)  484.1

[30](#). ---- Business licensing, generally, sufficiency of evidence

Fact that reports of New York and Arizona insurance commissioners containing allegations with respect to applicant for insurance agent's license involving violations of law, various other misdealings, mismanagement and missing company property were hearsay, was no reason for rejecting reports which applicant himself offered in response to inquiry from commissioner concerning prior dealings in insurance business, and reports constituted substantial evidence to support decision of commissioner that he was unable to find that applicant was of good business reputation. [Goldberg v. Barger \(App. 2 Dist. 1974\) 112 Cal.Rptr. 827, 37 Cal.App.3d 987](#). [Insurance](#)  1615

In proceeding culminating in revocation of boxing matchmaker's license, retired police officer's testimony that individual with whom licensee had associated was considered a racketeer, a hoodlum and a mobster was hearsay and would not sustain finding that licensee had associated with a notorious criminal and racketeer. [Rudolph v. Athletic Commission of Cal. \(App. 2 Dist. 1960\) 1 Cal.Rptr. 898, 177 Cal.App.2d 1](#). [Evidence](#)  317(2); [Public Amusement And Entertainment](#)  29

A board commits an abuse of discretion when it revokes a license to conduct a legitimate business without substantial competent evidence establishing just cause for revocation, and hearsay evidence alone is insufficient to support revocation unless specially permitted by statute. [Walker v. City of San Gabriel \(1942\) 20 Cal.2d 879, 129 P.2d 349](#). [Licenses](#)  38

[31](#). ---- Medical licensing, sufficiency of evidence

Evidence that pharmacist refilled prescriptions for dexedrine, seconal and dexamyel even though no refills were authorized supported finding of board of pharmacy that pharmacist had refilled prescriptions for dangerous drugs without authorization of prescribing doctor in violation of [Bus. & Prof.C. § 4229](#). [O'Mara v. California State Bd. of Pharmacy \(App. 2 Dist. 1966\) 54 Cal.Rptr. 862, 246 Cal.App.2d 8](#). [Controlled Substances](#)  10

Conviction of physician for violating Internal Revenue Code did not in and of itself establish existence of moral turpitude and he could offer evidence in disciplinary proceedings on question of whether he intentionally and for personal gain filed false income tax returns. [Morris v. Board of Medical Examiners \(App. 2 Dist. 1964\) 41 Cal.Rptr. 351, 230 Cal.App.2d 704](#). [Health](#)  207; [Health](#)  218

In proceeding to revoke physician's license for performing an abortion, testimony of woman, that before alleged abortion another physician had advised her that she was pregnant, was inadmissible as hearsay, and board of medical examiners was unauthorized to base any conclusion thereon. [Lanterman v. Board of Medical Examiners of Cal. \(App. 2 Dist. 1935\) 4 Cal.App.2d 319, 40 P.2d 913](#). [Evidence](#)  314(2)

Board of medical examiners had no jurisdiction to revoke license to practice medicine, where evidence heard by board

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was hearsay. [Rinaldo v. Board of Medical Examiners of Cal. \(App. 2 Dist. 1928\) 93 Cal.App. 72, 268 P. 1076, Health](#)
[218](#)

[32. ---- Liquor licensing, sufficiency of evidence](#)

Fact that persons of ill repute congregate in a certain bar is not cause for revocation or even indefinite suspension of liquor license, it being necessary that it be proved by competent evidence that solicitation of acts of prostitution actually took place on premises. [Swegle v. State Bd. of Equalization \(App. 1 Dist. 1954\) 125 Cal.App.2d 432, 270 P.2d 518, Intoxicating Liquors](#) [106\(4\)](#)

[33. ---- Teacher licensing, sufficiency of evidence](#)

Male teacher who engaged with fellow male teacher in limited noncriminal physical relationship of homosexual nature in first teacher's apartment on four separate occasions in a one-week period was not subject to disciplinary action under Educ.C.1959, § 13202, authorizing revocation of a teacher's life diplomas for immoral conduct, unprofessional conduct, and acts involving moral turpitude, in absence of any evidence that first teacher's conduct indicated his unfitness to teach; disapproving [Sarac v. State Bd. of Education, 249 Cal.App.2d 58, 57 Cal.Rptr. 69, Morrison v. State Bd. of Educ. \(1969\) 82 Cal.Rptr. 175, 1 Cal.3d 214, 461 P.2d 375, Schools](#) [132](#)

[34. ---- Driver licensing, sufficiency of evidence](#)

Evidence produced by department of motor vehicles, in proceeding relating to suspension of driver's license, if itself insufficient, may be supplemented by testimony of licensee on his own behalf. [August v. Department of Motor Vehicles \(App. 4 Dist. 1968\) 70 Cal.Rptr. 172, 264 Cal.App.2d 52, Automobiles](#) [144.2\(10.1\)](#)

Hearsay evidence alone is insufficient to support revocation of license. [Nardoni v. McConnell \(1957\) 48 Cal.2d 500, 310 P.2d 644, Licenses](#) [38](#)

[35. Privilege](#)

Where proceedings brought against certificated employee by school district were neither criminal nor before a court of justice, and commission on professional competence had no authority, in proceeding to compel employee to submit to a deposition, to prosecute or punish employee for a public offense, no privilege was afforded to employee by subd. (b) of this section giving each party right to call and examine witnesses, and employee could be compelled to appear and testify at his deposition and could only refuse to disclose a matter which might tend to incriminate him. [San Francisco Unified School Dist. v. Superior Court for City and County of San Francisco \(App. 1 Dist. 1981\) 172 Cal.Rptr. 42, 116 Cal.App.3d 231, Schools](#) [147.31](#)

[36. Failure to object](#)

Objection to hearsay evidence is not necessary during administrative hearing to preserve issue of evidence's admissibility. [McNary v. Department of Motor Vehicles \(App. 4 Dist. 1996\) 53 Cal.Rptr.2d 55, 45 Cal.App.4th 688, Administrative Law And Procedure](#) [670](#)

Regardless of whether hearsay evidence would have been admissible over objection in civil actions, hearsay evidence that prisoner had seen correctional officer passing ōhot dogō books to another prisoner, although probative of officer's disposition toward that prisoner, had no tendency to prove officer's connection with prisoner's unauthorized letter and the testimony at most raised suspicion that the prisoner had transmitted the letter to officer. [Martin v. State Personnel Bd. \(App. 3 Dist. 1972\) 103 Cal.Rptr. 306, 26 Cal.App.3d 573, Officers And Public Employees](#) [72.62](#)

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Even if testimony, in liquor license suspension proceeding arising from violations of minimum price schedule, that monthly trade paper, which contained minimum price schedule, was mailed to every distilled spirits licensee in trading area, was inadmissible hearsay, licensee could not properly first raise hearsay objection before Alcoholic Beverage Control Appeals Board. [Kirby v. Alcoholic Beverage Control Appeals Bd. \(App. 1 Dist. 1970\) 87 Cal.Rptr. 908, 8 Cal.App.3d 1009](#). [Intoxicating Liquors](#) 🔑108.10(1)

Even if exhibit constituted objectionable hearsay, it was of probative value in absence of objection to it when it was offered by board of medical examiners entertaining application of drugless practitioner to take written examination for license as physician and surgeon. [Savelli v. Board of Medical Examiners \(App. 1 Dist. 1964\) 40 Cal.Rptr. 171, 229 Cal.App.2d 124](#), certiorari denied [85 S.Ct. 940, 380 U.S. 934, 13 L.Ed.2d 821](#). [Health](#) 🔑157

Hearsay, even at common law, if unobjected to when offered, had probative value, and occupies a similar position in an administrative proceedings. [Fox v. San Francisco Unified School District \(App. 1952\) 111 Cal.App.2d 885, 245 P.2d 603](#). [Administrative Law And Procedure](#) 🔑476; [Trial](#) 🔑105(2)

37. Statute of limitations

Bar of statute of limitations is matter of defense in administrative proceeding and burden of proof is upon party asserting the bar. [International Union of Operating Engineers, Local No. 12 v. Fair Employment Practice Commission \(App. 2 Dist. 1969\) 81 Cal.Rptr. 47, 276 Cal.App.2d 504](#), certiorari denied [90 S.Ct. 1356, 397 U.S. 1037, 25 L.Ed.2d 648](#). [Administrative Law And Procedure](#) 🔑309.1; [Limitation Of Actions](#) 🔑195(3)

38. Continuance

Motorist was deprived of the opportunity to present a meaningful defense in Department of Motor Vehicles (DMV) proceeding to suspend his driving privileges such that his due process rights were violated, where motorist's counsel requested blood alcohol test results approximately one month before suspension hearing but initially received the results only minutes before the hearing, and DMV hearing officer denied counsel's request for a continuance. [Petrus v. State Dept. of Motor Vehicles \(App. 4 Dist. 2011\) 123 Cal.Rptr.3d 686, 194 Cal.App.4th 1240](#). [Automobiles](#) 🔑144.2(1); [Constitutional Law](#) 🔑4358

Hearing officer was not required to offer automobile driver a continuance for purpose of curing defects in the evidence, on driver's request for hearing on suspension of his license for driving with blood alcohol content greater than .08%; if driver felt continuance was necessary, it was incumbent upon him to request one. [Imachi v. Department of Motor Vehicles \(App. 1 Dist. 1992\) 3 Cal.Rptr.2d 478, 2 Cal.App.4th 809](#), modified. [Administrative Law And Procedure](#) 🔑468; [Automobiles](#) 🔑144.2(1)

39. Mandamus

Notice which was sent to probationary school teacher on May 15, 1967 of governing board's decision not to rehire teacher for ensuing year but which was not sent after full compliance with statutorily prescribed procedural requirements, including opportunity for teacher to cross-examine witnesses as to reasons for decision not to rehire, was ineffective and could not serve as valid notice for subsequent action of governing board in determining not to rehire teacher after proceeding initiated by ineffective notice had been set aside by writ of mandate. [Ward v. Fremont Unified School Dist. \(App. 1 Dist. 1969\) 80 Cal.Rptr. 815, 276 Cal.App.2d 313](#). [Schools](#) 🔑147.34(2)

In mandamus proceedings by discharged stenographer of civil service board of city, who was dismissed by board, on ground that she was unable to perform duties of stenographer because of defective vision, superior court did not have

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right to judge of intrinsic value of evidence or to weigh it, and its power was confined to determining whether there was substantial evidence before board to support its findings. [Thompson v. City of Long Beach \(1953\) 41 Cal.2d 235, 259 P.2d 649](#). [Mandamus](#) 🔑 172

In mandamus proceedings by discharged stenographer of civil service board of city, who was dismissed by board, on ground that she was unable to perform duties of stenographer because of defective vision, superior court was bound to disregard medical evidence contrary to medical evidence received by board in support of its findings. [Thompson v. City of Long Beach \(1953\) 41 Cal.2d 235, 259 P.2d 649](#). [Mandamus](#) 🔑 168(4)

40. Review

Administrative tribunal need not observe strict rules of evidence enforced in courts, and admission or rejected of evidence is not ground for reversal in absence of denial of justice. [Kunimori Ohara v. Berkshire, 1935, 76 F.2d 204](#). [Administrative Law And Procedure](#) 🔑 313

Police officer's hearsay statement reporting blood test results could not be sole basis for suspension of an automobile driver's license for driving with blood alcohol content greater than .08% and where test result was improperly considered, appellate court could not assume trial court did not rely primarily upon it, though there was other evidence. [Imachi v. Department of Motor Vehicles \(App. 1 Dist. 1992\) 3 Cal.Rptr.2d 478, 2 Cal.App.4th 809](#), modified. [Automobiles](#) 🔑 144.2(10.2)

Where psychologist did not appear at disciplinary hearing and was not called to testify by administrative agency, court hearing psychologist's appeal from denial of review of the revocation of his license would not consider challenge to validity of this section which permits an agency to call a respondent to testify. [Cooper v. Board of Medical Examiners \(App. 1 Dist. 1975\) 123 Cal.Rptr. 563, 49 Cal.App.3d 931](#). [Health](#) 🔑 223(2)

Where only time that teacher sought to prove that charges against her had been discriminatorily instituted was before evidence was offered to hearing officer to sustain charges against her, trial court on review should not have found that she sought to raise issue of discrimination but should have found against truth of such allegations of her defense and of her petition in trial court. [Feist v. Rowe \(App. 4 Dist. 1970\) 83 Cal.Rptr. 465, 3 Cal.App.3d 404](#). [Schools](#) 🔑 147.44

West's Ann. Cal. Gov. Code § 11513, CA GOVT § 11513

Current with urgency legislation through Ch. 437 of 2012 Reg.Sess. and all propositions on 2012 ballots.

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Title 2. Government of the State of California

Division 3. Executive Department ([Refs & Annos](#))

[Part 1](#). State Departments and Agencies ([Refs & Annos](#))

[Chapter 5](#). Administrative Adjudication: Formal Hearing ([Refs & Annos](#))

→ → **§ 11514. Affidavits**

(a) At any time 10 or more days prior to a hearing or a continued hearing, any party may mail or deliver to the opposing party a copy of any affidavit which he proposes to introduce in evidence, together with a notice as provided in subdivision (b). Unless the opposing party, within seven days after such mailing or delivery, mails or delivers to the proponent a request to cross-examine an affiant, his right to cross-examine such affiant is waived and the affidavit, if introduced in evidence, shall be given the same effect as if the affiant had testified orally. If an opportunity to cross-examine an affiant is not afforded after request therefor is made as herein provided, the affidavit may be introduced in evidence, but shall be given only the same effect as other hearsay evidence.

(b) The notice referred to in subdivision (a) shall be substantially in the following form:

The accompanying affidavit of (here insert name of affiant) will be introduced as evidence at the hearing in (here insert title of proceeding). (Here insert name of affiant) will not be called to testify orally and you will not be entitled to question him unless you notify (here insert name of proponent or his attorney) at (here insert address) that you wish to cross-examine him. To be effective your request must be mailed or delivered to (here insert name of proponent or his attorney) on or before (here insert a date seven days after the date of mailing or delivering the affidavit to the opposing party).

CREDIT(S)

(Added by Stats.1947, c. 491, p. 1471, § 6.)

HISTORICAL AND STATUTORY NOTES

2005 Main Volume

Former Notes

Former § 11514, added by Stats.1945, c. 867, p. 1632, § 1, relating to affidavits, was repealed by Stats.1947, c. 491, p. 1471, § 5. See this section.

Derivation

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Former § 11514, added by Stats.1943, c. 807, p. 1632, § 1.

CROSS REFERENCES

Control of illegally taken fish and wildlife, hearing, see [Fish and Game Code § 2584](#).

Hearsay evidence, see [Evidence Code § 1200 et seq.](#)

Home furnishings, disciplinary proceedings against nonresidents, continuance, see [Business and Professions Code § 19215.6](#).

Party defined for purposes of this chapter, see [Government Code § 11500](#).

CODE OF REGULATIONS REFERENCES

Agency alternatives to formal hearings-alternative dispute resolution, procedures at arbitration, see [1 Cal. Code of Regs. § 1252](#).

Appeal hearings, see [2 Cal. Code of Regs. § 1896.20](#).

Evidence submitted to the commission, see [2 Cal. Code of Regs. § 1187.5](#).

Fair employment and housing commission, default hearings, see [2 Cal. Code of Regs. § 7430](#).

Office of Administrative Hearings, prehearing conferences, see [1 Cal. Code of Regs. § 1026](#).

LAW REVIEW AND JOURNAL COMMENTARIES

Practice and procedure under California Administrative Procedure Act. Charles H. Bobby, 15 Hastings L.J. 258 (1964).

LIBRARY REFERENCES

2005 Main Volume

[Administrative Law and Procedure](#) 458.1.

Westlaw Topic No. [15A](#).

[C.J.S. Public Administrative Law and Procedure §§ 124 to 125](#).

RESEARCH REFERENCES

Encyclopedias

[CA Jur. 3d Administrative Law § 557](#), Use of Affidavits.

[CA Jur. 3d Insurance Adjusters and Investigations § 30](#), Continuance.

Treatises and Practice Aids

[Employment Coordinator Workplace Safety § 4:237](#), Use of Affidavits.

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[Miller and Starr California Real Estate § 4.42](#), Disciplinary Process--Hearing Procedure.

[1 Witkin Cal. Evid. 4th Hearsay § 297](#), Affidavits.

[1 Witkin Cal. Evid. 4th Introduction § 66](#), Incompetent Hearsay: Administrative Procedure Act.

[1 Witkin Cal. Evid. 4th Introduction § 69](#), Administrative Procedure Act.

[9 Witkin Cal. Proc. 5th Administrative Proceedings § 111](#), Evidence.

NOTES OF DECISIONS

Admissibility as hearsay [2](#)
Admissibility, generally [1](#)
Copy and notice [4](#)
Evidence, weight of [3](#)
Failure to object to admission [7](#)
Failure to produce affiant for cross-examination [6](#)
Failure to provide copy [4](#)
Failure to request cross-examination [5](#)
Hearsay, admissibility [2](#)
Production of affiant for cross-examination [6](#)
Request for cross-examination [5](#)
Waiver [7](#)
Weight accorded affidavit [3](#)

[1](#). Admissibility, generally

Under this section and § 11510, if the insurance department offers an affidavit and the applicant or licensee requests the right to cross-examine the affiant, the department need not produce the affiant for cross-examination before the affidavit can be entered into evidence, notwithstanding the witness resides outside the county of the hearing and at a distance of more than 100 miles, as set forth in § 11510(b). 6 Op.Atty.Gen. 219 (1945).

[2](#). Admissibility as hearsay

Provision of Government Code which sets out procedure for using affidavits in lieu of direct testimony in proceedings governed by Administrative Procedure Act (APA) creates special further exception to hearsay rule for administrative proceedings and was obviously not intended to restrict admission in administrative proceedings of evidence falling within other exceptions to hearsay rule. [Poland v. Department of Motor Vehicles \(App. 1 Dist. 1995\) 40 Cal.Rptr.2d 693, 34 Cal.App.4th 1128](#). [Administrative Law And Procedure](#)  [461](#)

Provision of Government Code which sets out procedure for using affidavits in lieu of direct testimony in proceedings governed by Administrative Procedure Act (APA) was irrelevant to admission of report of breath test admitted in license suspension hearing for motorist arrested for driving under influence where report was independently admissible under exception to hearsay rule for public records. [Poland v. Department of Motor Vehicles \(App. 1 Dist. 1995\) 40 Cal.Rptr.2d 693, 34 Cal.App.4th 1128](#). [Automobiles](#)  [411](#)

[3](#). Weight accorded affidavit

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Statute pursuant to which affidavit may be introduced in evidence but may be given only same effect as other hearsay evidence if opportunity to cross-examine affiant is not afforded after proper request did not affect evidentiary weight to be accorded to laboratory report of blood test results in administrative license suspension proceeding, even though motor vehicle department failed to produce blood test analyst pursuant to motorist's purported request; weight to be accorded report depended on whether it would be admissible over objection in civil action. [Monaghan v. Department of Motor Vehicles \(App. 1 Dist. 1995\) 42 Cal.Rptr.2d 167, 35 Cal.App.4th 1621. Automobiles 144.2\(10.2\)](#)

For agencies under the Administrative Procedure Act, affidavits may serve as direct evidence if no request to cross-examine is made. [Windigo Mills v. California Unemployment Ins. Appeals Bd. \(App. 5 Dist. 1979\) 155 Cal.Rptr. 63, 92 Cal.App.3d 586. Administrative Law And Procedure 462](#)

Under this section and [Government Code § 11510](#), where an affidavit is offered in evidence by the licensee or applicant and prior to the submission of the case for decision, and the presenting deputy of the department so requests, the licensee or applicant need not produce the affiant for cross-examination, but the affidavit remains subject to the limitations imposed by § 11513(c) and would in itself be insufficient to support a finding, notwithstanding that affiant may be beyond the range of subpoena under § 11510(b). 6 Op.Atty.Gen. 219 (1945).

4. Failure to provide copy

Admission, in license suspension proceeding, of expert's declaration, which asserted that licensee's blood may have fermented, resulting in inaccurate blood alcohol content determination, was erroneous, given licensee's failure to provide Department of Motor Vehicles (DMV) with copy of declaration prior to hearing, so as to give DMV opportunity to cross-examine expert, as statutorily required. [McNary v. Department of Motor Vehicles \(App. 4 Dist. 1996\) 53 Cal.Rptr.2d 55, 45 Cal.App.4th 688. Automobiles 144.2\(9.7\); Automobiles 425](#)

5. Failure to request cross-examination

Motorist subject to administrative per se order based on blood test allegedly revealing blood alcohol concentration of at least .08% did not adequately invoke procedures for subpoenaing blood alcohol analyst such that suspension had to be set aside due to failure by motor vehicle department to produce analyst; motorist's letter to department merely demanded affidavits that department intended to use, asserted motorist's general right of cross-examination, and objected to use of affidavits not timely provided; moreover, even if letter constituted request for issuance of subpoenas, motorist took no further steps to secure analyst's attendance and never asked hearing officer to either continue hearing or to issue subpoena. [Monaghan v. Department of Motor Vehicles \(App. 1 Dist. 1995\) 42 Cal.Rptr.2d 167, 35 Cal.App.4th 1621. Automobiles 144.2\(9.5\)](#)

Where automobile dealer did not exercise its right to demand the opportunity to cross-examine witnesses whose affidavits were admitted in evidence in proceeding challenging the revocation of the dealer's new car dealer's license, the dealer was not entitled to complain on appeal that it was deprived of any right by the admission of the affidavits into evidence. [Park Motors, Inc. v. Director, Dept. of Motor Vehicles \(App. 3 Dist. 1975\) 122 Cal.Rptr. 337, 49 Cal.App.3d 12. Mandamus 187.4](#)

6. Failure to produce affiant for cross-examination

Statute, pursuant to which affidavit may be introduced in evidence but may be given only same effect as other hearsay evidence if opportunity to cross-examine affiant is not afforded after proper request, could not serve as basis for ordering motor vehicle department to produce blood test analyst at administrative hearing on suspension of motorist's license based on his blood alcohol concentration; statute did not impose burden or obligation of producing affiant as witness for cross-examination, but only set forth consequences of failing to satisfy request. [Monaghan v. Department of Motor Vehicles \(App. 1 Dist. 1995\) 42 Cal.Rptr.2d 167, 35 Cal.App.4th 1621. Automobiles 144.2\(9.7\); Au-](#)

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[Automobiles](#)  [422.1](#)

7. Failure to object to admission

Department of Motor Vehicles (DMV) did not waive its objections to admission in license suspension proceeding of expert's affidavit regarding determination of licensee's blood alcohol content when it failed to object at time affidavit was admitted. [McNary v. Department of Motor Vehicles \(App. 4 Dist. 1996\) 53 Cal.Rptr.2d 55, 45 Cal.App.4th 688. Automobiles](#)  [144.2\(2.1\)](#)

West's Ann. Cal. Gov. Code § 11514, CA GOVT § 11514

Current with urgency legislation through Ch. 437 of 2012 Reg.Sess. and all propositions on 2012 ballots.

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Part 30. Special Education Programs [\(Refs & Annos\)](#)
 [Ⓜ] [Chapter 7.2.](#) Special Education Funding [\(Refs & Annos\)](#)
 → [Article 1.](#) Administration [\(Refs & Annos\)](#)

→ [§ 56836. Computation of apportionments](#)

Commencing with the 1998-99 fiscal year and for each fiscal year thereafter, apportionments to special education local plan areas for special education programs operated by, and services provided by, districts, county offices, and special education local plan areas shall be computed pursuant to this chapter.

→ [§ 56836.01. Responsibilities of administrators of special education local plan areas](#)

Commencing with the 1998-99 fiscal year and each fiscal year thereafter, the administrator of each special education local plan area, in accordance with the local plan approved by the board, shall be responsible for the following:

(a) The fiscal administration of the annual budget plan pursuant to [paragraph \(1\) of subdivision \(b\) of Section 56205](#) and annual allocation plan for multidistrict special education local plan areas pursuant to [Section 56836.05](#) for special education programs of school districts and county superintendents of schools composing the special education local plan area.

(b) The allocation of state and federal funds allocated to the special education local plan area for the provision of special education and related services by those entities.

(c) The reporting and accounting requirements prescribed by this part.

→ [§ 56836.02. Apportionments for districts and county offices; regionalized services and program specialists](#)

(a) The superintendent shall apportion funds from Section A of the State School Fund to districts and county offices of education in accordance with the allocation plan adopted pursuant to [Section 56836.05](#), unless the allocation plan specifies that funds be apportioned to the administrative unit of the special education local plan area. If the allocation plan specifies that funds be apportioned to the administrative unit of the special education local plan area, the administrator of the special education local plan area shall, upon receipt, distribute the funds in accordance with the method adopted pursuant to [subdivision \(i\) of Section 56195.7](#). The allocation plan shall, prior to submission to the superintendent, be approved according to the local policymaking process established by the special education local plan area.

(b) The superintendent shall apportion funds for regionalized services and program specialists from Section A of the State School Fund to the administrative unit of each special education local plan area. Upon receipt, the administrator of a special education local plan area shall direct the administrative unit of the special education local plan area to distribute the funds in accordance with the budget plan adopted pursuant to [paragraph \(1\) of subdivision \(b\) of Section 56205](#).

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→ [§ 56836.03. Revised local plans; transition guidelines; division of local plan areas](#)

(a) On or after January 1, 1998, each special education local plan area shall submit a revised local plan. Each special education local plan area shall submit its revised local plan not later than the time it is required to submit its local plan pursuant to [subdivision \(b\) of Section 56100](#) and the revised local plan shall meet the requirements of Chapter 3 (commencing with [Section 56205](#)).

(b) Until the board has approved the revised local plan and the special education local plan area begins to operate under the revised local plan, each special education local plan area shall continue to operate under the programmatic, reporting, and accounting requirements prescribed by the State Department of Education for the purposes of Chapter 7 (commencing with [Section 56700](#)) as that chapter existed on December 31, 1998. The department shall develop transition guidelines, and, as necessary, transition forms, to facilitate a transition from the reporting and accounting methods required for Chapter 7 (commencing with [Section 56700](#)) as that chapter existed on December 31, 1998, and related provisions of this part, to the reporting and accounting methods required for this chapter. Under no circumstances shall the transition guidelines exceed the requirements of the provisions described in paragraphs (1) and (2). The transition guidelines shall, at a minimum, do the following:

(1) Describe the method for accounting for the instructional service personnel units and caseloads, as required by Chapter 7 (commencing with [Section 56700](#)) as that chapter existed on December 31, 1998.

(2) Describe the accounting that is required to be made, if any, for the purposes of [Sections 56030](#), [56140](#), [56156.4](#), [56361.5](#), [56362](#), [56363.3](#), [56366.2](#), [56366.3](#), [56441.5](#), and [56441.7](#).

(c) Commencing with the 1997-98 fiscal year, through and including the fiscal year in which equalization among special education local plan areas has been achieved, the board shall not approve any proposal to divide a special education local plan area into two or more units, unless the division has no net impact on state costs for special education; provided, however, that the board may approve a proposal that was initially submitted to the department prior to January 1, 1997.

→ [§ 56836.04. Monitoring and review of special education programs; assurance of proper expenditures](#)

(a) The Superintendent continuously shall monitor and review all special education programs approved under this part to ensure that all funds appropriated to special education local plan areas under this part are expended for the purposes intended.

(b) Funds apportioned to special education local plan areas pursuant to this chapter are to assist local educational agencies to provide special education and related services to individuals with exceptional needs and shall be expended exclusively for programs operated under this part.

→ [§ 56836.05. Time for apportionments; multidistrict areas; changes in administrative units](#)

(a) Apportionments made under this part shall be made by the superintendent as early as practicable in the fiscal year. Upon order of the superintendent, the Controller shall draw warrants upon the money appropriated, in favor of the eligible special education local plan areas.

(b) If the special education local plan area is a multidistrict special education local plan area, and the approved allocation plan does not specify that funds will be apportioned to the special education local plan area administrative unit, the special education local plan area shall submit to the superintendent an annual allocation plan to allocate funds received in accordance with this chapter among the local educational agencies within the special education

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local plan area. The annual allocation plan may be revised during any fiscal year, and these revisions may be submitted to the superintendent as amendments. The amendments shall, prior to submission to the superintendent, be approved according to the policymaking process established by the special education local plan area.

(c) If funds are apportioned to a special education local plan area administrative unit in the 1998-99 fiscal year and the special education local plan area administrative unit is changed in the 1998-99 fiscal year or thereafter, monthly payments shall be made according to the schedule in [paragraph \(2\) of subdivision \(a\) of Section 14041](#) unless all local educational agencies are on the same schedule. If all local educational agencies are on the same schedule, the appropriate schedule in [paragraph \(2\), \(7\), or \(8\) of subdivision \(a\) of Section 14041](#) shall apply.

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Part 30. Special Education Programs [\(Refs & Annos\)](#)
 [Ⓜ] [Chapter 7.2.](#) Special Education Funding [\(Refs & Annos\)](#)
 → [Article 2.](#) Computation of Apportionments [\(Refs & Annos\)](#)
→ [§ 56836.06. Definitions](#)

For the purposes of this article, the following terms or phrases shall have the following meanings, unless the context clearly requires otherwise:

- (a) "Average daily attendance reported for the special education local plan area" means the total of the following:
- (1) The total number of units of average daily attendance reported for the second principal apportionment pursuant to [Section 41601](#) for all pupils enrolled in the district or districts that are a part of the special education local plan area.
 - (2) The total number of units of average daily attendance reported pursuant to [subdivisions \(a\) and \(b\) of Section 41601](#) for all pupils enrolled in schools operated by the county office or offices that compose the special education local plan area, or for those county offices that are a part of more than one special education local plan area, that portion of the average daily attendance of pupils enrolled in the schools operated by the county office that are under the jurisdiction of the special education local plan area.
- (b) For the purposes of computing apportionments pursuant to this chapter for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the term "average daily attendance" shall mean the total number of units of average daily attendance reported for the second principal apportionment pursuant to [subdivisions \(a\) and \(b\) of Section 41601](#) for all pupils enrolled in districts within Los Angeles County and all schools operated by the Los Angeles County Office of Education and the districts within Los Angeles County.
- (c) "Special education local plan area" includes the school district or districts and county office or offices of education composing the special education local plan area.
- (d) "The fiscal year in which equalization among special education local plan areas has been achieved" means the first fiscal year in which each special education local plan area is funded at or above the statewide target amount per unit of average daily attendance, as computed pursuant to [Section 56836.11](#).
- (e) For a charter school deemed a local educational agency for the purposes of special education, an amount equal to the amount computed pursuant to [Section 56836.08](#) for the special education local plan area in which the charter school is included shall be apportioned by the State Department of Education pursuant to the local allocation plan developed pursuant to [subdivision \(i\) of Section 56195.7](#) or 56836.05, or both. If the charter school is a participant in a local plan which only includes other charter schools pursuant to [subdivision \(f\) of Section 56195.1](#), the amount computed pursuant to [Section 56836.11](#), as adjusted for any amount for which the special education local plan area is eligible pursuant to the incidence multiplier set forth in [Section 56836.155](#), shall be apportioned by the depart-

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ment pursuant to each unit of average daily attendance reported pursuant to subdivision (a).

→ **[§ 56836.07. Allocation of funds for the special education local plan area under section 56331; proportionate share to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area](#)**

For the 2004-05 fiscal year and each fiscal year thereafter for which there is an appropriation in the annual Budget Act for this purpose, the Superintendent shall allocate funds per unit of average daily attendance, as defined in [Section 56836.06](#), reported for the special education local plan area to a special education local plan area for the purposes of [Section 56331](#). For the 2004-05 fiscal year and each fiscal year thereafter for which there is an appropriation in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area based on the ratio of the amount per unit of average daily attendance determined pursuant to [Section 56836.10](#) to the amount of the statewide target per unit of average daily attendance determined pursuant to [Section 56836.11](#).

→ **[§ 56836.08. Computations to determine funding for each local plan area; general fund moneys](#)**

(a) For the 1998-99 fiscal year, the superintendent shall make the following computations to determine the amount of funding for each special education local plan area:

(1) Add the amount of funding per unit of average daily attendance computed for the special education local plan area pursuant to [paragraph \(1\) of subdivision \(a\) of Section 56836.10](#) to the inflation adjustment computed pursuant to subdivision (d) for the 1998-99 fiscal year.

(2) Multiply the amount computed in paragraph (1) by the units of average daily attendance reported for the special education local plan area for the 1997-98 fiscal year, exclusive of average daily attendance for absences excused pursuant to [subdivision \(b\) of Section 46010](#), as that subdivision read on July 1, 1996.

(3) Add the actual amount of the equalization adjustment, if any, computed for the 1998-99 fiscal year pursuant to [Section 56836.14](#) to the amount computed in paragraph (2).

(4) Add or subtract, as appropriate, the adjustment for growth computed pursuant to [Section 56836.15](#) from the amount computed in paragraph (3).

(b) For the 1999-2000 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the amount of funding for each special education local plan area for the fiscal year in which the computation is made:

(1) Add the amount of funding per unit of average daily attendance computed for the special education local plan area for the prior fiscal year pursuant to [Section 56836.10](#) to the inflation adjustment computed pursuant to subdivision (d) for the fiscal year in which the computation is made.

(2) Multiply the amount computed in paragraph (1) by the units of average daily attendance reported for the special education local plan area for the prior fiscal year.

(3) Add the actual amount of the equalization adjustment, if any, computed for the special education local plan area for the fiscal year in which the computation is made pursuant to [Section 56836.14](#) to the amount computed in paragraph (2).

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(4) Add or subtract, as appropriate, the adjustment for growth or decline in enrollment, if any, computed for the special education local plan area for the fiscal year in which the computation is made pursuant to [Section 56836.15](#) from the amount computed in paragraph (3).

(c) For the 1998-99 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the amount of General Fund moneys that the special education local plan area may claim:

(1) Add the total of the amount of property taxes for the special education local plan area pursuant to [Section 2572](#) for the fiscal year in which the computation is made to the amount of federal funds allocated for the purposes of [paragraph \(1\) of subdivision \(a\) of Section 56836.09](#) for the fiscal year in which the computation is made.

(2) Add the amount of funding computed for the special education local plan area pursuant to subdivision (a) for the 1998-99 fiscal year, and commencing with the 1999-2000 fiscal year and each fiscal year thereafter, the amount computed for the fiscal year in which the computations were made pursuant to subdivision (b) to the amount of funding computed for the special education local plan area pursuant to Article 3 (commencing with [Section 56836.16](#)).

(3) Subtract the sum computed in paragraph (1) from the sum computed in paragraph (2).

(d) For the 1998-99 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the inflation adjustment for the fiscal year in which the computation is made:

(1) For the 1998-99 fiscal year, multiply the sum of the statewide target amount per unit of average daily attendance for special education local plan areas for the 1997-98 fiscal year computed pursuant to [paragraph \(3\) of subdivision \(a\) of Section 56836.11](#) and the amount determined pursuant to [paragraph \(e\) of Section 56836.155](#) for the 1997-98 fiscal year that corresponds to the amount determined pursuant to [paragraph \(1\) of subdivision \(d\) of Section 56836.155](#) by the inflation adjustment computed pursuant to [Section 42238.1](#) for the 1998-99 fiscal year.

(2) For the 1999-2000 fiscal year and each fiscal year thereafter, multiply the sum of the statewide target amount per unit of average daily attendance for special education local plan areas for the prior fiscal year computed pursuant to [Section 56836.11](#) and the amount determined pursuant to [paragraph \(1\) of subdivision \(d\) of Section 56836.155](#) for the prior fiscal year by the inflation adjustment computed pursuant to [Section 42238.1](#) for the fiscal year in which the computation is made.

(3) For the purposes of computing the inflation adjustment for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area for the 1998-99 fiscal year and each fiscal year thereafter, the superintendent shall multiply the amount of funding per unit of average daily attendance computed for that special education local plan area for the prior fiscal year pursuant to [Section 56836.10](#) by the inflation adjustment computed pursuant to [Section 42238.1](#) for the fiscal year in which the computation is being made.

(e) For the 1998-99 fiscal year and each fiscal year thereafter to and including the 2002-03 fiscal year, the superintendent shall perform the calculation set forth in [Section 56836.155](#) to determine the adjusted entitlement for the incidence of disabilities for each special education local plan area, but this amount shall not be used in the next fiscal year to determine the base amount of funding for each special education local plan area for the current fiscal year, except as specified in this article.

→ [§ 56836.09. Computation of funding for 1997-98 fiscal year; base for computation of 1998-99 fiscal year amounts](#)

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For the purpose of computing the amount to apportion to each special education local plan area for the 1998-99 fiscal year, the superintendent shall compute the total amount of funding received by the special education local plan area for the 1997-98 fiscal year as follows:

(a) Add the following amounts that were received for the 1997-98 fiscal year:

(1) The total amount of federal funds apportioned to the special education local plan area pursuant to subdivisions (b) and (h) of the Schedule in Item 6110-161-0890 of Section 2.00 of the Budget Act of 1997 for the purposes of special education for individuals with exceptional needs enrolled in kindergarten and grades 1 to 12, inclusive.

(2) The total amount of property taxes allocated to the special education local plan area pursuant to [Section 2572](#), excluding any property taxes used to fund a program for individuals with exceptional needs younger than three years of age in the special education local plan area for the 1997-98 fiscal year.

(3) The total amount of General Fund moneys allocated to the special education local plan area pursuant to Chapter 7 (commencing with [Section 56700](#)) plus the total amount received for equalization pursuant to Chapter 7.1 (commencing with [Section 56835](#)), as those chapters existed on December 31, 1998.

(4) The total amount of General Fund moneys allocated to another special education local plan area for any pupils with exceptional needs who are served by the other special education local plan area but who are residents of the special education local plan area for which this computation is being made.

(b) Add the following amounts received in the 1997-98 fiscal year:

(1) The total amount determined for the special education local plan area for the purpose of providing nonpublic, nonsectarian school services to licensed children's institutions, foster family homes, residential medical facilities, and other similar facilities for the 1997-98 fiscal year pursuant to Article 3 (commencing with [Section 56836.16](#)).

(2) The total amount of General Fund moneys allocated for any pupils with exceptional needs who are served by the special education local plan area but who do not reside within the boundaries of the special education local plan area.

(3) The total amount of General Fund moneys allocated to the special education local plan area to perform the regionalized operations and services functions listed in Article 6 (commencing with [Section 56836.23](#)) and to provide the direct instructional support of program specialists in accordance with [Section 56368](#).

(4) The total amount of General Fund moneys allocated to the special education local plan area for individuals with exceptional needs younger than three years of age pursuant to Chapter 7 (commencing with [Section 56700](#)), as that chapter existed on December 31, 1998.

(5) The total amount of General Fund moneys allocated to local educational agencies within the special education local plan area pursuant to [Section 56771](#), as that section existed on December 31, 1998, for specialized books, materials, and equipment for pupils with low-incidence disabilities.

(c) Subtract the sum computed in subdivision (b) from the sum computed in subdivision (a).

→ [§ 56836.095. 2001-2002 fiscal year computations](#)

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For the 2001-02 fiscal year, the superintendent shall make the following computations in the following order:

- (a) Calculate and carry out the equalization adjustments authorized pursuant to [Sections 56836.12](#) and [56836.14](#).
- (b) Complete the calculations required to adjust the statewide total average daily attendance pursuant to [Section 56836.156](#), and adjust the statewide target per unit of average daily attendance for the 2001-02 fiscal year in accordance with this calculation.
- (c) Determine and provide the amount of funding required for the special disabilities adjustment pursuant to [Section 56836.155](#).
- (d) Compute and distribute the amount of funding appropriated for increasing the statewide target amount per unit of average daily attendance pursuant to [Section 56836.158](#).
- (e) Compute and provide a permanent adjustment for each special education local plan area pursuant to [Section 56836.159](#).

→ **[§ 56836.10. Amount of funding per unit of average daily attendance; computations](#)**

(a) The superintendent shall make the following computations to determine the amount of funding per unit of average daily attendance for each special education local plan area for the 1998-99 fiscal year:

(1) Divide the amount of funding for the special education local plan area computed for the 1997-98 fiscal year pursuant to [Section 56836.09](#) by the number of units of average daily attendance, exclusive of average daily attendance for absences excused pursuant to [subdivision \(b\) of Section 46010](#) as that subdivision read on July 1, 1997, reported for the special education local plan area for the 1997-98 fiscal year.

(2) Add the amount computed in paragraph (1) to the inflation adjustment computed pursuant to [subdivision \(d\) of Section 56836.08](#) for the 1998-99 fiscal year.

(b) Commencing with the 1999-2000 fiscal year and each fiscal year thereafter, the superintendent shall make the following computations to determine the amount of funding per unit of average daily attendance for each special education local plan area for the fiscal year in which the computation is made:

(1) For the 1999-2000 fiscal year, divide the amount of funding for the special education local plan area computed for the 1998-99 fiscal year pursuant to [subdivision \(a\) of Section 56836.08](#) by the number of units of average daily attendance upon which funding is based pursuant to [subdivision \(a\) of Section 56836.15](#) for the special education local plan area for the 1998-99 fiscal year.

(2) For the 2000-01 fiscal year, and each fiscal year thereafter, divide the amount of funding for the special education local plan area computed for the prior fiscal year pursuant to [subdivision \(b\) of Section 56836.08](#) by the number of units of average daily attendance upon which funding is based pursuant to [subdivision \(a\) of Section 56836.15](#) for the special education local plan area for the prior fiscal year.

→ **[§ 56836.11. Statewide target amount per unit of average daily attendance; computation of equalization and other adjustments for fiscal years](#)**

(a) For the purpose of computing the equalization adjustment for special education local plan areas for the 1998-99 fiscal year, the Superintendent shall make the following computations to determine the statewide target amount per

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unit or average daily attendance for special education local plan areas:

(1) Total the amount of funding computed for each special education local plan area exclusive of the amount of funding computed for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, pursuant to [Section 56836.09](#) for the 1997-98 fiscal year.

(2) Total the number of units of average daily attendance reported for each special education local plan area for the 1997-98 fiscal year, exclusive of average daily attendance for absences excused pursuant to [subdivision \(b\) of Section 46010](#) as that section read on July 1, 1996, and exclusive of the units of average daily attendance computed for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area.

(3) Divide the sum computed in paragraph (1) by the sum computed in paragraph (2) to determine the statewide target amount for the 1997-98 fiscal year.

(4) Add the amount computed in paragraph (3) to the inflation adjustment computed pursuant to [subdivision \(d\) of Section 56836.08](#) for the 1998-99 fiscal year to determine the statewide target amount for the 1998-99 fiscal year.

(b) Commencing with the 1999-2000 fiscal year to the 2004-05 fiscal year, inclusive, to determine the statewide target amount per unit of average daily attendance for special education local plan areas, the Superintendent shall multiply the statewide target amount per unit of average daily attendance computed for the prior fiscal year pursuant to this section by one plus the inflation factor computed pursuant to [subdivision \(b\) of Section 42238.1](#) for the fiscal year in which the computation is made.

(c) Commencing with the 2005-06 fiscal year and each fiscal year thereafter, to determine the statewide target amount per unit of average daily attendance for special education local plan areas for the purpose of computing the incidence multiplier pursuant to [Section 56836.155](#), the Superintendent shall add the statewide target amount per unit of average daily attendance computed for the prior fiscal year for this purpose to the amount computed in paragraph (2) of subdivision (d) or paragraph (2) of subdivision (e), as appropriate.

(d) For the 2005-06 fiscal year, the Superintendent shall make the following computation to determine the statewide target amount per unit of average daily attendance to determine the inflation adjustment pursuant to [paragraph \(2\) of subdivision \(d\) of Section 56836.08](#) and growth pursuant to [subdivision \(c\) of Section 56836.15](#), as follows:

(1) The 2004-05 fiscal year statewide target amount per unit of average daily attendance less the sum of the 2004-05 fiscal year total amount of federal funds apportioned pursuant to Schedule (1) in Item 6110-161-0890 of Section 2.00 of the Budget Act of 2004 for the purposes of special education for individuals with exceptional needs enrolled in kindergarten and grades 1 to 12, inclusive, divided by the total average daily attendance computed for the 2004-05 fiscal year.

(2) Multiply the amount computed in paragraph (1) by the inflation factor computed pursuant to [subdivision \(b\) of Section 42238.1](#) for the fiscal year in which the computation is made.

(3) Add the amounts computed in paragraphs (1) and (2).

(e) Commencing with the 2006-07 fiscal year and each fiscal year thereafter, the Superintendent shall make the following computation to determine the statewide target amount per unit of average daily attendance for special education local plan areas for the purpose of computing the inflation adjustment pursuant to [paragraph \(2\) of subdivision \(d\) of Section 56836.08](#) and growth pursuant to [subdivision \(c\) of Section 56836.15](#):

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- (1) The statewide target amount per unit of average daily attendance computed for the prior fiscal year pursuant to this section.
- (2) Multiply the amount computed in paragraph (1) by the inflation factor computed pursuant to [subdivision \(b\) of Section 42238.1](#) for the fiscal year in which the computation is made.
- (3) Add the amounts computed in paragraphs (1) and (2).

→ **§ 56836.12. Local plan areas with amount per unit of average daily attendance below the statewide target amount; computation of equalization adjustment**

(a) For the purpose of computing the equalization adjustment for special education local plan areas for the 1998-99 fiscal year, the superintendent shall make the following computations to determine the amount that each special education local plan area that has an amount per unit of average daily attendance that is below the statewide target amount per unit of average daily attendance may request as an equalization adjustment:

(1) Subtract the amount per unit of average daily attendance computed for the special education local plan area pursuant to [subdivision \(a\) of Section 56836.10](#) from the statewide target amount per unit of average daily attendance determined pursuant to [subdivision \(a\) of Section 56836.11](#).

(2) If the remainder computed in paragraph (1) is greater than zero, multiply that remainder by the number of units of average daily attendance reported for the special education local plan area for the 1997-98 fiscal year, exclusive of average daily attendance for absences excused pursuant to [subdivision \(b\) of Section 46010](#), as that section read on July 1, 1996.

(b) Commencing with the 1999-2000 fiscal year, through and including the fiscal year in which equalization among the special education local plan areas has been achieved, the superintendent shall make the following computations to determine the amount that each special education local plan area that has an amount per unit of average daily attendance that is below the statewide target amount per unit of average daily attendance may request as an equalization adjustment:

(1) Add to the amount per unit of average daily attendance computed for the special education local plan area pursuant to [subdivision \(b\) of Section 56836.10](#) for the fiscal year in which the computation is made the inflation adjustment computed pursuant to [subdivision \(d\) of Section 56836.08](#) for the fiscal year in which the computation is made.

(2) Subtract the amount computed pursuant to paragraph (1) from the statewide target amount per unit of average daily attendance computed pursuant to [subdivision \(b\) of Section 56836.11](#) for the fiscal year in which the computation is made.

(3) If the remainder computed in paragraph (2) is greater than zero, multiply that remainder by the number of units of average daily attendance reported for the special education local plan area for the prior fiscal year, exclusive of average daily attendance for absences excused pursuant to [subdivision \(b\) of Section 46010](#), as that section read on July 1, 1996.

(c) This section shall not apply to the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area.

<By its own terms, this section does not apply to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area.>

→ **§ 56836.13. Computation of amounts available for making equalization adjustments**

Commencing with the 1998-99 fiscal year, through and including the fiscal year in which equalization among the special education local plan areas has been achieved, the superintendent shall make the following computations to determine the amount available for making equalization adjustments for the fiscal year in which the computation is made:

(a) Subtract the prior fiscal year funds pursuant to [paragraph \(1\) of subdivision \(c\) of Section 56836.08](#) from the current fiscal year funds pursuant to [paragraph \(1\) of subdivision \(c\) of Section 56836.08](#).

(b) The amount of any increase in federal funds computed pursuant to subdivision (a) shall result in a reduction in state general funds computed pursuant to [paragraph \(3\) of subdivision \(c\) of Section 56836.08](#). This is the amount of state general funds that shall be designated in the annual Budget Act for the purpose of [Section 56836.12](#), as augmented by any deficiency appropriation, for the purposes of equalizing funding for special education local plan areas pursuant to this chapter.

(c) Until the actual amount of any increase in federal funds pursuant to subdivision (a) can be determined for the current fiscal year, equalization apportionments pursuant to [Section 56836.12](#) shall be certified based on the authority available in Item 6110-161-0001 of the Budget Act of 1998, or its successor in the annual Budget Act.

→ **§ 56836.14. Local plan areas with amount per unit of average daily attendance below the statewide target amount; computation of actual amount of equalization adjustment**

Commencing with the 1998-99 fiscal year, through and including the fiscal year in which equalization among the special education local plan areas has been achieved, the superintendent shall make the following computations to determine the actual amount of the equalization adjustment for each special education local plan area that has an amount per unit of average daily attendance that is below the statewide target amount per unit of average daily attendance:

(a) Add the amount determined for each special education local plan area pursuant to [Section 56836.12](#) for the fiscal year in which the computation is made to determine the total statewide aggregate amount necessary to fund each special education local plan area at the statewide target amount per unit of average daily attendance for special education local plan areas.

(b) Divide the amount computed in subdivision (a) by the amount computed pursuant to [Section 56836.13](#) to determine the percentage of the total amount of funds necessary to fund each special education local plan area at the statewide target amount per unit of average daily attendance for special education local plan areas that are actually available for that purpose.

(c) To determine the amount to allocate to the special education local plan area for a special education local plan area equalization adjustment, multiply the amount computed for the special education local plan area pursuant to [Section 56836.12](#), if any, by the percentage determined in subdivision (b).

→ **§ 56836.15. Mitigation of effects of declining enrollment**

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(a) In order to mitigate the effects of any declining enrollment, commencing in the 1998-99 fiscal year, and each fiscal year thereafter, the superintendent shall calculate allocations to special education local plan areas based on the average daily attendance reported for the special education local plan area for the fiscal year in which the computation is made or the prior fiscal year, whichever is greater. However, the prior fiscal year average daily attendance reported for the special education local plan area shall be adjusted for any loss or gain of average daily attendance reported for the special education local plan area due to a reorganization or transfer of territory in the special education local plan area.

(b) For the 1998-99 fiscal year only, the prior year average daily attendance used in this section shall be the 1997-98 average daily attendance reported for the special education local plan area, exclusive of average daily attendance for absences excused pursuant to [subdivision \(b\) of Section 46010](#), as that section read on July 1, 1996.

(c) If in the fiscal year for which the computation is made, the number of units of average daily attendance upon which allocations to the special education local plan area are based is greater than the number of units of average daily attendance upon which allocations to the special education local plan area were based in the prior fiscal year, the special education local plan area shall be allocated a growth adjustment equal to the product determined by multiplying the amounts determined under paragraphs (1) and (2).

(1) The statewide target amount per unit of average daily attendance for special education local plan areas determined pursuant to [Section 56836.11](#), added to the amount determined in [paragraph \(1\) of subdivision \(d\) of Section 56836.155](#).

(2) The difference between the number of units of average daily attendance upon which allocations to the special education local plan area are based for the fiscal year in which the computation is made and the number of units of average daily attendance upon which allocations to the special education local plan area were based for the prior fiscal year.

(d) If in the fiscal year for which the computation is made, the number of units of average daily attendance upon which allocations to the special education local plan area are based is less than the number of units of average daily attendance upon which allocations to the special education local plan area were based in the prior fiscal year, the special education local plan area shall receive a funding reduction equal to the product determined by multiplying the amounts determined under paragraphs (1) and (2):

(1) The amount of funding per unit of average daily attendance computed for the special education local plan area for the prior fiscal year.

(2) The difference between the number of units of average daily attendance upon which allocations to the special education local plan area are based for the fiscal year in which the computation is made and the number of units of average daily attendance upon which allocations to the special education local plan area were based for the prior fiscal year.

(e) If, in the fiscal year for which the computation is made, the number of units of average daily attendance upon which the allocations to the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area are based is greater than the number of units of average daily attendance upon which the allocations to that special education local plan area were based in the prior fiscal year, that special education local plan area shall be allocated a growth adjustment equal to the product determined by multiplying the amounts determined under paragraphs (1) and (2).

(1) The amount of funding per unit of average daily attendance computed for the special education local plan area



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for the prior fiscal year pursuant to [Section 56836.10](#) multiplied by one plus the inflation adjustment computed pursuant to [Section 42238.1](#) for the fiscal year in which the computation is being made.

(2) The difference between the number of units of average daily attendance upon which allocations to the special education local plan area are based for the fiscal year in which the computation is made and the number of units of average daily attendance upon which allocations to the special education local plan area were based for the prior fiscal year.

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C

HENRY BOSSERT and EFFIE BOSSERT, Appel-
lants,
v.
SOUTHERN PACIFIC COMPANY (a Corporation),
et al., Respondents.

Supreme Court of California.
S. F. No. 6916.
April 24, 1916.

NEGLIGENCE^o EVIDENCE^o PRIMA FACIE
CASE FOR PLAINTIFF^o APPEAL FROM
JUDGMENT FOR DEFENDANT.

The fact that the plaintiff in an action to recover damages for bodily injuries caused by the defendant's alleged negligence made out a *prima facie* case does not of necessity require the reversal of a judgment for the defendant. The plaintiffs' proof may have been overcome by that of the defense, and in the absence of any showing or claim that it did not, it will be presumed on appeal that the jury decided for the defendant in accordance with the weight of the evidence.

ID.^o MISCONDUCT OF JUDGE^o DISPARAGING
REMARKS TO WITNESS.

Severely disparaging remarks addressed by the judge to a witness produced by the plaintiff as a medical expert, after he had given false testimony as to his medical qualifications, and the court had refused to allow him to testify as an expert, will not warrant a reversal, especially where the plaintiffs fail to point out wherein the verdict is unjust or unsupported by the evidence.

ID.^o INSTRUCTIONS^o PRIOR INJURIES TO
PLAINTIFF.

Where there was evidence tending to show that the plaintiff had received certain injuries long prior to the accident complained of, and was still suffering therefrom, and had received no injury on the occasion mentioned in the complaint, an instruction to the jury "that if they believed that the plaintiff did not receive any injuries at the time of the accident mentioned in the complaint, then it was unimportant whether that accident was caused by the negligence of the defendant or not, and that if they believed any injury

proved to have been sustained by her was sustained prior to the time of the accident alleged in the complaint, and that none of the defendants were responsible for those injuries so sustained by her," they must find for the defendants, does not require the jury to find for the defendant even if they believed that the plaintiff had received the injury complained of and that it was caused by the negligence of the defendant.

APPEAL from a judgment of the Superior Court of Santa Cruz County. Lucas F. Smith, Judge.

The facts are stated in the opinion of the court.

*504 John H. Leonard, for Appellants.

Charles M. Cassin, and James L. Atteridge, for Respondents.

*505 SHAW, J.

The plaintiffs appeal from the judgment. The record was prepared in the mode provided in sections 953a, 953b, and 953c of the Code of Civil Procedure, and is in typewriting.

The first ground urged for reversal is "that plaintiffs made out a *prima facie* case." The plaintiffs do not print in their brief any statement which enables us to ascertain the nature of the action. We learn from the defendants' brief that it was an action to recover damages for bodily injuries alleged to have been caused to Effie Bossert by the negligence of the defendant. The fact that plaintiffs made out a *prima facie* case does not of necessity require a reversal. The proof of plaintiffs may have been overcome by that of the defense. In the absence of any showing or claim that it did not, we will presume that the jury decided for the defendants in accordance with the weight of the evidence.

The plaintiffs called a witness to testify as a physician regarding the nature of the injuries claimed to have been inflicted. On the examination as to his qualifications as an expert witness, he first testified that he was a graduate of the medical college of Miami University, in Ohio. On cross-examination he confessed that this testimony was false, and that he was

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not a graduate of any medical college, or a regular practicing physician of any recognized school of medicine. The court refused to allow him to testify as an expert, and struck out some testimony which he had given before his want of qualifications was disclosed. At the close of the examination regarding his qualifications, the judge asked him if he understood the nature of an oath, and further stated that it would be his duty to call the attention of the grand jury to his testimony, saying to him that he was old enough to know better than to testify in such a way and to attempt to deceive the court and jury. This conduct, it is claimed, was prejudicial to the plaintiffs. It clearly appeared that the witness had given false testimony. The remarks of the court to the witness were not without cause. They were addressed to the witness, not to the jury. It would have been better if the court had not spoken to him during the trial or in the presence of the jury. But the testimony of the witness was properly excluded because it was incompetent. The episode had no real bearing on the case, and was no part of the evidence. The production of such a witness and his egregious*506 failure to qualify may have had some effect to prejudice the jury against the plaintiffs. This, however, was caused by their failure to ascertain the character of their witness and the nature of his testimony, before putting him on the stand. The remarks of the court could have added little, if anything, to the prejudice produced by the plaintiffs themselves. The error, if any, is not sufficient to warrant a reversal, especially in view of the failure of plaintiffs to point out wherein the verdict is unjust or unsupported by the evidence.

It was the province of the court to determine, from the examination as to the witness' qualifications, whether he was competent to testify as an expert. The plaintiffs did not have the right to submit that matter to the jury for their consideration.

In the course of the trial it appeared that Effie Bossert, who was the person injured, had suffered an injury to her spine and other organs many years before. There was evidence tending to prove that she was still suffering from these injuries, and that she had received no injury on the occasion mentioned in the complaint. In this connection the court instructed the jury that if they believed that she did not receive any injuries at the time of the accident to her, in 1910, as claimed in the complaint, then it was unimportant whether that accident was caused by the negligence of

the defendant or not, and that, òif you believe that any injury proved to have been sustained by Effie Bossert was sustained by her at a time prior to September 17, 1910, and that none of the defendants were responsible for those injuries so sustained by her,ö they must find for the defendants. The plaintiffs contend that this instruction required the jury to find for the defendant, even if they believed that she had received the injury complained of, and that it was caused by the negligence of the defendant. We do not think the instruction is susceptible of this meaning. The phrase òif you believe *any injury* proved to have been sustained by Effie Bossert was sustained by her at a time prior to September 17, 1910,ö in the connection in which it was used, required the jury to find that she had not received any injury except such prior injury, before rendering a verdict for the defendants. These are the only points presented in support of the appeal. We find none of them meritorious.

The judgment is affirmed.

Sloss, J., and Lawlor, J., concurred.

Cal. 1916.
Bossert v. Southern Pac. Co.
172 Cal. 504, 157 P. 597

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CHARLES D. CHESNEY, Respondent,
v.
H. L. BYRAM, County Tax Collector, etc., Appellant.

L. A. No. 16484.

Supreme Court of California
April 29, 1940.

HEADNOTES

(1) Constitutional Law--Self-execution--Rule.

A constitutional provision may be said to be self-executing if it supplies a sufficient rule by means of which the right given may be enjoyed and protected, or the duty imposed may be enforced.

(2) Taxation--Military Service--Exemptions--Constitutional Law.

Section 1 1/4, article XIII, of the Constitution of California, providing certain tax exemptions for those who have served in the army, navy, marine corps or revenue marine service in time of war, is self-executing, that is, it required no legislative enactment to put it into effect.

(3) Taxation--Claim of Exemption--Regulations.

Notwithstanding the fact that section 1 1/4, article XIII, of the state Constitution is self-executing, the legislature had power to enact legislation providing reasonable regulations for the exercise of the right to the exemptions granted therein.

(4) Taxation--Claim of Exemption--Section 3612, Political Code--Statutory Construction.

Section 3612 of the Political Code does not impose an unreasonable restriction or limitation upon the exercise of the right to exemption granted by section 1 1/4 of article XIII of the Constitution in requiring a claimant to make a claim of exemption provided for in said constitutional provision.

See 24 **Cal. Jur.** 106.

(5) Taxation--Constitutional Right--Waiver.

Section 3612 of the Political Code establishes a uniform system throughout the state for those desiring to claim the exemption granted under section 1 1/4 of article XIII of the Constitution; and a right granted by

the Constitution may be waived by the inaction of the person entitled to exercise such right.

SUMMARY

APPEAL from a judgment of the Superior Court of Los Angeles County. Emmet H. Wilson, Judge. Reversed.

The facts are stated in the opinion of the court.

COUNSEL

Everett W. Mattoon, County Counsel, J. H. O'Connor, County Counsel, and Gordon Boller, Deputy County Counsel, for Appellant. *461

Holbrook & Tarr and W. Sumner Holbrook, Jr., for Respondent.

Bernard C. Brennan, as *Amici Curiae*, on Behalf of Respondent.

CARTER, J.

This is an appeal from a judgment of the Superior Court of Los Angeles County granting a writ of mandate against appellant, H. L. Byram, tax collector of the county of Los Angeles, compelling him to receive the sum of \$21.84 as the full amount of taxes due on the real property of respondent for the fiscal year 1936-37, in lieu of taxes in the sum of \$67 levied upon and extended against said property on the assessment roll of said county for said year.

Respondent's property was assessed by the Los Angeles County assessor for the fiscal year 1936-37 at the value of \$1350. He claims an exemption in the amount of \$1,000, by reason of his being a veteran within the meaning of section 1 1/4 of article XIII of the Constitution of California. He tendered payment to the appellant of taxes based upon the valuation of \$350, which tender was refused. Respondent then secured a writ of mandate compelling appellant to accept the amount tendered and to issue a receipt in full for respondent's taxes.

The provision of the Constitution above referred to reads as follows:

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öThe property to the amount of one thousand dollars of every resident of this state who has served in the army, navy, marine corps or revenue marine service of the United States in time of war, and received an honorable discharge therefrom, ... shall be exempt from taxation; provided, this exemption shall not apply to any person named herein owning property of the value of five thousand dollars or more, or where the wife of such soldier or sailor owns property of the value of five thousand dollars or more. No exemption shall be made under the provisions of this act of the property of a person who is not a legal resident of the state.ö

Section 3612 of the Political Code provides that every person entitled to such exemption from taxation shall give to the assessor under oath all information required upon forms prescribed by the State Board of Equalization and failure *462 of any person entitled to such exemption so to do shall be deemed as a waiver of such exemption.

The allegations of the petition for a writ of mandate bring respondent within the constitutional provision for exemption, to wit: that he is and was during the fiscal year 1936-37, a resident of California, that he served in the marine corps of the United States during the world war and received an honorable discharge therefrom, that he is married, that neither he nor his wife nor the two together owned property greater than \$5,000 in value, and that in 1936 he furnished a copy of his honorable discharge to the county assessor. Respondent further alleged that at no time did he file an application for exemption or any affidavit as required by section 3612 of the Political Code.

The appellant, tax collector of the county of Los Angeles, contends that the failure of respondent herein to make the exemption claim required by Political Code section 3612 constituted a waiver of said exemption. The respondent, however, maintains his right thereto, claiming that the provision in said section, that a veteran having failed to make proof of his constitutional right to exemption prior to completion of the assessment roll öwaivesö such exemption, is unconstitutional and void, as being an invalid statutory ölimitationö on such constitutional right.

The sole question then before this court is whether the waiver provision of section 3612 of the

Political Code is an invalid infringement upon a constitutional right, or is a valid legislative provision regulating the exercise or assertion thereof.

Respondent contends that section 1 1/4 of article XIII of the Constitution is self-executing and that section 3612 of the Political Code is an attempt to limit the constitutional right to exemption from taxation granted to veterans under said provision of the Constitution. It has been held that:

(1) öA constitutional provision may be said to be self-executing if it supplies a sufficient rule by means of which the right given may be enjoyed and protected, or the duty imposed may be enforced.ö (Cooley's Constitutional Limitations, 7th ed., p. 121; [Winchester v. Howard](#), 136 Cal. 432, 439 [64 Pac. 692, 69 Pac. 77, 89 Am. St. Rep. 153]; [People v. Hoge](#), 55 Cal. 612.) *463

(2) We are disposed to hold that the constitutional provision above-mentioned is self-executing; that is, that it required no legislative enactment to put it into effect. If the legislature had failed to make any provision for a veteran to avail himself of the tax exemption provided for in said provision of the Constitution, we are of the opinion that the veteran would nevertheless be entitled to the exemption provided for. How such exemption could be obtained, would be a matter first for the determination of the assessors of the respective political subdivisions, and in case of their failure to recognize the right granted to the veteran, their action would be subject to review by the courts. (3) However, it does not follow from the determination that the above-mentioned constitutional provision is self-executing, that the legislature did not have the power to enact legislation providing reasonable regulation for the exercise of the right to the exemption granted by the Constitution, and if section 3612 of the Political Code constitutes such reasonable regulation and not an invalid limitation of the right thereby granted, the power of the legislature to enact said section should be upheld. ([Chester v. Hall](#), 55 Cal. App. 611 [204 Pac. 237]; [First M. E. Church v. Los Angeles County](#), 204 Cal. 201 [267 Pac. 703].)

In the case of *Chester v. Hall*, *supra*, the court held that the requirement of section 1083a of the Political Code that the signer of a petition for a county charter election shall affix thereto the date of such signing is not void as making an additional require-

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ment to the self-executing character of section 1 1/2 of article XI of the Constitution, since it in no manner prevents any person from signing but merely facilitates the operation of the constitutional provision and places a safeguard around the exercise of the rights thereby secured.

In that case the court said:

“It is clear that the constitutional provision in question is self-executing, but it does not follow that legislation may not be enacted to facilitate its operation and place safeguards around the exercise of the rights thereby secured so long as the right itself is not curtailed or its exercise unreasonably burdened. Legislation may be desirable, by way of providing convenient remedies for the protection of the right secured, or of regulating the claim of the right so that its *464 exact limits may be known and understood; but all such legislation must be subordinate to the constitutional provision, and in furtherance of its purpose, and must not in any particular attempt to narrow or embarrass it.’ Cooley’s Constitutional Limitations, 7th ed., p. 122. See, also, Welch v. Williams, 96 Cal. 365 [31 Pac. 222]; State v. Hooker, 22 Okl. 712 [98 Pac. 964]; City of Pond Creek v. Haskell, 21 Okl. 711 [97 Pac. 338]; Stevens v. Benson, 50 Or. 269 [91 Pac. 577]; State v. Superior Court, 81 Wash. 623 [Ann. Cas. 1916B, 838, 143 Pac. 461]. The requirement of section 1083a of the Political Code that the signer of a petition shall ‘affix thereto the date of such signing’ in no manner prevents any person from signing or places an undue burden on the exercise of the right. The Constitution prescribed the qualifications of electors and provides that all persons having such qualifications ‘shall be entitled to vote at all elections’. The Constitution makes no provision for the registration of electors, yet registration laws have always been upheld as reasonable regulations by the legislature for the purpose of ascertaining who are qualified electors and preventing illegal voting.”

In the case of *First M. E. Church v. Los Angeles County*, *supra*, this court while declining to pass upon the question of whether or not section 1 1/2 of article XIII of the Constitution of California is self-executing, made this comment with respect to legislation enacted for the purpose of facilitating the operation of a self-executing provision of the Constitution:

“It may be assumed as argued by respondent, that

even though a constitutional provision is self-executing, the legislature may, and in many instances must, enact legislation to facilitate its operation, and to provide convenient remedies for the protection of the right established, and for the determination thereof and the regulation of claims thereto. Such legislation must be in furtherance of the purposes of the constitutional provisions, but if so, it is valid and enforceable. The last provision of section 3611 is, we think, such a law. It is regulatory, and places no unreasonable burden upon those entitled under section 1 1/2 of article XIII of the Constitution to tax exemption. It creates no hardship to require of a property owner that he file an affidavit showing that the property claimed to be exempt is used solely *465 for religious worship, that it is required for the convenient use and occupation of the building upon the premises, and that the same is not rented for such purposes and rent received by the owner therefor.”

(4) We are not impressed with the argument advanced by respondent to the effect that the provisions of section 3612 of the Political Code imposes an unreasonable restriction or limitation upon the exercise of the right to the exemption granted by the constitutional provision above mentioned. On the other hand, it appears to us reasonable and proper that some method should be provided by the legislature for the determination of those who may be entitled to the exemption provided for in the Constitution. It is obvious that the burden should be upon the person claiming the exemption to establish his right thereto. The method provided for under section 3612 of the Political Code is a simple one and is available to all who desire to claim the exemption provided for under the above-mentioned provision of the Constitution; in fact, it would be much easier and simpler for a person claiming such exemption to comply with the provisions of section 3612 of the Political Code than to resort to the procedure followed by respondent in this case, even if the tax collector had complied with respondent’s request to accept the sum of \$21.84 in full payment of the taxes due from respondent, and the latter had not been required to institute this action.

It has been uniformly held that the legislature has the power to enact statutes providing for reasonable regulation and control of rights granted under constitutional provisions. (Bergevin v. Curtz, 127 Cal. 86 [59 Pac. 312]; Chester v. Hall, *supra*; Crescent Wharf etc. Co. v. Los Angeles, 207 Cal. 430 [278 Pac. 1028];

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Western Sun Co. v. City of San Diego, 181 Cal. 696 [186 Pac. 345]; *Bancroft v. City of San Diego*, 120 Cal. 432 [52 Pac. 712]; *Sala v. City of Pasadena*, 162 Cal. 714 [124 Pac. 539]; *Potter v. Ames*, 43 Cal. 75.)

In the case of *Bergevin v. Curtz*, *supra*, this court considered the effect of a statute requiring a citizen to register in order to exercise the voting franchise guaranteed by the Constitution. In discussing the power of the legislature to impose conditions on those entitled to exercise the voting franchise under the Constitution, this court said: *466

“We do not think the legislature, even if it attempted to do so, could add any essential to the constitutional definition of an elector. It is settled by the great weight of authority that the legislature has the power to enact reasonable provisions for the purpose of requiring persons who are electors and who desire to vote to show that they have the necessary qualifications, as by requiring registration, or requiring an affidavit or oath as to qualifications, as a condition precedent to the right of such electors to exercise the privilege of voting. Such provisions do not add to the qualifications required of electors, nor abridge the right of voting, but are only reasonable regulations for the purpose of ascertaining who are qualified electors, and to prevent persons who are not such electors from voting. These regulations must be reasonable and must not conflict with the requirements of the constitution. The legislature has required that all electors, as a condition of the right to vote, shall have their names properly and in due season entered upon the great register of the county. (Pol. Code, sec. 1094.) The section provides that in the register shall be entered the names of the qualified electors of the county, and 'that any elector who has registered and thereafter moved his residence to another precinct in the same county thirty days before an election may have his registration transferred to such other precinct upon his application'. *The legislature has made no attempt to change or add to the qualifications of an elector, but has simply provided a means whereby the elector who is entitled to vote may be known by having his name enrolled upon an authentic list.*”

In the case of *Crescent Wharf etc. Co. v. Los Angeles*, *supra*, this court had before it a case involving the right of a person whose property had been appropriated for public use to compensation for such property in accordance with the provisions of section 14 of article I of the Constitution of California. In that

case it was contended by the plaintiff that its right to recover such compensation could not be abrogated by a charter provision of the city of Los Angeles requiring the presentation of a claim as a condition precedent to the commencement of an action to recover the value of the property appropriated by the city. In answering this contention, this court speaking through the late Mr. Justice Seawell said: *467

“All that the framers of the Constitution meant to do was to protect the citizen in his ownership of property against the state or its agencies appropriating private property to public uses against the will of the owner without making just compensation for all damages which the owner should sustain by the exercise of governmental power. It was not intended to remove the subject matter beyond the operation of reasonable statutory enactments which affect property rights generally, such as the bar of the statute of limitations.”

Certainly, if the legislature has the power to pass statutes providing reasonable regulations and control over the constitutional right of a citizen to vote and the constitutional right of a citizen to recover compensation for his property which has been appropriated to a public use, it should likewise have the power to enact statutory provisions providing reasonable regulations and control over the exercise of rights granted by the Constitution for the exemption of property from taxation.

In determining the reasonableness of the regulation provided for in section 3612 of the Political Code as applied to the exercise of the right of a veteran to exemption from taxation under section 1 1/4 of article XIII of the Constitution, let us examine the constitutional provision and ascertain to whom it applies and what property is exempted from taxation thereunder. It is obvious that the exemption therein provided for is available to veterans of a particular class, having specific qualifications as to experience, property ownership and residence, to wit: (1) He must be a resident of this state; (2) he must have served in the army, navy, marine corps or revenue marine service of the United States army in time of war; (3) he must have received an honorable discharge; and, (4) neither he nor his wife is the owner of property of the value of \$5,000 or more. If such veteran falls within the classification above-outlined, he is entitled to an exemption from taxation of any property owned by him up to the value

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of \$1,000. It is obvious that before an assessor can determine whether or not a property owner is entitled to an exemption under the above-mentioned provision of the Constitution, it is necessary to obtain sufficient information to enable him to ascertain whether or not such person comes within the classification specified therein. It *468 is likewise obvious that such determination and ascertainment is necessary in order to enable the assessor to make up his assessment roll and determine the value of property within the political subdivision subject to assessment and taxation. Such determination must be made not later than the first of July of each year as the assessment roll is thereupon submitted to the Board of Equalization of the respective political subdivisions and the valuation determined by such board is used as the basis for the tax rate required to raise revenue for the maintenance of the government.

It would seem to be consonant with the establishment of a sound fiscal policy to have all matters of exemption of property from taxation determined not later than July 1st of each year, and it is obvious that this can only be done by the application of a uniform regulation to those who are entitled to exemptions. The legislature undoubtedly had the foregoing considerations in mind in the adoption of section 3612 of the Political Code and similar enactments for the determination of claims for exemption of property from taxation. Such regulations, if reasonable, as those provided for under section 3612 of the Political Code, do not constitute a limitation or restriction upon the constitutional right of the person entitled to the exemption, but simply establishes a rule for the determination of whether or not the right is to be exercised or waived.

(5) The provisions of section 3612 of the Political Code establish a uniform system throughout the state for those desiring to claim the exemption granted by the Constitution under the provisions of section 1 1/4 of article XIII thereof. It amply safeguards the exercise of the right of those entitled to the exemption, facilitates the operation of the system of assessment and taxation now authorized by law, and protects the public against the fraudulent claims of those not entitled to the exemption who may nevertheless assert their claim thereto. Such legislation is clearly not in contravention of the constitutional right to which it relates.

That a right to have property exempted from taxation can be waived, there can be no doubt. Even counsel for respondent in the case at bar concedes that unless appropriate legal proceedings were instituted by the exemption claimant to resist the payment of the tax or the recovery of the tax after *469 the same is paid within the time provided for in the statute of limitation applicable thereto, the exemption claimant would lose his right; in other words, the exemption claimant would waive his right to the exemption by failing to assert his claim in time to have his exemption noted on the assessment roll or by failing to take appropriate action thereafter within the period of time allowed by the statute for the recovery of taxes paid under protest.

It is well settled that a right granted by the Constitution may be waived by the inaction of the person entitled to exercise such right. Probably the most common example of such waiver is disclosed by those cases where a property owner whose property has been taken or damaged for public use fails to avail himself of the remedies provided for by statute to either recover the property so taken or compensation and damages for its taking. It has been repeatedly held that mere inaction on the part of the owner of such property may constitute a waiver of the right to compensation or damages guaranteed to him by section 14 of article I of the Constitution of California. (*Bigelow v. Ballerino*, 111 Cal. 559 [44 Pac. 307]; *Gurnsey v. Northern Cal. Power Co.*, 160 Cal. 699 [117 Pac. 906, 36 L. R. A. (N. S.) 185]; *Sala v. City of Pasadena*, *supra*; *Yonker v. City of San Gabriel*, 23 Cal. App. (2d) 556 [73 Pac. (2d) 623].)

The trial court based its decision in favor of the respondent in this action upon the case of *St. John's Church v. County of Los Angeles*, 5 Cal. App. (2d) 235 [42 Pac. (2d) 1093], wherein it was held that a similar provision of the Constitution (sec. 1 1/2 of art. XIII) exempting church properties from taxation was self-executing, and that no legislation was necessary to achieve its purpose, and that no legislation was permissible that would impair, limit or destroy the rights thereby granted. In the written opinion filed by the learned trial judge in overruling the demurrer in the case at bar, he said:

ōOn the authority of that case (*St. John's Church v. County of Los Angeles*) it must be held that that part of section 3612 of the Political Code which declares

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that failure to make the affidavit and to furnish the evidence therein required operates as a waiver of the constitutional exemption is void by reason of its being in excess of the power of the *470 legislature to impair or destroy the exemption granted by a self-executing provision of the Constitution.

While it may be argued that a different rule should be applied to the legislation relating to the exemption of church property under the above-mentioned provision of the Constitution, it is our conclusion that the same rule should be applied to such legislation as that involved in the case at bar, and we therefore disapprove the holding of the District Court of Appeal in the case of *St. John's Church v. County of Los Angeles, supra*, to the effect that the provision in subdivision 3 of section 3611 of the Political Code that the failure on the part of the person claiming the exemption to make the affidavit mentioned therein should be deemed a waiver of such exemption is ineffective for the reason that it constitutes an attempt by the legislature to limit the exemption provided for in section 1 1/2 of article XIII of the Constitution.

In view of what we have said with respect to the power of the legislature to enact statutes providing for reasonable regulation and control of a constitutional right, we deem it unnecessary to devote further time in this opinion to a discussion of the *St. John's Church* case. We can see no reason why the same rule as to waiver of the right to exemption should not apply to church property as to any other right granted by the Constitution, and we think it is immaterial whether such waiver is the result of the failure of the exemption claimant to comply with the provisions of the statute providing such reasonable regulation or is the result of inaction on the part of such claimant.

The regulation provided for in section 3611 of the Political Code before its amendment in 1929 was held not to be unreasonable in the case of *First M. E. Church v. Los Angeles County, supra*, as appears from the portion of the opinion in said case hereinabove quoted. The 1929 amendment to section 3611 of the Political Code simply provides that the failure of the exemption claimant to make the affidavit required by said section constitutes a waiver of the exemption. From what we have heretofore said with reference to a similar provision contained in section 3612 of the Political Code, this amendment did not transform said section from a reasonable regulation into an invalid

limitation upon the exercise *471 of the constitutional right granted by section 1 1/2 of article XIII of the Constitution.

The basis of the decision of the District Court of Appeal in the *St. John's Church* case appears to be that property subject to exemption from taxation under the provisions of section 1 1/2 of article XIII of the Constitution of California, is not subject to assessment and taxation and that any attempt to place the same on the assessment roll of a political subdivision for the purpose of assessment and taxation is abortive. In the opinion in said case, the court said:

“The basic question is whether or not the property is taxable and while reasonable regulations may be made for the making of preliminary proof and while a failure to comply therewith may subject an owner of such property to the burden of making his proof in a more inconvenient and expensive manner, through an action in court, it cannot confer an authority to tax which has been expressly withheld by the Constitution. The authority to levy such a tax thus withheld cannot be acquired by a statute providing, in effect, that if the owner does not claim the exemption before the assessment roll is completed the tax will be levied.”

The inevitable result to be obtained by the line of reasoning which is the basis of the decision in the *St. John's Church* case must be, that if an owner of property exempt from taxation under the provisions of section 1 1/2 of article XIII of the Constitution would fail to assert a claim of exemption for said property, and the same would be assessed and the taxes thereon become delinquent and the property sold in accordance with the law authorizing the sale of property for delinquent taxes, a purchaser at such delinquent tax sale would not acquire a valid title to the property; in other words, all proceedings in connection with the assessment, levy of taxes and sale of said property would be void. It would therefore follow that the owner of such property could ignore all proceedings instituted by public officials to have said property subjected to assessment, levy and payment of taxes, and would suffer no loss as the result of such inaction or failure to assert a claim of exemption. It is obvious that such a situation would have a detrimental effect upon the administration of the laws providing for the assessment, levy and collection of taxes, and would create a condition of uncertainty with respect to what

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property was available for the purpose of taxation within the respective political subdivisions which have the power to levy and collect taxes for the maintenance of local government.

The opinion of the District Court of Appeal in the St. John's Church case does not discuss the well-settled rules that a right granted under a provision of the Constitution may be waived and that the legislature has the power to enact statutes providing for reasonable regulation and control of a right granted by the Constitution. The application of these rules to the factual situation in said case would have resulted inevitably in the reversal of the judgment rendered therein.

The judgment is reversed with directions to the trial court to enter judgment in favor of appellant denying respondent the relief prayed for in his petition.

Gibson, J., Edmonds, J., Curtis, J., Shenk, J., Waste, C. J., and Houser, J., concurred.
Rehearing denied.

Cal.
Chesney v. Byram
15 Cal.2d 460, 101 P.2d 1106

END OF DOCUMENT



THE PEOPLE, Plaintiff and Respondent,
v.
RICHARD MARCELLUS DAVIS, Defendant and
Appellant.

Crim. No. 7590.

Supreme Court of California
May 26, 1965.

HEADNOTES

(1) Criminal Law § 464--Evidence--Confessions--Admissibility.

In a murder prosecution, defendant's confession and his diagram of the murder scene were inadmissible where, at the time his statement was recorded, he was under arrest, the investigation had focused on him, the purpose of the interrogation was to elicit a confession, and there was no showing that he was allowed to see counsel, that he effectively waived this right, or that he was informed of his right to remain silent.

(2) Criminal Law § 1080(2)--Appeal--Reserving Questions--Evidence-- Admissions.

Where a murder case was tried before the decision in *Escobedo v. Illinois*, 378 U.S. 478 [84 S.Ct. 1758, 12 L.Ed.2d 977], defendant's failure to object to the admission of his confession and his diagram of the murder scene absent advice on his constitutional rights to counsel and to remain silent, does not preclude his raising the question on appeal.

(3) Criminal Law § 1382(27)--Appeal--Reversible Error--Evidence-- Confessions.

Though defendant in a murder prosecution testified to committing the same acts to which he confessed in a statement obtained from him by the police without first advising him of his constitutional rights to counsel and to remain silent, the error in admitting his confession resulted in a miscarriage of justice where his testimony was not only impelled by the erroneous admission of his confession, but the confession also rebutted his defense that he was guilty of no more than second degree murder, making it reasonably probable that a result more favorable to de-

defendant would have been reached absent the error.

(4) Homicide § 118--Evidence--Motion Picture.

Where a motion picture of the victim of a gruesome murder is offered in evidence, the court must determine its admissibility by weighing its probative value against the danger of prejudice. See **Cal.Jur.2d**, Evidence, §§ 226-230; **Am.Jur.**, Homicide (1st ed § 451).

(5) Homicide § 118--Evidence--Documentary Evidence.

In a murder case involving the defense that defendant killed the victim in a heat of passion because he had read notebooks containing notes passed between his wife and the victim which convinced him that they had been practicing Lesbians, it was not an abuse of discretion to refuse to admit the entire notebooks on the ground that the great bulk of the material was irrelevant and immaterial where defendant was allowed to present the passages he considered relevant, as circumstantial evidence of his state of mind.

(6a, 6b, 6c) Criminal Law § 556--Evidence--Expert Witnesses-- Qualifications.

In a murder case where the defense attempted to prove by two psychologists that defendant suffered from a temporary functional psychosis that made him legally insane, and psychiatric experts for the prosecution denied such a disability could exist, the trial court erred in ruling that only one with medical training could testify on the issue.

See **Cal.Jur.2d**, Evidence, § 293; **Am.Jur.**, Evidence (1st ed § 783).

(7) Criminal Law § 556--Evidence--Expert Witnesses--Qualifications.

A witness is qualified to testify about a matter calling for an expert opinion if his peculiar skill, training, or experience enable him to form an opinion that will be useful to the jury. (Code Civ. Proc., § 1870, subd. 9.)

(8) Criminal Law § 558--Evidence--Expert Witnesses--Qualifications.

Though determination of the qualification of a proffered witness is ordinarily within the trial court's discretion, the standards used in the exercise of this discretion, like other questions of law, are subject to review.

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(9) Words and Phrases--öFunctional Disorder.ö

A functional disorder is, by definition, nonorganic and without a biological cause.

(10) Criminal Law § 556--Evidence--Expert Witnesses--Qualifications.

Not all psychologists are competent to give an expert opinion on sanity; whether a psychologist qualifies as an expert on sanity in a particular case depends on the facts of that case, the questions propounded to the witness, and his peculiar qualifications.

SUMMARY

APPEAL, automatically taken under [Pen. Code, § 1239](#), subd. (b), from a judgment of the Superior Court of San Diego County. William P. Mahedy, Judge. Reversed.

Prosecution for murder. Judgment of conviction imposing the death penalty reversed solely on the constitutional ground announced in [People v. Dorado, ante, p. 338 \[42 Cal.Rptr. 169, 398 P.2d 361\]](#).

COUNSEL

J. Perry Langford, under appointment by the Supreme Court, for Defendant and Appellant.

Stanley Mosk and Thomas C. Lynch, Attorneys General, William E. James, Assistant Attorney General, and Norman H. Sokolow, Deputy Attorney General, for Plaintiff and Respondent.

TRAYNOR, C. J.

Defendant killed his victim, Marion Burnett, by pounding her on the head and arms six or more times with a 16 1/2-pound stone. A jury found him guilty of murder of the first degree and sane at the time of the crime, and fixed his penalty at death. This appeal is automatic. ([Pen. Code, § 1239](#), subd. (b).)

Defendant's wife of six months, Dorothy, left him and moved to her mother's house four days before the killing. Defendant had asked her several times to return. She always refused, in part apparently because of her belief that he was having sexual relations with her unmarried friend, Marion. Defendant had admitted to her that he had once engaged in *794 sexual inter-

course with Marion. Dorothy and Marion, however, remained close friends.

On the night of the killing, defendant went to his mother-in-law's home to attempt again to persuade Dorothy to return to him. Dorothy and Marion were there together, but were leaving to go to Marion's home. When Dorothy remarked that he arrived just as Marion was leaving, defendant became angry and left. He walked across the street toward his home, ran after he turned a corner, and headed toward Marion's home. When he arrived at the street on which Marion lived, he crossed the street and picked up a large stone. He recrossed the street and hid behind a hedge near the sidewalk. Several minutes later, Marion appeared alone. Defendant advanced toward her, she turned to face him, and he beat her repeatedly with the stone. He then ran, threw the stone into a bush, and returned to his home to join a game of dominoes. An autopsy revealed that Marion was pregnant when she died.

At the trial on the issue of guilt, the prosecution sought to prove that defendant was guilty of murder in the first degree on the grounds that the killing was premeditated and deliberate and was perpetrated by lying in wait. ([Pen. Code, § 189](#).) The prosecution argued as follows: Defendant regarded Marion as the obstacle to his reconciliation with his wife. He may even have been carrying on an affair with Marion that he wished to terminate, particularly because of Marion's pregnancy. He decided early in the evening to kill Marion, or at least to injure her. When the opportunity arose, he ran ahead of her, secured a weapon, and then waited behind the hedge to attack her.

The defendant testified that he had intercourse with Marion only once, while he was drunk, and had no emission. He denied knowing of her pregnancy before he killed her. He presented a witness who testified that Marion accused the witness of being the father of her expected child. Defendant also testified that he thought both women would pass the hedge on their way to Marion's home. His defense was based on three, interrelated theories:

(1) Defendant claimed that the killing was not premeditated. When he hid behind the hedge, he expected both women to pass and he wanted only to scare or talk to them. When Marion passed alone, defendant emerged from his hiding place. She turned to him and he hid his face behind the stone. He stated,

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or didn't want to hit her at first but I didn't know she couldn't have seen me. I kept thinking ... if I don't *795 she will tell Dorothy that I tried to or something and she might leave me. He then hit Marion on the forehead, she raised her arms in defense and screamed, and he hit her several more times.

(2) Defendant claimed that the killing was committed in a heat of passion. Several days before the killing, he read some notes, passed between Dorothy, Marion, and a third girl in high school the previous year, that convinced him that the girls had been practicing Lesbians. Because Marion and Dorothy were still friendly and were often together, defendant thought their relationship was another reason for Dorothy's leaving him. When Dorothy linked him with Marion on the night of the killing, he became incensed. When he later encountered Marion, he killed her in a heat of passion.

(3) Defendant claimed that he did not have the mental capacity at the time of the killing to premeditate and deliberate. A clinical psychologist, Dr. Robert G. Kaplan, testified that defendant was suffering from a temporary functional psychosis at the time of the killing and was incapable of wilful premeditation and deliberation.

To prove premeditation and deliberation and also to show the circumstances under which the killing was committed, the prosecution introduced a full, corrected, and signed statement made by defendant to the San Diego police. A diagram of the murder scene made by him was also introduced. (1) Defendant was arrested before noon two days after the killing. He was interrogated continuously by various police officers until, at 8 o'clock that evening he made the statement, recorded by a police stenographer, that was introduced against him. He made the diagram the next morning. Since the record does not show what the officers said to defendant and what he said to them before he made the recorded statement, it does not appear at what point the investigation began to focus on him. It is clear, however, that by the time the recorded statement was commenced, the investigation had focused on defendant and the purpose of the interrogation was to elicit a confession. Although defendant talked to his wife several times before making either the statement or the diagram, there was no showing that he was allowed to see counsel, that he had effectively waived his right to counsel, or that he was informed of his

right to remain silent. Under these circumstances the statement and the diagram were inadmissible by virtue of the decision of the United States Supreme Court in *796 Escobedo v. Illinois, 378 U.S. 478 [84 S.Ct. 1758, 12 L.Ed.2d 977]. (People v. Dorado, ante, p. 338 [42 Cal.Rptr. 169, 398 P.2d 361]; People v. Stewart, ante, pp. 571, 576-581 [43 Cal.Rptr. 201, 400 P.2d 97]; People v. Lillock, ante, pp. 618, 621 [43 Cal.Rptr. 699, 401 P.2d 4]; see also Clifton v. United States, 341 F.2d 649; Galarza Cruz v. Delgado, 233 F.Supp. 944; State v. Dufour, R.I. [206 A.2d 82, 85]; State v. Neely, Ore. [398 P.2d 482].) (2)

Moreover, since this case was tried before the Escobedo decision, defendant's failure to object to the admission of the statement and the diagram into evidence does not preclude his raising the question on appeal. (People v. Hillery, ante, pp. 692, 711 [44 Cal.Rptr. 30, 401 P.2d 382] and cases cited.)

(3) It is contended, however, that since defendant took the stand and testified to committing the same acts he confessed to committing in his statement, we should make an exception to the rule that the erroneous admission of a confession into evidence is necessarily prejudicial. (See People v. Dorado, ante, pp. 338, 356-357 [42 Cal.Rptr. 169, 398 P.2d 361]; People v. Stewart, ante, pp. 571, 581 [43 Cal.Rptr. 201, 400 P.2d 97].) When defendant testified, however, the only substantial evidence that had been introduced connecting him with the crime was his statement and diagram. His testimony was therefore impelled by the erroneous admission of that evidence and cannot be segregated therefrom to sustain the judgment. (People v. Dixon, 46 Cal.2d 456, 458 [296 P.2d 557]; People v. Ibarra, 60 Cal.2d 460, 463 [34 Cal.Rptr. 863, 386 P.2d 487]; see also People v. Mickelson, 59 Cal.2d 448, 449 [30 Cal.Rptr. 18, 380 P.2d 658].)

Moreover, defendant's testimony at the trial was substantially less incriminating than his confession to the officers. Defendant testified that he did not lie in wait to harm his victim or his wife but only intended to scare or talk to them and that he decided to hit Marion with the rock only after she appeared alone and recognized him. If believed, this testimony would have supported a finding of second rather than first degree murder, and to rebut it the prosecution relied on evidence of premeditation contained in defendant's

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statement. In questioning defendant the officers were careful to probe for such evidence,^{FN1} and in his argument to the jury *797 the prosecutor stressed its importance to show that the killing was premeditated. He pointed out that "Down at the police station before he talked to a lawyer, before he had time to learn about the differences in penalties between different degrees of murder, manslaughter, he was relatively frank with the police and he said a number of things, which I think should help us figure out—help us to confirm in our opinions the fact that he had planned this, the fact that he had been thinking about it for some time. ... So he admits to the police before he had acquired sophistication of learning that murder isn't just murder, it is of varying degrees and varying types and varying punishments, back then he admits that he began thinking of getting rid of Dorothy and Marion, way back at 7:00 o'clock. ..."

FN1 "Q. To go back to the evening hours of the 4th, you made quite a point of asking your brother-in-law what time it was? A. I didn't ask him what time it was, I asked him was that clock right. Q. What was your reason? A. At the time I was on the verge of thinking of doing it and thinking of going there to play dominoes. Q. What do you mean when you say you were 'thinking of doing it'? A. I mean hitting Marion. I was thinking about the domino game too; they said they would be there around that time. Q. Were you thinking in terms of an alibi? A. Not then, no. Q. Why did you want to hurt Marion? A. Actually, I didn't want to hurt Marion alone. I would hurt Marion or Dorothy or anybody at the time that was with them. ...ö Later, after a rambling, nonresponsive answer to a question, the interview continued: "Q. The original question was _____ A. I know. Q. You are building up to why and when you decided to do this. It has been kind of a long explanation and I wondered if we lost the point. We were up to Tuesday night. A. Around 7:00 I had just come from the park, playing basketball. I got to the record shop on Milbrae and Oceanview. Dorothy was standing out there. Again I asked if she was sure she was coming back. She said she didn't know, maybe. She mentioned Marion again. Q. That you and Marion were having an affair? A. Yes, she still thought I was. She wasn't too sure. I told her it was just one time.

That's when I thought maybe if I could get rid of Dorothy or Marion, or hurt Dorothy or Marion, I could get it off my mind."

Even if we assume that in some cases a testimonial confession can make harmless the erroneous admission of an extrajudicial confession, defendant's testimony in this case did not do so. His testimony was not only impelled by the erroneous admission of the extrajudicial confession, but would have supported a verdict of second degree murder. The erroneously admitted confession rebutted his defense that he was guilty of no more than second degree murder. Whether or not its admission into evidence was necessarily prejudicial, it is reasonably probable that had it been excluded, a result more favorable to defendant would have been reached. Accordingly, the error resulted in a miscarriage of justice. ([Cal. Const., art. VI, § 4 1/2; People v. Watson, 46 Cal.2d 818, 836 \[299 P.2d 245\].](#))

Other questions remain that may arise on retrial.

(4) A motion picture film of the victim at the scene of *798 the killing was admitted over defendant's objection. It appears on the face of the record^{FN2} that the court failed to "weigh" the probative value of the photographs in resolving a material issue as against the danger of prejudice to the defendant through needless arousal of the passions of the jurors." ([People v. Ford, 60 Cal.2d 772, 801 \[36 Cal.Rptr. 620, 388 P.2d 892\].](#)) If the motion picture is offered in evidence on retrial, the court must determine its admissibility by weighing its probative value against the danger of prejudice.

FN2 In ruling on defendant's objection, the court stated: "Well, I viewed [the film] and I feel that while it is not pleasant to look at it is a legal exhibit and it is material for the purposes offered."

(5) The notes that convinced defendant of the homosexuality of his wife and the victim were written in three high school notebooks. Defendant contends that the notebooks should have been admitted in their entirety. Defendant testified that he learned of the girls' homosexual relationship by reading the entire notebooks. Upon request of the prosecution, defendant marked the passages that indicated such a relationship to him. The defense was allowed to read these pas-

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sages to the jury, some 10 passages from various notes were read, and most were reread by defense counsel in his closing argument. The trial court refused, however, to allow the notebooks to be introduced because the great bulk of the material in them was irrelevant and immaterial.

Although the passages read from the notebooks were not used as hearsay, but as circumstantial evidence of defendant's state of mind (see *People v. Marsh*, 58 Cal.2d 732, 737-740 [26 Cal.Rptr. 300, 376 P.2d 300]; 6 Wigmore, Evidence (3d ed.) § 1789; 2 *id.*, § 740), these passages were apparently only a small part of the three notebooks. Defendant was allowed to present whatever passages he considered relevant, and he has not shown that their probative value would be enhanced by reading the rest of the notes. There was therefore no abuse of discretion in refusing to admit the entire notebooks.

At the trial on the issue of sanity, defendant sought to establish that he was suffering from a transitory or temporary functional psychosis at the time of the killing and was insane. Two psychiatrists testified for the prosecution that defendant was sane at the time of the killing and that temporary psychoses are never functional in nature. Dr. Robert G. Kaplan, a clinical psychologist who also testified at the trial on the issue of guilt, testified for the defense that because of a temporary functional psychosis at the time of the killing, *799 defendant could not distinguish between right and wrong and did not know the nature and quality of his act.

(6a) Dr. Richard E. Worthington was also called by the defense. Dr. Worthington testified on *voir dire* that he obtained the degree of Doctor of Philosophy from the University of Chicago in 1940 under the Committee on Human Development, specializing in clinical psychology. Although he took the equivalent of about one year of medical school courses in physiology, neurology, and genetics, he did not attend medical school. He testified that he was "the fastest man to go through the University of Chicago"; he passed from freshman to Ph.D. in four and one-half years by taking three times the normal number of courses. He taught psychology at the University of Chicago and Cornell University, and worked as a psychologist at the Menninger Foundation for two years. He has published articles dealing with a wide range of topics within the field of psychology. He was

certified by the Psychology Examining Committee of the State Board of Medical Examiners in 1958 (see *Bus. & Prof. Code, § 2940* et seq.), and at the time of trial was vice chairman of that committee, which consists of eight members appointed by the Governor. (*Bus. & Prof. Code, § 2910.*) He was engaged in private practice in San Diego primarily in the treatment of emotional disturbances.

Dr. Worthington was excused by the court because of his lack of medical training. The court ruled that only a medical doctor is qualified to testify as an expert on the issue of sanity.^{FN3} *800 Defendant contends that this ruling was erroneous.^{FN4}

FN3 The court's ruling was somewhat ambiguous. After questioning the witness concerning his medical training, the court simply stated: "The witness is not qualified as an expert on the subject of insanity under the rules, as I understand them, and that is it, period. The witness will be excused." During argument on a motion for new trial, the court attempted to clarify its position. "I didn't find, I invite your attention to this, I did not find that a psychologist, as such, would not be qualified and on the case of the other man [Dr. Kaplan] I simply asked the question, in the presence of the jury-to the District Attorney I may have gone so far as to say I had my doubts about his qualifications, and he said he had no objection to that man testifying, so he testified. Now, I still don't think it is proper and you could argue all day and I wouldn't change my ruling. ... Here is a man that comes in, glib of tongue, hasn't had a day's medical training at all and he is going to qualify as an expert on sanity, when a part of the mental condition of legal insanity, as we know it in California, is a medical proposition and I would like to see the Supreme Court tell me I am wrong. There is no use to argue that point any further. I am adamant in my opinion on that." Despite the court's statement that it did not hold that a psychologist as such is not qualified, it apparently based its exclusion of Dr. Worthington on the ground that he did not have sufficient medical training.

FN4 The prosecution did not object to the use

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of Dr. Kaplan because his views had already been presented to the jury at the trial on the issue of guilt. The court, however, made the following comment to the jury on Dr. Kaplan's testimony: "I will just simply instruct the jury that I don't know whether this witness is qualified either, because he holds no license to practice medicine, any kind of medicine in this state, he is not a psychiatrist and he is not licensed as such. ... I may say this to the jury, that a lay person, like we are, may testify as to ... our opinion as to the sanity of an individual if we are acquainted with him and with his habits of life. ..." This comment also raised the question whether only a medical doctor is qualified as an expert on legal sanity.

(7) A witness is qualified to testify about a matter calling for an expert opinion if his peculiar skill, training, or experience enable him to form an opinion that will be useful to the jury. (Code Civ. Proc., § 1870, subd. 9; *Estate of Toomes*, 54 Cal. 509, 514-515 [35 Am.Rep. 82]; *Oakes v. Chapman*, 158 Cal.App.2d 78, 83-84 [322 P.2d 241]; McCormick, Evidence, § 13.) (8) Although the determination of the qualification of a proffered witness is ordinarily within the discretion of the trial court (*People v. Busch*, 56 Cal.2d 868, 878 [16 Cal.Rptr. 898, 366 P.2d 314]; 2 Wigmore, Evidence (3d ed.) § 561), the standards used in the exercise of this discretion, like other questions of law, are subject to review. Recent cases considering the point have held that a qualified psychologist can testify concerning a defendant's mental condition. (*Jenkins v. United States*, 307 F.2d 637, 643-646; *Hidden v. Mutual Life Ins. Co.*, 217 F.2d 818, 821; *People v. Hawthorne*, 293 Mich. 15, 22-26 [291 N.W. 205]; *State v. Padilla*, 66 N.M. 289, 297-299 [347 P.2d 312]; *Watson v. State*, 161 Tex. Crim. 5, 8 [273 S.W.2d 879]; cf. *Carter v. State* (Okla. Crim. App.) 376 P.2d 351, 359- 360. But see *Dobbs v. State*, 191 Ark. 236, 239-242 [85 S.W.2d 694]; cf. *State v. Gibson*, 15 N.J. 384, 391 [105 A.2d 1]. See generally Lassen, *The Psychologist as an Expert Witness*, 50 A.B.A.J. 239; Louisell, *The Psychologist in Today's Legal World*, 39 Minn.L.Rev. 235; Schefflen, *The Psychologist as a Witness*, 32 Pa.B.A.Q. 329.) Many cases have also noted the use of psychologists in criminal cases without objection or comment. (E.g., *People v. Busch*, *supra*, 56 Cal.2d, at p. 875; *People v. McNichol*, 100 Cal.App.2d 554, 558 [224 P.2d 21]; *United States v. Chandler*, 72 F.Supp.

230, 237; see also *People v. Spigno*, 156 Cal.App.2d 279, 288-291 [319 P.2d 458].)

(6b) The defense attempted to prove through two psychologists that defendant was suffering from a temporary *801 functional psychosis at the time of the crime that made him legally insane. The prosecution's psychiatric experts denied that such a disability could exist. Without the psychologists, therefore, defendant could not establish an insanity defense. The alleged disability did not involve a matter of mental illness completely within the realm of a physician. (9) A functional disorder is by definition nonorganic and without a biological cause. (6c) The trial court erred in ruling that only one with medical training could testify on the issue.

(10) It does not follow that all psychologists are competent to give an expert opinion on sanity. Many practicing psychologists are not concerned with problems of abnormal psychology and are not familiar with the clinical branch of their field. A certain level of training and experience is also necessary; one with only an undergraduate interest in psychology who has since pursued other fields would certainly not be qualified to give an expert opinion. (Cf. *People v. Chambers*, 162 Cal.App.2d 215, 219-220 [328 P.2d 236].) Moreover, not all questions relating to legal sanity can be answered by a psychologist. (See 2 Wigmore, Evidence (3d ed.) § 555, p. 634.) The interpretation of an electroencephalogram or the physiological effect of drugs, for example, may be beyond the ken of a psychologist without medical training. Whether a psychologist qualifies as an expert on sanity in a particular case depends on the facts of that case, the questions propounded to the witness, and his peculiar qualifications.

The judgment is reversed.

Peters, J., Tobriner, J., Peek, J., Dooling, J.,^{FN*} concurred.

FN* Retired Associate Justice of the Supreme Court sitting under assignment by the Chairman of the Judicial Council.

SCHAUER, J.^{FN*}

FN* Retired Associate Justice of the Su-

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preme Court sitting under assignment by the
Chairman of the Judicial Council.

Dissenting.

In my view the evidence which was properly presented to the jury amply supports the verdicts as to guilt, sanity, and penalty. It must be recognized, however, that under the present status of relevant law as developed in [Escobedo v. Illinois \(1964\) 378 U.S. 478 \[84 S.Ct. 1758, 12 L.Ed.2d 977\]](#), and [People v. Dorado \(1965\) ante, p. 338 \[42 Cal.Rptr. 169, 398 P.2d 361\]](#) (and made applicable ex post facto in favor of the accused and against the People), the prosecuting attorney, properly under the old law *802 but erroneously under the new, in his argument emphasized the difference between defendant's fact-statements as given before, and those given after, he had conferred with counsel and thereby had acquired sophistication of learning that murder isn't just murder, it is of varying degrees and varying types and varying punishments, ...ö

The old rule looked with favor on ascertaining the truth; the new rule looks with more favor on giving the illiterate an equal opportunity with the literate to falsify to his own advantage. Thus must police and judicial skills in sorting fact from fiction be developed the more; and thus will the practiced discernment of the trial judge-and of penal boards-probably have better opportunity to correctly recognize basic character and act accordingly. The difference between honesty and cupidity should not be overlooked. Enlightened perjury-or the giving of further opportunity to present it-does not appeal to me as a basis for finding a miscarriage of justice. In the circumstances of this case I am not persuaded that the verdict and judgment work a miscarriage of justice. (See [Cal. Const., art. VI, § 4 1/2; People v. Watson \(1956\) 46 Cal.2d 818, 835-836 \[299 P.2d 243\] \[12\].](#))

I must also specifically dissent from the majority's holding that the trial court *erred as a matter of law* in ruling that the witness, Richard E. Worthington, Ph.D. (he had taught psychology and treated emotional disturbances) was not qualified to testify helpfully as an expert witness on any material issue of fact then before the court. A trial judge's discretion in this area should be well-nigh absolute. He is in a position far superior to that of any appellate court to appraise the significance of evidence. An appellate judge can

merely read what a transcriber typed from what a phonographic reporter's notes reflect of what the reporter believed he heard. Perhaps an electronic recording device also recorded on disc or tape the sounds of the courtroom. But human reporter or electronic impression get only sounds; the attentive trial judge sees as well as hears. And as every experienced trial judge knows, that which he sees may well be more truth revealing than that which he hears.

From my reading of the record I cannot conclude that the trial judge in his handling of this case was other than fair, competent, careful, patient and sound in all material rulings, including his denial of a motion for a new trial.

For the reasons above stated I would affirm the judgment.

McComb, J., concurred. *803

Cal.
People v. Davis
62 Cal.2d 791, 402 P.2d 142, 44 Cal.Rptr. 454

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TOPANGA ASSOCIATION FOR A SCENIC
COMMUNITY, Plaintiff and Appellant,

v.

COUNTY OF LOS ANGELES et al., Defendants and
Respondents; JAMES WARREN BASSLER et al.,
Real Parties in Interest and Respondents

L.A. No. 30139.

Supreme Court of California
May 17, 1974.

SUMMARY

In administrative mandamus proceedings, the trial court refused to disturb a variance granted by a county agency permitting a mobile home park on about 28 acres of an area zoned for light agriculture and single family residences. (Superior Court of Los Angeles County, No. C-7268, Robert A. Wenke, Judge.)

The Supreme Court reversed and remanded the cause to the trial court with directions to issue a writ of mandamus requiring the county board of supervisors to vacate the order awarding a variance. The trial court was also directed to grant any further, appropriate relief. It was expressly held that regardless of the terms of a local zoning ordinance, the governing administrative agency, in adjudicating an application for a variance, must make findings such as will enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise the court of the basis of the agency's action. Also, it was held that as a prerequisite to sustaining a variance, the court must determine that substantial evidence supports the agency's findings and that they support the agency's decision. It was pointed out that [Gov. Code, § 65906](#), outlining the circumstances under which a variance may be properly granted, emphasizes disparities between properties, rather than the treatment of the subject property's characteristics in the abstract. The court noted that the agency's report focussed almost exclusively on the qualities of the subject property and failed to provide comparative information on the surrounding properties, with the result that the agency's summary of "factual data," on

which its decision apparently rested, did not include facts sufficient to satisfy the Government Code provision.

In Bank. (Opinion by Tobriner, J., expressing the unanimous view of the court.)

HEADNOTES

Classified to California Digest of Official Reports

(1) Zoning and Planning § 4--Variances--Findings.

Regardless of whether the local zoning ordinance commands that the variance board set forth findings, that body must render findings sufficient both to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis of the board's action.

(2) Zoning and Planning § 4--Variances--Judicial Review.

Before sustaining a zoning variance, a reviewing court must scrutinize the record and determine whether substantial evidence supports the administrative agency's findings and whether these findings support the agency's decision. And in making these determinations, the reviewing court must resolve reasonable doubts in favor of the administrative findings and decision.

(3) Zoning and Planning § 4--Variances--Administrative Mandamus.

[Code Civ. Proc., § 1094.5](#), governing judicial review of administrative agencies' adjudicatory decisions by mandamus, applies to the review of zoning variances awarded by bodies such as the Los Angeles County Regional Planning Commission.

(4) Administrative Law § 139--Administrative Mandamus--Court's Duties.

[Code Civ. Proc., § 1094.5](#), relating to administrative mandamus, contemplates that, at a minimum, the reviewing court must determine both whether substantial evidence supports the administrative agency's findings and whether the findings support the agency's decision.

(5) Administrative Law § 143--Administrative Man-

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mandamus--Record of Administrative Proceeding.

Implicit in [Code Civ. Proc., § 1094.5](#), relating to administrative mandamus, is a requirement that the administrative agency which renders the challenged decision set forth findings to bridge the analytic gap between the raw evidence and the ultimate decision or order.

[See [Cal.Jur.2d](#), Zoning, § 209; [Am.Jur.](#), Zoning (1st ed § 225).]

(6) Zoning and Planning § 4--Findings--Contents.

Although a zoning variance board's findings need not be stated with the formality required in judicial proceedings, they must expose the board's mode of analysis to an extent sufficient to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis for the board's action. (Not approving the language in [Kappadahl v. Alcan Pacific Co.](#) (1963) 222 Cal.App.2d 626, 639 [35 Cal.Rptr. 354]; [Ames v. City of Pasadena](#) (1959) 167 Cal.App.2d 510, 516 [334 P.2d 653], which endorses the practice of setting forth findings solely in the language of the applicable legislation.)

(7) Zoning and Planning § 4--Granting of Variance as Quasi-judicial Administrative Function.

Although the adoption of zoning regulations is a legislative function, the granting of variances is a quasi-judicial, administrative function.

(8) Zoning and Planning § 6(1)--Contractual Nature of Zoning Scheme.

A zoning scheme is similar in some respects to a contract; each party foregoes rights to use its land as it wishes in return for the assurance that the use of neighboring property will be similarly restricted. The rationale is that such mutual restriction can enhance total community welfare.

(9) Zoning and Planning § 4--Variances--Need for Compliance With All Legislative Requirements.

Inasmuch as a zoning variance may be sustained only if all applicable legislative requirements have been satisfied, the question whether a particular variance which had been granted by a county agency conformed to the criteria set forth in an applicable county ordinance became immaterial in the Supreme Court's administrative mandamus review of the variance once that court had concluded that the criteria set forth in [Gov. Code, § 65906](#), for the granting of a variance had not been met.

(10) Zoning and Planning § 4--Variances--Statutory Criteria.

[Gov. Code, § 65906](#), setting forth criteria for the granting of a zoning variance, emphasizes disparities between properties, not treatment of the subject property's characteristics in the abstract, and contemplates that, at best, only a small fraction of any one zone can qualify for a variance.

(11) Zoning and Planning § 4--Variances--Applicant's Burdens.

Speculation about land neighboring on land for which a zoning variance is sought will not support the award of a variance. The party seeking the variance must shoulder the burden of demonstrating to the applicable agency that the subject property satisfies the requirements for the variance sought. Neither the agency nor the reviewing court may assume without evidentiary basis that the character of neighboring property is different from that of the property for which the variance is sought.

(12) Zoning and Planning § 4--Limitations on Granting of Variances.

Radical alteration of the nature of an entire zone is a proper subject for legislation but not for piecemeal adjudication by an administrative agency through the granting of variances for large parcels.

(13) Zoning and Planning § 4--Prohibition of Variance Granting "Special Privilege."

In the absence of an affirmative showing that a particular parcel in a certain zone differed substantially and in relevant aspects from other parcels therein, a variance granted with respect to that parcel amounted to the kind of "special privilege" explicitly prohibited by [Gov. Code, § 65906](#), establishing criteria for granting variances.

COUNSEL

Amdur, Bryson, Caplan & Morton and David L. Caplan for Plaintiff and Appellant.

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Arnold J. Provisor for Real Parties in Interest.

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TOBRINER, J.

We examine, in this case, aspects of the functions served by administrative agencies in the granting of zoning variances and of courts in reviewing these proceedings by means of administrative mandamus. We *510 conclude that variance boards like the ones involved in the present case must render findings to support their ultimate rulings. We also conclude that when called upon to scrutinize a grant of a variance, a reviewing court must determine whether substantial evidence supports the findings of the administrative board and whether the findings support the board's action.^{FN1} We determine in the present case that the last of these requisites has not been fulfilled.

FN1 We recently held in *Strumsky v. San Diego County Employees Retirement Association* (1974) 11 Cal.3d 28 [112 Cal.Rptr. 805, 520 P.2d 29], that if the order or decision of a local administrative agency substantially affects a ðfundamental vested right,ð a court to which a petition for a writ of mandamus has been addressed upon the ground that the evidence does not support the findings must exercise its independent judgment in reviewing the evidence and must find abuse of discretion if the weight of the evidence fails to support the findings. Petitioner does not suggest, nor do we find, that the present case touches upon any fundamental vested right. (See generally *Bixby v. Pierno* (1971) 4 Cal.3d 130, 144-147 [93 Cal.Rptr. 234, 481 P.2d 242]; *Temescal Water Co. v. Dept. Public Works* (1955) 44 Cal.2d 90, 103 [280 P.2d 1].)

The parties in this action dispute the future of approximately 28 acres in Topanga Canyon located in the Santa Barbara Mountains region of Los Angeles County. A county ordinance zones the property for light agriculture and single family residences;^{FN2} it also prescribes a one-acre minimum lot size. Upon recommendation of its zoning board and despite the opposition of appellant-petitioner - an incorporated nonprofit organization composed of taxpayers and owners of real property in the canyon - the Los Angeles County Regional Planning Commission granted to the Topanga Canyon Investment Company a variance to establish a 93-space mobile home park on this acreage.^{FN3} Petitioner appealed without success to the

county board of supervisors, thereby exhausting its administrative remedies. Petitioner then sought relief by means of administrative mandamus, again unsuccessfully, in Los Angeles County Superior Court and the Court of Appeal for the Second District.

FN2 Los Angeles County Zoning Ordinance No. 7276.

FN3 Originally the real party in interest, the Topanga Canyon Investment Company has been replaced by a group of successor real parties in interest. We focus our analysis on the building plans of the original real party in interest since it was upon the basis of these plans that the zoning authorities granted the variance challenged by petitioner.

In reviewing the denial of mandamus below, we first consider the proper role of agency and reviewing court with respect to the grant of variances. We then apply the proper standard of review to the facts of the case in order to determine whether we should sustain the action of the Los Angeles County Regional Planning Commission. *511

1. *An administrative grant of a variance must be accompanied by administrative findings. A court reviewing that grant must determine whether substantial evidence supports the findings and whether the findings support the conclusion that all applicable legislative requirements for a variance have been satisfied.*

A comprehensive zoning plan could affect owners of some parcels unfairly if no means were provided to permit flexibility. Accordingly, in an effort to achieve substantial parity and perhaps also in order to insulate zoning schemes from constitutional attack,^{FN4} our Legislature laid a foundation for the granting of variances. Enacted in 1965, [section 65906 of the Government Code](#) establishes criteria for these grants; it provides: ðVariances from the terms of the zoning ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification [¶] Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limi-

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ations upon other properties in the vicinity and zone in which such property is situated.ö^{FN5}

FN4 1 Appendix to Journal of the Senate (1970 Reg. Sess.) Final Report of the Joint Committee on Open Space Land (1970) pages 94-95; Bowden, *Article XVIII - Opening the Door to Open Space Control* (1970) 1 Pacific L.J. 461, 506. See *Metcalf v. County of Los Angeles* (1944) 24 Cal.2d 267, 270-271 [148 P.2d 645]; Gaylord, *Zoning: Variances, Exceptions and Conditional Use Permits in California* (1958) 5 U.C.L.A. L.Rev. 179; Comment, *The General Welfare, Welfare Economics, and Zoning Variances* (1965) 38 So.Cal.L.Rev. 548, 573. See generally Note, *Administrative Discretion in Zoning* (1969) 82 Harv.L.Rev. 668, 671. The primary constitutional concern is that as applied to a particular land parcel, a zoning regulation might constitute a compensable ötakingö of property.

FN5 A third paragraph added to [section 65906](#) declares: öA variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.ö This paragraph serves to preclude öuseö variances, but apparently does not prohibit so-called öbulkö variances, those which prescribe setbacks, building heights, and the like. The paragraph became effective on November 23, 1970, 19 days after the Los Angeles County Regional Planning Commission granted the variance here at issue. Petitioner does not contend that the paragraph is applicable to the present case.

Applicable to all zoning jurisdictions except chartered cities ([Gov. Code, § 65803](#)), [section 65906](#) may be supplemented by harmonious local legislation.

^{FN6} We note that Los Angeles County has enacted an ordinance which, *512 if harmonious with [section 65906](#), would govern the Topanga Canyon property here under consideration. Los Angeles County's Zoning Ordinance No. 1494, section 522, provides: ^{FN7} öAn exception [variance] may ... be granted where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the

ordinance, and in the granting of such exception the spirit of the ordinance will be observed, public safety secured, and substantial justice done.ö

FN6 [Government Code section 65800](#) declares that the code chapter of which [section 65906](#) is a part is intended to provide minimum limitations within which counties and cities can exercise maximum control over local zoning matters. [Article XI, section 11 of the California Constitution](#) declares that ö[a]ny county, city, town, or township may make and enforce within its limits all such local, police, sanitary and other regulations as are not in conflict with general laws.ö

FN7 This section recently was repealed but was in force when the zoning agencies rendered their decisions in the present case. For purposes of more succinct presentation, we refer in text to the section in the present tense.

Both state and local laws thus were designed to establish requirements which had to be satisfied before the Topanga Canyon Investment Company should have been granted its variance. Although the cases have held that substantial evidence must support the award of a variance in order to insure that such legislative requirements have been satisfied^{FN8} (see, e.g., *Siller v. Board of Supervisors* (1962) 58 Cal.2d 479, 482 [25 Cal.Rptr. 73, 375 P.2d 41]; *Bradbeer v. England* (1951) 104 Cal.App.2d 704, 707 [232 P.2d 308]), they have failed to clarify whether the administrative agency must always set forth findings and have not illuminated the proper relationship between the evidence, findings, and ultimate agency action.^{FN9}

FN8 The rule stated finds its source in authorities holding that all adjudicatory determinations of local agencies are entitled to no more than substantial evidence review. As indicated above (fn. 1, *ante*) those authorities no longer state the law with respect to adjudicatory determinations of such agencies which affect fundamental vested rights. Since no such right is involved in this case, however, the substantial evidence standard remains applicable. We note by way of caution, however, that merely because a case is said to involve a övarianceö does not necessarily dictate a conclusion that no funda-

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mental vested right is involved. The term "variance" is sometimes used, for example, to refer to permits for nonconforming uses which predate a zoning scheme. (See Hagman, Larson, & Martin, Cal. Zoning Practice (Cont. Ed. Bar) pp. 383-384.)

FN9 For descriptions of the history of judicial action in this state with respect to zoning variance grants, see Bowden, *Article XVIII - Opening the Door to Open Space Control* (1970) 1 Pacific L.J. 461, 507-509; 1 Appendix to Journal of the Senate (1970 Reg. Sess.) Final Report of the Joint Committee on Open Space Land (1970) pages 95-98; Hagman, Larson, & Martin, Cal. Zoning Practice, *supra*, pages 287-291.

One of the first decisions to emphasize the importance of judicial scrutiny of the record in order to determine whether substantial evidence supported administrative findings that the property in question met the legislative variance requirements was that penned by Justice Molinari in *513 *Cow Hollow Improvement Club v. Board of Permit Appeals* (1966) 245 Cal. App.2d 160 [53 Cal.Rptr. 610]. Less than one year later, we followed the approach of that case in *Broadway, Laguna etc. Assn. v. Board of Permit Appeals* (1967) 66 Cal.2d 767 [59 Cal.Rptr. 146, 427 P.2d 810], and ordered that a zoning board's grant of a variance be set aside because the party seeking the variance had failed to adduce sufficient evidence to support administrative findings that the evidence satisfied the requisites for a variance set forth in the same San Francisco ordinance.

Understandably, however, the impact of these opinions remained uncertain. The San Francisco ordinance applicable in *Cow Hollow* and *Broadway* explicitly required the zoning board to specify its subsidiary findings and ultimate conclusions; this circumstance raised the question whether a court should require findings and examine their sufficiency in a case in which the applicable local legislation did not explicitly command the administrative body to set forth findings. Indeed language in *Broadway* intimated that such a case was distinguishable. (*Broadway, Laguna etc. Assn. v. Board of Permit Appeals*, *supra*, at pp. 772-773. See also *Stoddard v. Edelman* (1970) 4 Cal.App.3d 544, 549 [84 Cal.Rptr. 443]. Cf. *Friends of Mammoth v. Board of Supervisors* (1972) 8

Cal.3d 247, 270 [104 Cal.Rptr. 761, 502 P.2d 1049].) Further, neither *Cow Hollow* nor *Broadway* confronted [Government Code section 65906](#), since both cases concerned a chartered city.^{FN10} There thus also remained uncertainty with respect to cases involving zoning jurisdictions other than chartered cities.

FN10 See page 511, *ante*.

Nevertheless, in an opinion subsequent to *Broadway*; *Hamilton v. Board of Supervisors* (1969) 269 Cal.App.2d 64 [75 Cal.Rptr. 106], a Court of Appeal set aside the grant of a variance by a planning commission under circumstances different from those in *Broadway* and *Cow Hollow*. The zoning jurisdiction involved in that controversy was a county, not a chartered city, and the court's opinion did not suggest that any applicable ordinance required administrative findings. Deeming [Government Code section 65906](#) "concededly controlling," (*Hamilton v. Board of Supervisors*, *supra*, at p. 67), the court undertook the task of squaring the findings announced by the commission with the commission's grant of the variance and concluded that the findings were insufficient to sustain the variance.

(1) Consistent with the reasoning underlying these cases, we hold that *514 regardless of whether the local ordinance commands that the variance board set forth findings,^{FN11} that body must render findings sufficient both to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis for the board's action. (2) We hold further that a reviewing court, before sustaining the grant of a variance, must scrutinize the record and determine whether substantial evidence supports the administrative agency's findings and whether these findings support the agency's decision. In making these determinations, the reviewing court must resolve reasonable doubts in favor of the administrative findings and decision.

FN11 We note the apparent applicability of section 639 of the Los Angeles County Zoning Ordinance which was in effect at the time respondent granted the variance. That section provided: "After a hearing by a zoning board the said zoning board shall report to the commission its findings and recommend the action which it concludes the

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commission should take.ö As explained in text, however, we rest our ruling upon [Code of Civil Procedure section 1094.5](#).

Our analysis begins with consideration of [Code of Civil Procedure section 1094.5](#), the state's administrative mandamus provision which structures the procedure for judicial review of adjudicatory decisions rendered by administrative agencies. (3) Without doubt, this provision applies to the review of variances awarded by bodies such as the Los Angeles County zoning agencies that participated in the present case.^{FN12} (4) [Section 1094.5](#) clearly contemplates that at minimum, the reviewing court must determine both whether substantial evidence supports the administrative *515 agency's findings and whether the findings support the agency's decision. Subdivision (b) of [section 1094.5](#) prescribes that when petitioned for a writ of mandamus, a court's inquiry should extend, among other issues, to whether öthere was any prejudicial abuse of discretion.ö Subdivision (b) then defines öabuse of discretionö to include instances in which the administrative order or decision öis not supported by the findings, *or* the findings are not supported by the evidence.ö (Italics added.) Subdivision (c) declares that öin all ... casesö (italics added) other than those in which the reviewing court is authorized by law to judge the evidence independently,^{FN13} öabuse of discretion is established if the court determines that the findings are not supported by substantial evidence in the light of the whole record.ö (See [Zakessian v. City of Sausalito \(1972\) 28 Cal.App.3d 794, 798 \[105 Cal.Rptr. 105\].](#))

FN12 [Allen v. Humboldt County Board of Supervisors \(1963\) 220 Cal.App.2d 877, 882 \[34 Cal.Rptr. 232\].](#) See also [Siller v. Board of Supervisors \(1962\) 58 Cal.2d 479, 481 \[25 Cal.Rptr. 73, 375 P.2d 41\].](#) The California Judicial Council's report reflects a clear desire that [section 1094.5](#) apply to all agencies, regardless of whether they are subject to the Administrative Procedure Act and regardless of their state or local character. (See Judicial Council of Cal., 10th Biennial Rep. (1944) pp. 26, 45. See also [Temescal Water Co. v. Dept. Public Works \(1955\) 44 Cal.2d 90, 101 \[280 P.2d 1\];](#) Deering, Cal. Administrative Mandamus (1966) p. 7.) öIn the absence of compelling language in [a] statute to the contrary, it will be assumed that the Legis-

lature adopted the proposed legislation with the intent and meaning expressed by the council in its report.ö ([Hohreiter v. Garrison \(1947\) 81 Cal.App.2d 384, 397 \[184 P.2d 323\].](#))

[Section 1094.5](#) makes administrative mandamus available for review of öany final administrative order or decision made as the result of a proceeding in which *by law* a hearing is required to be given, evidence is required to be taken and discretion in the determination of facts is vested in the inferior tribunal, corporation, board or officer.ö (Italics added.) [Government Code section 65901](#) satisfies these requisites with respect to variances granted by jurisdictions other than chartered cities such as Los Angeles County's zoning agencies. [Section 65901](#) provides, in part: öThe board of zoning adjustment or zoning administrator shall hear and decide applications for conditional uses or other permits when the zoning ordinance provides therefor and establishes criteria for determining such matters, and applications for variances from the terms of the zoning ordinance.ö

FN13 See footnote 1, *supra*.

(5) We further conclude that implicit in [section 1094.5](#) is a requirement that the agency which renders the challenged decision must set forth findings to bridge the analytic gap between the raw evidence and ultimate decision or order. If the Legislature had desired otherwise, it could have declared as a possible basis for issuing mandamus the absence of substantial evidence to support the administrative agency's action. By focusing, instead, upon the relationships between evidence and findings and between findings and ultimate action, the Legislature sought to direct the reviewing court's attention to the analytic route the administrative agency traveled from evidence to action. In so doing, we believe that the Legislature must have contemplated that the agency would reveal this route. Reference, in [section 1094.5](#), to the reviewing court's duty to compare the evidence and ultimate decision to ö*the findings*ö (italics added) we believe leaves no room for the conclusion that the Legislature would have been content to have a reviewing court speculate as to the administrative agency's basis for

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decision.

Our ruling in this regard finds support in persuasive policy considerations. (See generally 2 Davis, Administrative Law Treatise (1958) § 16.05, pp. 444-449; Forkosch, A Treatise on Administrative Law (1956) § 253, pp. 458-464.) According to Professor Kenneth Culp Davis, the requirement that administrative agencies set forth findings to support their adjudicatory decisions stems primarily from judge-made law (see, e.g., *Zieky v. Town Plan and Zon. Com'n of Town of Bloomfield* (1963) 151 Conn. 265 [196 A.2d 758]; *Stoll v. Gulf Oil Corp.* (1958) 79 Ohio L.Abs. 145 [155 N.E.2d 83]), and is "remarkably uniform in both federal and state *516 courts." As stated by the United States Supreme Court, the "accepted ideal ... is that 'the orderly functioning of the process of review requires that the grounds upon which the administrative agency acted be clearly disclosed and adequately sustained.'" (*S.E.C. v. Chenery Corp.* (1943) 318 U.S. 80, 94.) (2 Davis, *supra*, § 16.01, pp. 435-436. See also *Saginaw Broadcasting Co. v. Federal C. Com'n* (1938) 96 F.2d 554, 559 [68 App.D.C. 282].)

Among other functions, a findings requirement serves to conduce the administrative body to draw legally relevant sub-conclusions supportive of its ultimate decision; the intended effect is to facilitate orderly analysis and minimize the likelihood that the agency will randomly leap from evidence to conclusions. (See 2 Cooper, State Administrative Law (1965) pp. 467-468; Feller, *Prospectus for the Further Study of Federal Administrative Law* (1938) 47 Yale L.J. 647, 666. Cf. Comment, *Judicial Control Over Zoning Boards of Appeal: Suggestions for Reform* (1965) 12 U.C.L.A. L.Rev. 937, 952.)^{FN14} In addition, findings enable the reviewing court to trace and examine the agency's mode of analysis. (See *California Motor Transport Co. v. Public Utilities Com.* (1963) 59 Cal.2d 270, 274 [28 Cal.Rptr. 868, 379 P.2d 324]; *Swars v. Council of City of Vallejo* (1949) 33 Cal.2d 867, 871 [206 P.2d 355].)

FN14 Although at first blush, judicial enforcement of a findings requirement would appear to constrict the role of administrative agencies, in reality, the effect could be to the contrary. Because, notes Judge Bazelon, it provides a framework for principled decision-making, a findings requirement serves

to "diminish the importance of judicial review by enhancing the integrity of the administrative process." (*Environmental Defense Fund, Inc. v. Ruckelshaus* (D.C.Cir. 1971) 439 F.2d 584, 598.) By exposing the administrative agency's mode of analysis, findings help to constrict and define the scope of the judicial function. "We must know what [an administrative] decision means," observed Mr. Justice Cardozo, "before the duty becomes ours to say whether it is right or wrong." (*United States v. Chicago, Milwaukee, St. Paul & Pacific Railroad Co.* (1935) 294 U.S. 499, 511 [79 L.Ed. 1023, 1032, 55 S.Ct. 462].)

Absent such roadsigns, a reviewing court would be forced into unguided and resource-consuming explorations; it would have to grope through the record to determine whether some combination of credible evidentiary items which supported some line of factual and legal conclusions supported the ultimate order or decision of the agency.^{FN15} (6)(See fn. 16.) Moreover, *517 properly constituted findings^{FN16} enable the parties to the agency proceeding to determine whether and on what basis they should seek review. (See *In re Sturm* (1974) *ante*, pp. 258, 267 [113 Cal.Rptr. 361, 521 P.2d 97]; *Swars v. Council of City of Vallejo, supra*, at p. 871.) They also serve a public relations function by helping to persuade the parties that administrative decision-making is careful, reasoned, and equitable.

FN15 "Given express findings, the court can determine whether the findings are supported by substantial evidence, and whether the findings warrant the decision of the board. If no findings are made, and if the court elects not to remand, its clumsy alternative is to read the record, speculate upon the portions which probably were believed by the board, guess at the conclusions drawn from credited portions, construct a basis for decision, and try to determine whether a decision thus arrived at should be sustained. In the process, the court is required to do much that is assigned to the board. ..." (3 Anderson, *American Law of Zoning* (1968) § 16.41, p. 242.)

FN16 Although a variance board's findings "need not be stated with the formality re-

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quired in judicial proceedings (*Swars v. Council of City of Vallejo, supra*, at p. 872), they nevertheless must expose the board's mode of analysis to an extent sufficient to serve the purposes stated herein. We do not approve of the language in *Kappadahl v. Alcan Pacific Co.* (1963) 222 Cal.App.2d 626, 639 [35 Cal.Rptr. 354], and *Ames v. City of Pasadena* (1959) 167 Cal.App.2d 510, 516 [334 P.2d 653], which endorses the practice of setting forth findings solely in the language of the applicable legislation.

By setting forth a reasonable requirement for findings and clarifying the standard of judicial review, we believe we promote the achievement of the intended scheme of land use control. Vigorous and meaningful judicial review facilitates, among other factors, the intended division of decision-making labor. (7) Whereas the adoption of zoning regulations is a legislative function (*Gov. Code, § 65850*), the granting of variances is a quasi-judicial, administrative one. (See *Johnston v. Board of Supervisors* (1947) 31 Cal.2d 66, 74 [187 P.2d 686]; *Kappadahl v. Alcan Pacific Co.* (1963) 222 Cal.App.2d 626, 634 [35 Cal.Rptr. 354].) If the judiciary were to review grants of variances superficially, administrative boards could subvert this intended decision-making structure. (See 1 Appendix to Sen. J. (1970 Reg. Sess.) Final Rep. of the Joint Committee on Open Space Land (1970) pp. 102-103.) They could [amend] ... the zoning code in the guise of a variance (*Cow Hollow Improvement Club v. Board of Permit Appeals, supra*, at p. 181), and render meaningless, applicable state and local legislation prescribing variance requirements.

Moreover, courts must meaningfully review grants of variances in order to protect the interests of those who hold rights in property nearby the parcel for which a variance is sought. (8) A zoning scheme, after all, is similar in some respects to a contract; each party foregoes rights to use its land as it wishes in return for the assurance that the use of neighboring property will be similarly restricted, the rationale being that such mutual restriction can enhance total community welfare. (See, e.g., 1 Appendix to Sen. J. (1970 Reg. Sess.) Final Rep. of the Joint Committee on Open Space Land (1970) p. 91; Bowden, *Article XXVIII - Opening the Door to Open Space Control* (1970) 1 Pacific L.J. 461, 501.) If the interest of *518 these parties in preventing unjustified variance awards for

neighboring land is not sufficiently protected, the consequence will be subversion of the critical reciprocity upon which zoning regulation rests.

Abdication by the judiciary of its responsibility to examine variance board decision-making when called upon to do so could very well lead to such subversion.^{FN17} Significantly, many zoning boards employ adjudicatory procedures that may be characterized as casual. (See Comment, *Judicial Control over Zoning Boards of Appeal: Suggestions for Reform* (1965) 12 U.C.L.A. L.Rev. 937, 950. Cf. *Bradbeer v. England* (1951) 104 Cal.App.2d 704, 710 [232 P.2d 308].) The availability of careful judicial review may help conduce these boards to insure that all parties have an opportunity fully to present their evidence and arguments. Further, although we emphasize that we have no reason to believe that such a circumstance exists in the case at bar, the membership of some zoning boards may be inadequately insulated from the interests whose advocates most frequently seek variances. (See e.g., 1 Appendix to Sen. J. (1970 Reg. Sess.) Final Rep. of the Joint Committee on Open Space Land (1970) p. 100.) Vigorous judicial review thus can serve to mitigate the effects of insufficiently independent decision-making.

FN17 See generally Comment, *Zoning: Variance Administration in Alameda County* (1962) 50 Cal.L.Rev. 101, 107 and footnote 42. See also Note, *Administrative Discretion in Zoning* (1969) 82 Harv.L.Rev. 668, 672 and sources cited therein.

2. *The planning commission's summary of "factual data" - its apparent "findings" - does not include facts sufficient to satisfy the variance requirements of Government Code section 65906.*

As we have mentioned, at least two sets of legislative criteria appear applicable to the variance awarded: *Government Code section 65906* and Los Angeles County Zoning Ordinance No. 1494, section 522. (9) The variance can be sustained only if *all* applicable legislative requirements have been satisfied. Since we conclude that the requirements of *section 65906* have not been met, the question whether the variance conforms with the criteria set forth in Los Angeles County Zoning Ordinance No. 1494, section 522 becomes immaterial.^{FN18} *519

FN18 We focus on the statewide require-

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ments because they are of more general application. If we were to decide that the criteria of [section 65906](#) had been satisfied, we would then be called upon to determine whether the requirements set forth in the county ordinance are consistent with those in [section 65906](#) and, if so, whether these local criteria also had been satisfied.

The local criteria need be squared with the state criteria since the [section 65906](#) requirements prevail over any inconsistent requirements in the county ordinance. The stated purpose of title 7, chapter 4, of the Government Code, which includes [section 65906](#), is to provide limitations - albeit minimal ones - on the adoption and administration of zoning laws, ordinances, and regulations by counties and nonchartered cities. (See fn. 6, *ante*.) Section 65802 of the code declares that "[n]o provisions of [the Government Code], other than the provisions of [chapter 4], and no provisions of any other code or statute shall restrict or limit the procedures provided in [chapter 4] by which the legislative body of any county or city enacts, amends, administers, or provides for the administration of any zoning law, ordinance, rule or regulation." The clear implication is that chapter 4 does restrict or limit these procedures. (See also [Cal. Const., art. XI, § 11.](#))

If local ordinances were allowed to set a lesser standard for the grant of variances than those provided in [section 65906](#), a county or city could escape the prohibition against granting use variances added to [section 65906](#) in 1970 (see fn. 5, *ante*) merely by enacting an ordinance which would permit the grant of use variances. Clearly the Legislature did not intend that cities and counties to which the provisions of chapter 4 apply should have such unfettered discretion.

We summarize the principal factual data contained in the Los Angeles County Regional Planning Commission's report, which data the commission apparently relied on to award the variance.^{FN19} The acreage upon which the original real party in interest^{FN20} sought to establish a mobile home park consists of

28 acres; it is a hilly and in places steep parcel of land. At the time the variance was granted, the property contained one single-family residence. Except for a contiguous area immediately to the southeast which included an old and flood-damaged subdivision and a few commercial structures, the surrounding properties were devoted exclusively to scattered single-family residences.

FN19 We confine our analysis to the relationship between the commission's fact summary and its ultimate decision; we do not consider the testimonial evidence directly. To sustain the grant of the variance of course would require that we conclude that substantial evidence supports the findings and that the findings support the variance award. Since we decide below, however, that the commission's fact summary does not include sufficient data to satisfy the [section 65906](#) requirements, we need not take the further step of comparing the transcript to the fact summary. Our basis for so proceeding lies in [Code of Civil Procedure section 1094.5](#), which defines "abuse of discretion," one of several possible grounds for issuance of a writ of mandamus, to include instances in which "the order or decision [of the administrative agency] is not supported by the findings, or the findings are not supported by the evidence." (Italics added.)

FN20 See footnote 3, *ante*.

The proposed mobile home park would leave 30 percent of the acreage in its natural state. An additional 25 percent would be landscaped and terraced to blend in with the natural surroundings. Save in places where a wall would be incompatible with the terrain, the plan contemplated enclosure of the park with a wall; it further called for rechanneling a portion of Topanga Canyon Creek and anticipated that the developers would be required to dedicate an 80-foot-wide strip of the property for a proposed realignment of Topanga Creek Boulevard. *520

The development apparently would partially satisfy a growing demand for new, low cost housing in the area. Additionally, the project might serve to attract further investment to the region and could provide a much needed fire break. Several data indicate

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that construction on the property of single-family residences in conformance with the zoning classification would generate significantly smaller profits than would development of the mobile home park. Single-family structures apparently would necessitate costly grading, and the proposed highway realignment would require a fill 78 feet high, thereby rendering the property unattractive for conventional residential development. Moreover, the acreage is said not to be considered attractive to parties interested in single-family residences due, in the words of the report's summary of the testimony, to "the nature of the inhabitants" in the vicinity and also because of local flood problems.

These data, we conclude, do not constitute a sufficient showing to satisfy the [section 65906](#) variance requirements. That section permits variances "only when, because of *special* circumstances applicable to the property, ... the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification." (Italics added.) (10) This language emphasizes *disparities* between properties, not treatment of the subject property's characteristics in the abstract. (See [Minney v. City of Azusa](#) (1958) 164 Cal.App.2d 12, 31 [330 P.2d 255]; cf. [In re Michener's Appeal](#) (1955) 382 Pa. 401 [115 A.2d 367, 371]; [Beirn v. Morris](#) (1954) 14 N.J. 529 [103 A.2d 361, 364]; Note, [Administrative Discretion in Zoning](#) (1969) 82 Harv. L.Rev. 668, 671-672.) It also contemplates that at best, only a small fraction of any one zone can qualify for a variance. (See generally 3 Anderson, American Law of Zoning (1968) § 14.69, pp. 62-65.)

The data contained in the planning commission's report focus almost exclusively on the qualities of the property for which the variance was sought. In the absence of comparative information about surrounding properties, these data lack legal significance. Thus knowledge that the property has rugged features tells us nothing about whether the original real party in interest faced difficulties different from those confronted on neighboring land.^{FN21} Its assurances that it would landscape and terrace parts of the property and leave others in their natural state are all well and good, but they bear not at all on the critical issue whether a variance *521 was necessary to bring the original real party in interest into substantial parity with other parties holding property interests in the zone. (See [Ham-](#)

[ilton v. Board of Supervisors, supra, at p. 66.](#))

FN21 Indeed, the General Plan for Topanga Canyon suggests that the subject property is not uniquely surfaced; it states that the entire area is characterized by "mountainous terrain, steep slopes and deep canyons interspersed with limited areas of relatively flat or rolling land."

The claim that the development would probably serve various community needs may be highly desirable, but it too does not bear on the issue at hand. Likewise, without more, the data suggesting that development of the property in conformance with the general zoning classification could require substantial expenditures are not relevant to the issue whether the variance was properly granted. Even assuming for the sake of argument that if confined to the subject parcel and no more than a few others in the zone, such a burden could support a variance under [section 65906](#), for all we know from the record, conforming development of other property in the area would entail a similar burden. Were that the case, a frontal attack on the present ordinance or a legislative proceeding to determine whether the area should be rezoned might be proper, but a variance would not. (1 Appendix to Sen. J. (1970 Reg. Sess.) Final Rep. of the Joint Committee on Open Space Land (1970) p. 95; Bowden, *Article XVIII - Opening the Door to Open Space Control* (1970) 1 Pacific L.J. 461, 506.)

Although they dispute that [section 65906](#) requires a showing that the characteristics of the subject property are exceptional, the current real parties in interest would nevertheless have us speculate that the property is unlike neighboring parcels. They point out that the plot has rugged terrain and three stream beds^{FN22} and that the Topanga Creek Boulevard realignment would bisect the property. (11) Speculation about neighboring land, however, will not support the award of a variance. The party seeking the variance must shoulder the burden of demonstrating before the zoning agency that the subject property satisfies the requirements therefor. ([Tustin Heights Association v. Board of Supervisors](#) (1959) 170 Cal.App.2d 619, 627 [339 P.2d 914].) Thus neither an administrative agency nor a reviewing court may assume without evidentiary basis that the character of neighboring property is different from that of the land for which the variance is sought.^{FN23} *522

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FN22 Interestingly, since the witnesses who testified in favor of the variance never mentioned the stream beds, the original real party in interest apparently did not regard the beds as disadvantageous. Rather, a witness who opposed the variance offhandedly mentioned the beds as illustrative of the scenic beauty of the area. The trial court seized upon this testimony and used it in justifying the variance award.

FN23 In fact, other parcels in the zone may well have the features that the successorial real parties in interest speculate are confined to the subject property. Rugged terrain apparently is ubiquitous in the area (see fn. 21, *ante*), and because the stream beds and highway must enter and exit the subject property somewhere, they may all traverse one or more neighboring parcels. Further, for all we know from the commission's findings, stream beds may traverse most parcels in the canyon.

(12) Moreover, the grant of a variance for non-conforming development of a 28-acre parcel in the instant case is suspect. Although we do not categorically preclude a tract of that size from eligibility for a variance, we note that in the absence of unusual circumstances, so large a parcel may not be sufficiently unrepresentative of the realty in a zone to merit special treatment. By granting variances for tracts of this size, a variance board begins radically to alter the nature of the entire zone. Such change is a proper subject for legislation, not piecemeal administrative adjudication. (See [Sinclair Pipe Line Co. v. Village of Richton Park \(1960\) 19 Ill.2d 370 \[167 N.E.2d 406\]](#); [Appeal of the Catholic Cemeteries Association \(1954\) 379 Pa. 516 \[109 A.2d 537\]](#); [Civil City of Indianapolis v. Ostrom R. & Construction Co. \(1931\) 95 Ind.App. 376 \[176 N.E. 246.\]](#)) (13) Since there has been no affirmative showing that the subject property differs substantially and in relevant aspects from other parcels in the zone, we conclude that the variance granted amounts to the kind of "special privilege" explicitly prohibited by [Government Code section 65906](#).

We submit, in summary, that this case illumines two important legal principles. First, by requiring that administrative findings must support a variance, we

emphasize the need for orderly legal process and the desirability of forcing administrative agencies to express their grounds for decision so that reviewing courts can intelligently examine the validity of administrative action. Second, by abrogating an unsupported exception to a zoning plan, we conduce orderly and planned utilization of the environment.

We reverse the judgment and remand the cause to the superior court with directions to issue a writ of mandamus requiring the Los Angeles Board of Supervisors to vacate its order awarding a variance. We also direct the superior court to grant any further relief that should prove appropriate.

Wright, C. J., McComb, J., Mosk, J., Burke, J., Sullivan, J., and Clark, J., concurred. *523

Cal.

Topanga Assn. for a Scenic Community v. County of Los Angeles
11 Cal.3d 506, 522 P.2d 12, 113 Cal.Rptr. 836

END OF DOCUMENT

ARCHIE TOBE et al., Plaintiffs and Appellants,
v.
CITY OF SANTA ANA et al., Defendants and Re-
spondents.
DAWN ZUCKERNICK et al., Petitioners,
v.
THE MUNICIPAL COURT FOR THE CENTRAL
ORANGE JUDICIAL DISTRICT OF ORANGE
COUNTY, Respondent; THE PEOPLE, Real Party in
Interest.

No. S038530.

Supreme Court of California
Apr 24, 1995.

SUMMARY

Homeless persons and taxpayers petitioned the superior court for a writ of mandate, seeking to bar enforcement of a city ordinance banning camping and storage of personal property, including camping equipment, in designated public areas. The superior court struck some language from the ordinance but otherwise denied the petition. (Superior Court of Orange County, No. 696000, James L. Smith, Judge.) In a related action, persons who had been charged in municipal court with violating the ordinance demurred unsuccessfully to the complaints and thereafter sought a writ of mandate to compel the municipal court to sustain their demurrers. (Municipal Court for the Central Orange Judicial District of Orange County, Nos. 93CM02392, 93CM02393, 93CM02361, 93CM02519, 93CM02525, 93CM02358, 93CM02513, 93CM02354, 93CM02516, 93CM02530, 93CM02386 and 93CM02520, Gregory Lewis, Judge.) The Court of Appeal, Fourth Dist., Div. Three, Nos. G014257 and G014536, consolidated the appeal with the writ petition, and, ruling that the ordinance was unconstitutional, reversed the judgment of the superior court and ordered that a writ of mandate be issued directing the municipal court to sustain the demurrers to the counts pleading violations of the ordinance.

The Supreme Court reversed the judgment of the Court of Appeal. The court held that both writ peti-

tions stated only facial and not as applied challenges to the ordinance. The court also held that the three persons who sought to bar enforcement of the ordinance had a sufficient beneficial interest to bring the action, even though two had never been cited under the ordinance and the third was not a homeless person, since, as taxpayers, they had standing under [Code Civ. Proc., § 526a](#), to restrain illegal expenditure or waste of city funds on future enforcement of an unconstitutional ordinance or an impermissible means of enforcement of a facially valid ordinance. However, the court held that, absent a basis for believing that the ordinance would not have been adopted if the public areas of the city had been appropriated for living accommodation by any group other than the homeless, or that it was the intent of the city council the ordinance be enforced only against homeless persons, the ordinance was not subject to attack on the basis that the city council may have hoped its impact would be to discourage homeless persons from moving to the city. Nor could it be assumed that the purpose of the ordinance was simply to drive the homeless out of the city. Further, the Court of Appeal erred in holding that the ordinance impermissibly infringed on the right of the homeless to travel; in holding that the ordinance was invalid because it permitted punishment for the status of being indigent or homeless, and thus permitted cruel and unusual punishment; and in holding that the ordinance was unconstitutionally vague and overbroad. (Opinion by Baxter, J., with Lucas, C. J., Kennard, Arabian and George, JJ., concurring. Separate concurring opinions by Kennard and Werdegar, JJ. Separate dissenting opinion by Mosk, J.)

HEADNOTES

Classified to California Digest of Official Reports (1a, 1b) Constitutional Law § 19--Constitutionality of Legislation-- Raising Question of Constitutionality--Challenge as Facial or As Applied-- Ordinance Banning Camping in Public Areas--Petition by Homeless Persons and Taxpayers for Writ of Mandate to Bar Enforcement of Ordinance.

A petition for a writ of mandate brought by homeless persons and taxpayers, seeking to bar enforcement of a city ordinance banning camping and storage of personal property in designated public areas, stated only a facial and not an as applied challenge to the ordinance, and the trial court did not err in

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aining to rule on an as applied challenge, since plaintiffs did not perfect a basis for such a ruling. Although the petition alleged in conclusory language that a pattern of constitutionally impermissible enforcement of the ordinance had existed, plaintiffs never identified the particular applications of the law to be enjoined. The only relief sought in the petition was a writ of mandate enjoining any enforcement of the ordinance by defendants, which is the kind of relief sought in a facial attack. Also, since no evidentiary hearing was held, plaintiffs did not create a factual record on which an injunction limited to improper applications of the ordinance could have been fashioned. Even assuming that plaintiffs attempted to challenge the ordinance on the basis that homeless persons whose violation thereof was involuntary could offer a due-process-based necessity defense, declarations submitted by plaintiffs did not demonstrate that the ordinance had been enforced in a constitutionally impermissible manner against such persons.

[See 7 **Witkin**, Summary of Cal. Law (9th ed. 1988) Constitutional Law, § 56 et seq.]

[\(2a\)](#), [2b](#), [2c](#), [2d](#)) Constitutional Law § 19--Constitutionality of Legislation--Raising Question of Constitutionality--Challenge as "Facial" or "As Applied"--Ordinance Banning "Camping" in Public Areas--Petition for Writ of Mandate to Compel Dismissal of Charges for Violation of Ordinance.

A petition for a writ of mandate by persons who had been charged with violation of a city ordinance banning "camping" and storage of personal property in designated public areas, to compel the trial court to sustain their demurrers to the complaints and to dismiss the charges, stated only a facial and not an as applied challenge to the ordinance. None of the complaints included any allegations identifying the charged individuals as involuntarily homeless persons whose violation of the ordinance was involuntary and/or occurred at a time when shelter beds were unavailable. Although the petition for a writ of mandate included allegations regarding the city's past efforts to rid the city of its homeless population, those allegations, even if true, were irrelevant to the legal sufficiency of the complaints. The demurrers and petition for a writ of mandate necessarily constituted only a facial attack on the ordinance since the defendants could not, on a demurrer to the accusatory pleading, offer evidence that the ordinance was invalid as applied to their individual circumstances. Moreover, the People had no opportunity to present evidence regarding the circumstances in which charged individuals had been arrested, as the only issue before the

trial court in ruling on the demurrer was the sufficiency of the complaints.

[\(3\)](#) Constitutional Law § 19--Constitutionality of Legislation--Raising Question of Constitutionality--"Facial" and "As Applied" Challenges Compared.

A facial challenge to the constitutional validity of a statute or ordinance considers only the text of the measure itself, not its application to the particular circumstances of an individual. To support a determination of facial unconstitutionality, voiding the statute as a whole, the party challenging the provision cannot prevail by suggesting that, in some future hypothetical situation, constitutional problems may possibly arise as to the particular application of the statute. Rather, the challenger must demonstrate that the act's provisions inevitably pose a present total and fatal conflict with applicable constitutional prohibitions. An as applied challenge may seek (1) relief from a specific application of a facially valid statute or ordinance to an individual or class of individuals who are under allegedly impermissible present restraint or disability as a result of the manner or circumstances in which the statute or ordinance has been applied, or (2) an injunction against future application of the statute or ordinance in the allegedly impermissible manner it is shown to have been applied in the past. It contemplates analysis of the facts of a particular case or cases to determine the circumstances in which the statute or ordinance has been applied and to consider whether, in those particular circumstances, the application deprived the individual to whom it was applied of a protected right.

[\(4a\)](#), [4b](#)) Constitutional Law § 19--Constitutionality of Legislation-- Raising Question of Constitutionality--By Criminal Defendant.

When a criminal defendant claims that a facially valid statute or ordinance has been applied in a constitutionally impermissible manner to the defendant, the court evaluates the propriety of the application on a case-by-case basis to determine whether to relieve the defendant of the sanction. However, when a criminal defendant seeks relief from a present application of a criminal statute or ordinance on constitutional grounds, it is not the administrative agency's "application" of the statute that is determinative. Whether the particular application of a statute declaring conduct criminal is constitutionally permissible can be determined only after the circumstances of its application have been established by conviction or

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otherwise. Only then is an eas appretico challenge ripe. To obtain mandate or other relief from penalties imposed under a past application of the law, the defendant must presently be suffering some adverse impact of the law which the court has the power to redress.

(5a, 5b) Constitutional Law § 23--Constitutionality of Legislation-- Raising Question of Constitutionality--Burden of Proof--öAs Appliedö Challenge.

If a plaintiff seeks to enjoin future, allegedly impermissible, applications of a facially valid statute or ordinance, the plaintiff must demonstrate that such application is occurring or has occurred in the past. If instead it is contended that an otherwise valid statute has been applied in a constitutionally impermissible manner in the past and the plaintiff seeks an injunction against future application of the statute in that manner, the plaintiff must show a pattern of impermissible enforcement.

(6) Constitutional Law § 21--Constitutionality of Legislation--Raising Question of Constitutionality--Standing Essential to Raise Question.

In most cases, a plaintiff seeking relief from the constitutionally impermissible application of an otherwise valid statute or ordinance, either by a petition for a writ of mandamus or a complaint for declaratory and injunctive relief, must have a sufficient beneficial interest to have standing to prosecute the action, and there must be a present impermissible application of the challenged statute or ordinance which the court can remedy.

(7) Mandamus and Prohibition § 3--Mandamus--Standing to Obtain Writ.

Under [Code Civ. Proc., § 1086](#), which expresses the controlling statutory requirements for standing to petition for a writ of mandate, the requirement that a petitioner be öbeneficially interestedö means that one may obtain the writ only if the person has some special interest to be served or some particular right to be preserved or protected over and above the interest held in common with the public at large.

(8) Constitutional Law § 21--Constitutionality of Legislation--Raising Question of Constitutionality--Standing Essential to Raise Question--Homeless Persons Challenging Ordinance Banning öCampingö in Public Areas.

Three plaintiffs had a sufficient beneficial interest

to bring an action challenging the constitutionality of a city ordinance banning öcampingö and storage of personal property in designated public areas, even though two had never been cited under the ordinance and the third was not a homeless person, since, as taxpayers, they had standing under [Code Civ. Proc., § 526a](#), to restrain the illegal expenditure or waste of city funds on future enforcement of an unconstitutional ordinance or an impermissible means of enforcement of a facially valid ordinance.

(9) Indictment and Information § 39--Defects and Objections--Demurrer--Use.

A demurrer to a criminal complaint lies only to challenge the sufficiency of the pleading and raises only issues of law.

(10) Appellate Review § 126--Scope of Review--As Dependent on Procedural Posture of Case.

The procedural posture of a case is not simply a ötechnicality,ö but is crucial to determining the proper scope of appellate review. The procedural posture of a case also determines the ability of the parties to exercise their rights to present relevant evidence and to the creation of a full record adequate to enable the reviewing court to make a reasoned decision on the questions before it. When an appellate court fails to limit the scope of review to issues properly presented in the trial court, it denies litigants their right to have appellate questions decided on the basis of a full record which exposes all of the relevant facts and circumstances.

(11) Constitutional Law § 27--Constitutionality of Legislation--Rules of Interpretation--Motives of Legislature--Ordinance Banning öCampingö in Public Areas.

While the intent or purpose of the legislative body must be considered in construing an ambiguous statute or ordinance, the motive of the legislative body is generally irrelevant to the validity of the statute or ordinance. Thus, absent a basis for believing that a city ordinance banning öcampingö and storage of personal property in designated public areas would not have been adopted if the public areas of the city had been appropriated for living accommodation by any group other than the homeless, or that it was the intent of the city council that the ordinance be enforced only against homeless persons, the ordinance was not subject to attack on the basis that the city council may have hoped that its impact would be to discourage

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homeless persons from moving to the city. Nor could it be assumed that the purpose of the ordinance was simply to drive the homeless out of the city. The ordinance banned use of public property in the city for purposes for which it was not designed. At the time it was adopted, the city had agreed not to engage in discriminatory law enforcement, and the declared purpose of the ordinance did not suggest that it was to be enforced solely against the homeless.

(12) Constitutional Law § 21--Constitutionality of Legislation--Raising Question of Constitutionality--Standing Essential to Raise Question-- Consideration of Hypothetical Situations--Challenge on Basis of Prohibition of Constitutionally Protected Conduct.

One will not be heard to attack a statute on grounds that are not shown to be applicable to himself or herself and a court will not consider every conceivable situation which might arise under the language of the statute and will not consider the question of constitutionality with reference to hypothetical situations. If the statute clearly applies to a criminal defendant's conduct, the defendant may not challenge it on grounds of vagueness. However, in some cases, a defendant may make a facial challenge to the statute if he or she argues that the statute improperly prohibits a substantial amount of constitutionally protected conduct, whether or not its application to his or her own conduct may be constitutional.

(13) Constitutional Law § 52--First Amendment and Other Fundamental Rights of Citizens--Right to Travel.

Although no provision of the federal Constitution expressly recognizes a right to travel among and between the states, that right is recognized as a fundamental aspect of the federal union of states. For all the great purposes for which the federal government was formed, we are one people, with one common country. We are all citizens of the United States, and, as members of the same community, we must have the right to pass and repass through every part of it without interruption, as freely as in our own states. The right to travel, or right of migration, is an aspect of personal liberty which, when united with the right to travel, requires that all citizens be free to travel throughout the length and breadth of our land uninhibited by statutes, rules, or regulations that unreasonably burden or restrict this movement. [See 7 **Witkin**, Summary of Cal. Law (9th ed. 1988) Constitutional Law, §§ 287, 288.]

(14) Constitutional Law § 52--First Amendment and Other Fundamental Rights of Citizens--Right to Travel--Intrastate Travel--What Constitutes Violation of Right.

The right of intrastate travel, which includes intramunicipal travel, is a basic human right protected by Cal. Const., art. I, §§ 7 and 24. Such a right is implicit in the concept of a democratic society and is one of the attributes of personal liberty under common law. However, a violation of the right of intrastate travel occurs only when there is a direct restriction of the right to travel. Indirect or incidental burdens on travel resulting from otherwise lawful governmental action are not impermissible infringements of the right to travel, and, when legislation creating a burden on the right to travel is subjected to an equal protection analysis, strict scrutiny is not required, nor must a compelling need be demonstrated in order to sustain the legislation. If there is any rational relationship between the purpose of the statute or ordinance and a legitimate government objective, the law must be upheld.

(15a, 15b, 15c) Constitutional Law § 52--First Amendment and Other Fundamental Rights of Citizens--Right of Homeless to Travel--As Violated by Ordinance Banning "Camping" in Public Areas:Parks, Squares, and Playgrounds § 6--Use.

The Court of Appeal erred in holding that a city ordinance banning "camping" and storage of personal property in designated public areas impermissibly infringed on the right of the homeless to travel. The ordinance was nondiscriminatory; it forbade use of the public streets, parks, and property by residents and nonresidents alike for purposes other than those for which the property was designed. The provisions of the ordinance did not inevitably conflict with the right to travel, and it was capable of constitutional application. The ordinance had no impact, incidental or otherwise, on the right to travel except insofar as a person, homeless or not, might have been discouraged from traveling to the city because camping on public property was banned. An ordinance that bans camping and storing personal possessions on public property does not directly impede the right to travel. Even assuming that the ordinance may have constituted an incidental impediment to some individuals' ability to travel to the city, it was capable of applications that did not offend the constitution, and thus it had to be upheld. Further, there is no constitutional mandate that sites on public property be made available for camping to facilitate a homeless person's right to travel, just as

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there is no right to use public property for camping or storing personal belongings.

(16) Constitutional Law § 25--Constitutionality of Legislation--Rules of Interpretation--Presumption of Constitutionality.

All presumptions favor the validity of a statute. The court may not declare it invalid unless it is clearly so.

(17) Constitutional Law § 52--First Amendment and Other Fundamental Rights of Citizens--Right to Travel--As Including Right to Live or Stay Where One Will.

The right to travel does not endow citizens with a right to live or stay where they will. While an individual may travel where he or she will and remain in a chosen location, that constitutional guaranty does not confer immunity against local trespass laws and does not create a right to remain without regard to the ownership of the property on which the person chooses to live or stay, be it public or privately owned property.

(18) Constitutional Law § 1--Creation or Recognition of Constitutional Right as Imposing Obligation on Local Government to Provide Means to Enjoy Right.

With few exceptions, such as the right to counsel guaranteed by [U.S. Const., 6th Amend.](#), the creation or recognition of a constitutional right does not impose on a state or governmental subdivision the obligation to provide its citizens with the means to enjoy that right.

(19) Criminal Law § 519.2--Punishment--Cruel and Unusual--Ordinance Banning "Camping" in Public Areas--As Unconstitutional Punishment for Status as Indigent or Homeless:Parks, Squares, and Playgrounds § 6--Use.

The Court of Appeal erred in concluding that a city ordinance banning "camping" and storage of personal property in designated public areas was invalid because it permitted punishment for the status of being indigent or homeless, and thus permitted a punishment which violated the prohibition of cruel and unusual punishment under [U.S. Const., 8th Amend.](#), and the ban on cruel or unusual punishment of [Cal. Const., art. I, § 17](#). The ordinance permitted punishment for proscribed conduct, not punishment for status. Neither the language of the ordinance nor the evidence submitted by the persons who had been

cited under it supported a conclusion that a person could be convicted and punished under the ordinance solely on the basis that he or she had no fixed place of abode. The United States Supreme Court has not held that the Eighth Amendment prohibits punishment of acts derivative of a person's status. Further, homelessness is not readily classified as a "status." Rather, there is a substantial definitional distinction between a "status" and a "condition." Even assuming the accuracy of the declarations submitted by the persons who had been cited under the ordinance with respect to their descriptions of the circumstances in which they had been cited, it was not clear that none had alternatives to either the condition of being homeless or the conduct that led to homelessness and to the citations. [See 3 **Witkin & Epstein**, Cal. Criminal Law (2d ed. 1989) § 1344.]

(20a, 20b, 20c) Constitutional Law § 115--Substantive Due Process-- Statutory Vagueness--Ordinance Banning "Camping" in Public Areas:Parks, Squares, and Playgrounds § 6--Use.

The Court of Appeal erred in holding that a city ordinance banning "camping" and storage of personal property in designated public areas was unconstitutionally vague. The stated purpose of the ordinance was to make public streets and other areas readily accessible to the public and to prevent use of public property "for camping purposes or storage of personal property" which "interferes with the rights of others to use the areas for which they were intended." The terms which the Court of Appeal considered vague were not so when the purpose clause of the ordinance was considered and the terms were read in that context as they should have been. Thus, there was no possibility that any law enforcement agent would have believed that picnicking in a public park constituted "camping" within the meaning of the ordinance or would have believed that leaving a towel on a beach or an umbrella in a library constituted storage of property in violation of the ordinance. Further, the ordinance gave adequate notice of the conduct it prohibited and did not invite arbitrary or capricious enforcement.

[Vagueness as invalidating statutes or ordinances dealing with disorderly persons or conduct, note, [12 A.L.R.3d 1448](#).]

(21) Constitutional Law § 113--Substantive Due Process--Statutory Vagueness.

A penal statute must define the offense with sufficient precision that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement. The constitutional interest implicated in ques-

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tions of statutory vagueness is that no person be deprived of life, liberty, or property without due process of law, as assured by both the federal Constitution ([U.S. Const., 5th](#) and [14th](#) Amends.) and the California Constitution ([Cal. Const., art. I, § 7](#)). To satisfy the constitutional command, a statute must be sufficiently definite to provide adequate notice of the conduct proscribed and provide sufficiently definite guidelines for the police in order to prevent arbitrary and discriminatory enforcement. Only a reasonable degree of certainty is required, however. The analysis begins with the strong presumption that legislative enactments must be upheld unless their unconstitutionality clearly, positively, and unmistakably appears. A statute should be sufficiently certain so that a person may know what is prohibited thereby and what may be done without violating its provisions, but it cannot be held void for uncertainty if any reasonable and practical construction can be given to its language.

(22) Words, Phrases, and Maxims--Camp.

ōCampö means to pitch or occupy a camp, to live temporarily in a camp or outdoors.

(23a, 23b) Constitutional Law § 115--Substantive Due Process--Statutory Overbreadth--Ordinance Banning öCampingö in Public Areas:Parks, Squares, and Playgrounds § 6--Use.

A city ordinance banning öcampingö and storage of personal property in designated public areas was not unconstitutionally overbroad, was not facially invalid in that respect, and was capable of constitutional application. The ordinance did not exceed the police power of the city, since there is no fundamental right to camp on public property, persons who do so are not a suspect classification, and the persons challenging the validity of the ordinance did not claim that it was invidiously discriminatory on its face. A city has the power to regulate conduct on a street, sidewalk, or other public place or on or in a place open to the public ([Pen. Code, § 647c](#)) and local ordinances governing the use of municipal parks are specifically authorized ([Pub. Resources Code, § 5193](#)). Further, a city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws ([Cal. Const., art. XI, § 7](#)). A city not only has the power to keep its streets and other public property open and available for the purposes to which they are dedicated, it has a duty to do so. Also, none of the persons challenging the validity of the ordinance had identified a constitutionally

protected right that was impermissibly restricted by application or threatened application of the ordinance. [See 8 **Witkin**, Summary of Cal. Law (9th ed. 1988) Constitutional Law, § 792 et seq.]

(24) Constitutional Law § 113--Substantive Due Process--Effect of Challenge to Law on Grounds of Vagueness or Overbreadth.

A facial challenge to a law on grounds that it is overbroad and vague is an assertion that the law is invalid in all respects and cannot have any valid application, or a claim that the law sweeps in a substantial amount of constitutionally protected conduct. The concepts of vagueness and overbreadth are related, in the sense that if a law threatens the exercise of a constitutionally protected right a more stringent vagueness test applies.

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BAXTER, J.

The Court of Appeal invalidated, on constitutional grounds, an ordinance of the City of Santa Ana (Santa Ana) which banned camping and storage of personal property, including camping equipment, in designated public areas. We granted the petitions for review of Santa Ana and the People to consider whether the ordinance is valid on its face and whether either of the actions involved in the consolidated appeal stated an as applied challenge to the ordinance.

We conclude only a facial challenge was perfected in the lower courts and that the Santa Ana ordinance is valid on its face. It does not impermissibly restrict the right to travel, does not permit punishment for status, and is not unconstitutionally vague or overbroad, the only constitutional claims pursued by plaintiffs.^{FN1}

FN1 The Tobe petition for writ of mandate stated a cause of action based on an alleged violation of equal protection. The petition alleged in support of the equal protection claim only that the respondents had not and would not arrest nonhomeless persons who engaged in the same conduct for which the plaintiffs had been arrested. They offered no evidence to support that equal protection theory and did not argue an equal protection claim in the Court of Appeal or in this court. We deem that claim to have been abandoned.

The Zuckernick petition did not make an equal protection claim.

We shall, therefore, reverse the judgment of the Court of Appeal.

I. Background

In October 1992, Santa Ana added article VIII, section 10-400 et seq. (the ordinance) to its municipal code. The declared purpose of the ordinance was *1081 to maintain public streets and other public areas in the city in a clean and accessible condition. Camping and storage of personal property in those areas, the ordinance recited, interfered with the rights of others to use those areas for the purposes for which they were intended.

The ordinance provides:

Sec. 10-402. Unlawful Camping.

It shall be unlawful for any person to camp, occupy camp facilities or use camp paraphernalia in the following areas, except as otherwise provided:

(a) any street;

(b) any public parking lot or public area, improved or unimproved.

Sec. 10-403. Storage of Personal Property in Public Places.

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, in the following areas, except as otherwise provided by resolution of the City Council:

(a) any park;

(b) any street;

(c) any public parking lot or public area, improved or unimproved.^{FN2}

FN2 Section 10-401 of the ordinance defines the terms:

(a) *Camp* means to pitch or occupy camp

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facilities, to use camp paraphernalia.

õ(b) *Camp facilities* include, but are not limited to, tents, huts, or temporary shelters.

õ(c) *Camp paraphernalia* includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks or non-city designated cooking facilities and similar equipment.

õ(d) *Park* means the same as defined in section 31-1 of this Code.

õ(e) *Store* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

õ(f) *Street* means the same as defined in section 1-2 of this Code.õ

Plaintiffs in these consolidated actions ^{FN3} are: (1) homeless persons and taxpayers who appealed from a superior court order which struck õto live *1082 temporarily in a camp facility or outdoorsõ from the ordinance, ^{FN4} but otherwise denied their petition for writ of mandate by which they sought to bar enforcement of the ordinance (Tobe), ^{FN5} and (2) persons who, having been charged with violating the ordinance, demurred unsuccessfully to the complaints and thereafter sought mandate to compel the respondent municipal court to sustain their demurrers (Zuckernick).

FN3 The Court of Appeal opinion recites that the appeal and the mandate petition had been consolidated. We find no order in the record consolidating the appeal of the Tobe parties and the mandate petition of the Zuckernick parties in that court, however. We deem the recital in the Court of Appeal opinion to be such an order.

FN4 The ordinance has been amended accordingly. That action is not disputed by the parties.

FN5 Although the Tobe petition is denominated a petition for writ of õMandate/Prohibition,õ prohibition lies only to restrain õthe proceedings of any tribunal,

corporation, board, or person exercising judicial functions, when such proceedings are without or in excess of the jurisdiction of such tribunal, corporation, board, or person.õ ([Code Civ. Proc., § 1102.](#)) None of the named respondents exercises judicial functions in the enforcement of the ordinance. We consider the petition one for mandamus alone therefore. ([Neal v. State of California \(1960\)](#) 55 Cal.2d 11, 16 [[9 Cal.Rptr. 607, 357 P.2d 839](#)].)

Plaintiffs offered evidence to demonstrate that the ordinance was the culmination of a four-year effort by Santa Ana to expel homeless persons. There was evidence that in 1988 a policy was developed to show õvagrantsõ that they were not welcome in the city. To force them out, they were to be continually moved from locations they frequented by a task force from the city's police and recreation and parks departments; early park closing times were to be posted and strictly enforced; sleeping bags and accessories were to be disposed of; and abandoned shopping carts were to be confiscated. Providers of free food were to be monitored; sprinklers in the Center Park were to be turned on often; and violations of the city code by businesses and social service agencies in that area were to be strictly enforced. This effort led to a lawsuit which the city settled in April 1990.

Santa Ana then launched an August 15, 1990, sweep of the civic center area arresting and holding violators for offenses which included blocking passageways, drinking in public, urinating in public, jaywalking, destroying vegetation, riding bicycles on the sidewalk, glue sniffing, removing trash from a bin, and violating the fire code. Some conduct involved nothing more than dropping a match, leaf, or piece of paper, or jaywalking. The arrestees were handcuffed and taken to an athletic field where they were booked, chained to benches, marked with numbers, and held for up to six hours, after which they were released at a different location. Homeless persons among the arrestees claimed they were the victims of discriminatory enforcement. The municipal court found that they had been singled out for arrest for offenses that rarely, if ever, were the basis for even a citation.

In October 1990, Santa Ana settled a civil action for injunctive relief, agreeing to refrain from discriminating on the basis of homelessness, from taking

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action to drive the homeless out of the city, and from conducting *1083 future sweeps and mass arrests. That case, which was to be dismissed in 1995, was still pending when the camping ordinance was passed in 1992.

Evidence in the form of declarations regarding the number of homeless and facilities for them was also offered. In 1993 there were from 10,000 to 12,000 homeless persons in Orange County and 975 permanent beds available to them. When National Guard armories opened in cold weather, there were 125 additional beds in Santa Ana and another 125 in Fullerton. On any given night, however, the number of shelter beds available was more than 2,500 less than the need.

The Court of Appeal majority, relying in part on this evidence, concluded that the purpose of the ordinance-to displace the homeless-was apparent. On that basis, it held that the ordinance infringed on the right to travel, authorized cruel and unusual punishment by criminalizing status, and was vague and overbroad. The city contends that the ordinance is constitutional on its face. We agree. We also conclude that, if the Tobe petition sought to mount an as applied challenge to the ordinance, it failed to perfect that type of challenge.

II. Preliminary Considerations

A. Facial or As Applied Challenge.

(1a),(2a) Plaintiffs argue that they have mounted an as applied challenge to the ordinance as well as a facial challenge. While they may have intended both, we conclude that no as applied challenge to the ordinance was perfected. The procedural posture of the Zuckernick action precludes an as applied challenge, which may not be made on demurrer to a complaint which does not describe the allegedly unlawful conduct or the circumstances in which it occurred. The Tobe plaintiffs did not clearly allege such a challenge or seek relief from specific allegedly impermissible applications of the ordinance. Moreover, assuming that an as applied attack on the ordinance was stated, the plaintiffs did not establish that the ordinance has been applied in a constitutionally impermissible manner either to themselves or to others in the past.

Because the Court of Appeal appears to have based its decision in part on reasoning that would be appropriate to a constitutional challenge based on a

claim that, as applied to particular defendants, the Santa Ana ordinance was invalid, we must first consider the nature of the challenge made by these petitioners. *1084

(3) A facial challenge to the constitutional validity of a statute or ordinance considers only the text of the measure itself, not its application to the particular circumstances of an individual. (*Dillon v. Municipal Court* (1971) 4 Cal.3d 860, 865 [94 Cal.Rptr. 777, 484 P.2d 945].) ÷ 'To support a determination of facial unconstitutionality, voiding the statute as a whole, petitioners cannot prevail by suggesting that in some future hypothetical situation constitutional problems may possibly arise as to the particular application of the statute Rather, petitioners must demonstrate that the act's provisions inevitably pose a present total and fatal conflict with applicable constitutional prohibitions.' ö (*Arcadia Unified School Dist. v. State Dept. of Education* (1992) 2 Cal.4th 251, 267 [5 Cal.Rptr.2d 545, 825 P.2d 438], quoting *Pacific Legal Foundation v. Brown* (1981) 29 Cal.3d 168, 180-181 [172 Cal.Rptr. 487, 624 P.2d 1215].)

An as applied challenge may seek (1) relief from a specific application of a facially valid statute or ordinance to an individual or class of individuals who are under allegedly impermissible present restraint or disability as a result of the manner or circumstances in which the statute or ordinance has been applied, or (2) an injunction against future application of the statute or ordinance in the allegedly impermissible manner it is shown to have been applied in the past. It contemplates analysis of the facts of a particular case or cases to determine the circumstances in which the statute or ordinance has been applied and to consider whether in those particular circumstances the application deprived the individual to whom it was applied of a protected right. (See, e.g., *Broadrick v. Oklahoma* (1973) 413 U.S. 601, 615-616 [37 L.Ed.2d 830, 841-843, 93 S.Ct. 2908]; *County of Nevada v. MacMillen* (1974) 11 Cal.3d 662, 672 [114 Cal.Rptr. 345, 522 P.2d 1345]; *In re Marriage of Siller* (1986) 187 Cal.App.3d 36, 49 [231 Cal.Rptr. 757].) (4a) When a criminal defendant claims that a facially valid statute or ordinance has been applied in a constitutionally impermissible manner to the defendant, the court evaluates the propriety of the application on a case-by-case basis to determine whether to relieve the defendant of the sanction. (*Hale v. Morgan* (1978) 22 Cal.3d 388, 404 [149 Cal.Rptr. 375, 584 P.2d 512].)

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(5a) If a plaintiff seeks to enjoin future, allegedly impermissible, types of applications of a facially valid statute or ordinance, the plaintiff must demonstrate that such application is occurring or has occurred in the past. In *Bowen v. Kendrick* (1988) 487 U.S. 589 [101 L.Ed.2d 520, 108 S.Ct. 2562], for instance, the court first distinguished the nature of facial and as applied challenges to a statute which authorized federal grants to organizations for services related to premarital adolescent sexual relations and pregnancy. The plaintiffs had standing as taxpayers to raise an establishment clause challenge to the statute and to its application. The Supreme Court held that the as *1085 applied challenge could be resolved only by considering how the statute was being administered. Plaintiffs had to show that specific grants were impermissible because the grants went to 'pervasively sectarian' religious institutions or had been used to fund 'specifically religious activities.' (487 U.S. at p. 621 [101 L.Ed.2d at pp. 548-549].) The matter was remanded because the district court had not identified the particular grantees or the particular aspects of their programs for which constitutionally improper expenditures had been made. Finally, the court held, a remedy should be fashioned to withdraw federal agency approval of such grants.

(4b) When a criminal defendant seeks relief from a present application of a criminal statute or ordinance on constitutional grounds, it is not the administrative agency's application of the statute that is determinative, however. Whether the particular application of a statute declaring conduct criminal is constitutionally permissible can be determined only after the circumstances of its application have been established by conviction or otherwise. (See, e.g., *Murgia v. Municipal Court* (1975) 15 Cal.3d 286 [124 Cal.Rptr. 204, 540 P.2d 44].) Only then is an as applied challenge ripe. To obtain mandate or other relief from penalties imposed under a past application of the law, the defendant must presently be suffering some adverse impact of the law which the court has the power to redress.

(5b) If instead it is contended that an otherwise valid statute has been applied in a constitutionally impermissible manner in the past and the plaintiff seeks an injunction against future application of the statute in that manner, the plaintiff must show a pattern of impermissible enforcement. (See, e.g., *Van*

Atta v. Scott (1980) 27 Cal.3d 424 [166 Cal.Rptr. 149, 613 P.2d 210]; *White v. Davis* (1975) 13 Cal.3d 757 [120 Cal.Rptr. 94, 533 P.2d 222]; *Wirin v. Horrall* (1948) 85 Cal.App.2d 497 [193 P.2d 470]; cf. *Sundance v. Municipal Court* (1986) 42 Cal.3d 1101 [232 Cal.Rptr. 814, 729 P.2d 80].)

(6) In most cases a plaintiff seeking this relief, either by a petition for writ of mandamus or complaint for declaratory and injunctive relief, must have a sufficient beneficial interest to have standing to prosecute the action, and there must be a present impermissible application of the challenged statute or ordinance which the court can remedy. (7) [Code of Civil Procedure] [s]ection 1086 expresses the controlling statutory requirements for standing for mandate: 'The writ must be issued in all cases where there is not a plain, speedy, and adequate remedy, in the ordinary course of law. It must be issued upon the verified petition of the party beneficially interested.' The requirement that a petitioner be 'beneficially interested' has been generally interpreted to mean that one may obtain the writ only if the person has *1086 some special interest to be served or some particular right to be preserved or protected over and above the interest held in common with the public at large. (*Carsten v. Psychology Examining Com.* (1980) 27 Cal.3d 793, 796 [166 Cal.Rptr. 844, 614 P.2d 276].)

(8) We need not decide if the Tobe plaintiffs have such a beneficial interest even though two have never been cited under the ordinance and one is not a homeless person, because as taxpayers they have standing under *Code of Civil Procedure section 526a* to restrain illegal expenditure or waste of city funds on future enforcement of an unconstitutional ordinance or an impermissible means of enforcement of a facially valid ordinance. (*White v. Davis, supra*, 13 Cal.3d 757, 764.) We must determine, therefore, whether the petitions at issue in this case stated and have perfected an as applied challenge to the Santa Ana ordinance.

1. *The Tobe petition.*

(1b) The first of these actions (Tobe) has been prosecuted as a petition for writ of mandate by two homeless residents of Santa Ana, each of whom intends to remain in the city, and neither of whom can find affordable housing. The third plaintiff is a resident of Santa Ana. All are taxpayers. Respondents are Santa Ana, its mayor, its city manager, and its police chief.

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Plaintiffs allege that they have been convicted in the past for violating the ordinance and expect to be arrested in the future for sleeping in public and conducting other ordinary and necessary daily activities in public areas. The allegations of the petition do not describe the circumstances of the past arrests and the petition does not allege or describe either the arrests or convictions of other persons that are claimed to have been unconstitutional applications of the ordinance.

The petition alleges that respondents' pattern of arresting, detaining, harassing and incarcerating involuntarily homeless persons such as petitioners, for sleeping and engaging in other ordinary and essential activities of daily life violates the rights of homeless persons. The only allegations that describe the pattern of enforcement that is claimed to be constitutionally impermissible are ones which state that respondents have caused plaintiffs and other homeless persons to risk arrest and/or detention without probable cause and other abuses, indignities and punishment for their homeless status and presence in Santa Ana. Although the petition alleges in conclusory language that a pattern of constitutionally impermissible enforcement of the ordinance existed, plaintiffs never identified the particular applications of the law to be enjoined. The only relief sought in the petition is a writ of ***1087** mandate enjoining *any* enforcement of the ordinance by respondents. That relief is the kind of relief sought in a facial attack.

Moreover, no alternative writ was issued and no evidentiary hearing was held. Plaintiffs did not create a factual record on which an injunction limited to improper applications of the ordinance could have been fashioned.

Thus, notwithstanding the contrary conclusion of the dissent, the allegations of the petition did not clearly state an as applied challenge to the ordinance and the petition did not seek relief from constitutionally impermissible applications or methods of enforcing the ordinance. The petition sought to enjoin *any* application of the ordinance to *any* person in *any* circumstance. And, contrary to the view of the dissent, which relies on concessions of the parties and the reporter's transcript, rather than the actual judgment of the court, the superior court did not rule on the petition as one encompassing an as applied challenge. The order of that court which directed issuance of a per-

emptory writ invalidating one sentence of the ordinance as vague, did not identify or dispose of any such challenge. Instead, the court found only that enforcement of Santa Ana Ordinance NS-2160 ... does not violate the rights of homeless persons to freedom of movement and that petitioners' challenges to the constitutionality of the remaining portions of Santa Ana Ordinance NS-2160 are without merit.

The petition sought to enjoin enforcement of the ordinance on the ground that it was invalid because it violated the rights of the homeless. The court ruled that enforcement did not violate those rights. The court made no findings related to a pattern of enforcement of the ordinance and the judgment makes no mention of the manner in which the ordinance has been applied.

Moreover, even assuming that plaintiffs attempted to allege and prosecute an as applied challenge, and that the superior court did entertain plaintiffs' argument that they had mounted an as applied challenge to the ordinance, the superior court did not err in failing to rule on an as applied challenge as plaintiffs did not perfect a basis for ruling on such a challenge.

The only documents in the record that describe the manner in which the ordinance has been applied are declarations submitted six months after the petition was filed in conjunction with the superior court's hearing on plaintiffs' motion for issuance of a peremptory writ. Some of the declarations were by persons other than plaintiffs who stated that they had been arrested or cited for violation of the ordinance. None of those declared that he or she had ever been convicted and had a sentence imposed for violation of the ***1088** ordinance. None stated facts to support a conclusion that citations were given solely for the purpose of harassment and were not prosecuted thereafter, and none stated facts to support either the claim that the ordinance had been enforced discriminatorily against the homeless or the claim that a pattern of constitutionally impermissible enforcement existed. The declarations, which were the only evidence offered in the case,^{FN6} reflected only that persons who were homeless engaged in conduct that violated the ordinance and were arrested or cited for so doing.^{FN7} The declarations described the conduct which led to citations only from the perspective of the person cited. They left unclear whether it may have appeared to the of-

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ner who issued the citation that the individual was using or storing camp paraphernalia, or living temporarily, on public property.

FN6 Santa Ana did not offer evidence to rebut the declarants' description of the circumstances in which they were cited for violating the ordinance, believing the declarations to be irrelevant to the issues raised by the petition.

FN7 We do not understand plaintiffs to be arguing that a person who chooses voluntarily to camp on public property has a constitutionally protected right to do so, or that it would be improper to cite and convict such persons for violating the ordinance.

Moreover, assuming that persons whose violation of the ordinance is involuntary may offer a due-process-based necessity defense, the declarations did not demonstrate an impermissible pattern of enforcement against such persons.^{FN8}

FN8 Unlike the dissent, we cannot conclude that the city intends to enforce the ordinance against persons who have no alternative to camping or placing camp paraphernalia on public property. (Dis. opn., *post*, p. 1123, fn. 14.) A senior deputy district attorney expressed his opinion at oral argument before this court that a necessity defense might be available to truly homeless persons and said that prosecutorial discretion would be exercised.

Two of the declarants were plaintiffs. One was not homeless. The other conceded, contrary to the allegations of the petition, that he had never been cited under the ordinance.

Only one of the remaining seven declarants explained why he had not been able to find lawful shelter on the night he was cited for violation of the ordinance. That declarant was unable to get on the bus to the armory shelter on the night he was cited. His declaration, like those of most of the other declarants, did not indicate that he had applied for public assistance that might have made it possible to find housing. Among the reasons given by the other declarants for camping on public property at the time they were

cited were that the civic center area was safer, that the declarant had been turned away from a shelter a few weeks earlier and had not returned, that the civic center was convenient to food and there was safety in numbers, that the declarant had missed the bus to the armory, that shelters were so noisy and overcrowded that the declarant could not sleep there, and that the declarant *1089 did not like the armory because there was too much noise and he liked to be by himself.

While one of the declarants claimed to be schizophrenic, and stated that she had applied for and was awaiting Social Security assistance, she did not state whether she had sought public assistance from the county or that she had been turned away by a homeless shelter on the night she was cited.

Assuming that plaintiffs attempted to mount an as applied challenge to the ordinance on this basis, therefore, they simply did not demonstrate that the ordinance had been enforced in a constitutionally impermissible manner against homeless persons who had no alternative but to camp on public property in Santa Ana.

As discussed above, an as applied challenge assumes that the statute or ordinance violated is valid and asserts that the manner of enforcement against a particular individual or individuals or the circumstances in which the statute or ordinance is applied is unconstitutional. All of the declarants who had been cited under the ordinance described conduct in which they had engaged and that conduct appears to have violated the ordinance. None describes an impermissible means of enforcement of the ordinance or enforcement in circumstances that violated the constitutional rights the petition claimed had been violated. None demonstrated that the circumstances in which he or she was cited affected the declarant's right to travel. None states facts to support a conclusion that any punishment, let alone cruel and unusual punishment proscribed by the Eighth Amendment, had been imposed. Since no constitutionally impermissible pattern, or even single instance, of constitutionally impermissible enforcement was shown, no injunction against such enforcement could be issued and none was sought by plaintiffs.

Because the Tobe plaintiffs sought only to enjoin any enforcement of the ordinance and did not demonstrate a pattern of unconstitutional enforce-

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ment, the petition must be considered as one which presented only a facial challenge to the ordinance.

2. *The Zuckernick petition.*

(2b) The second action (Zuckernick) has been prosecuted as a petition for writ of mandate to compel the municipal court in which petitioners are charged with violation of the ordinance to sustain their demurrers to the complaints and to dismiss the charges. The petition was filed in the Court of Appeal after the municipal court overruled the demurrers. *1090

The Zuckernick petition arises out of an order overruling a demurrer to a criminal complaint. (9) A demurrer to a criminal complaint lies only to challenge the sufficiency of the pleading and raises only issues of law. (*People v. McConnell* (1890) 82 Cal. 620 [23 P. 40]; *Ratner v. Municipal Court for the Los Angeles Judicial District* (1967) 256 Cal.App.2d 925, 929 [64 Cal.Rptr. 500]; see also, 4 Witkin, Cal. Criminal Law (2d ed. 1989) § 2127, p. 2498.) [Penal Code section 1004](#) expressly limits demurrers to defects appearing on the face of the accusatory pleading:

“The defendant may demur to the accusatory pleading at any time prior to the entry of a plea, *when it appears upon the face thereof* either:

“1. If an indictment, that the grand jury by which it was found had no legal authority to inquire into the offense charged, or, if an information or complaint that the court has no jurisdiction of the offense charged therein;

“2. That it does not substantially conform to the provisions of Sections 950 and 952, and also Section 951 in case of an indictment or information;

“3. That more than one offense is charged, except as provided in Section 954;

“4. That the facts stated do not constitute a public offense;

“5. That it contains matter which, if true, would constitute a legal justification or excuse of the offense charged, or other legal bar to the prosecution. (Italics added.)

(2c) The Zuckernick petitioners demurred to the

complaints on the ground that they did not conform to the provisions of [Penal Code sections 950](#) and [952](#); ^{FN9} that the facts alleged did not constitute a public offense; that the complaints contained matters constituting a legal justification or excuse *1091 or other legal bar to the prosecution; and that the offense charged was unconstitutionally vague and overbroad, and violated the right to travel. The demurrer recited in addition that it was based upon the fact that the ordinances and penal statutes allegedly violated are unconstitutionally overbroad and vague in violation of the Fourteenth Amendment to the United States Constitution and [article I, section 7](#) of the California Constitution; unconstitutionally infringe on the defendant's right to travel and freedom of travel [*sic*].^ö Elsewhere the demurrer also asserted that the ordinance violates the Eighth Amendment prohibition against cruel and unusual punishment and the state constitutional prohibition against cruel or unusual punishment. ([Cal. Const., art. I, § 17.](#)) ^{FN10}

FN9 [Penal Code section 950](#):

“The accusatory pleading must contain:

“1. The title of the action, specifying the name of the court to which the same is presented, and the names of the parties;

“2. A statement of the public offense or offenses charged therein.ö

[Penal Code section 952](#): “In charging an offense, each count shall contain, and shall be sufficient if it contains in substance, a statement that the accused has committed some public offense therein specified. Such statement may be made in ordinary and concise language without any technical averments or any allegations of matter not essential to be proved. It may be in the words of the enactment describing the offense or declaring the matter to be a public offense, or in any words sufficient to give the accused notice of the offense of which he is accused. In charging theft it shall be sufficient to allege that the defendant unlawfully took the labor or property of another.ö

FN10 We assume, and respondents do not contend otherwise, that if a statute under

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which a defendant is charged with a crime is invalid, the complaint is subject to demurrer under subdivisions 1, 4 and 5 of [Penal Code section 1004](#) on the ground that the court lacks jurisdiction because the statute is invalid, the facts stated do not constitute a public offense, and the complaint contains matter which constitutes a legal bar to the prosecution. (See [Dillon v. Municipal Court, supra, 4 Cal.3d 860, 865](#); [In re Cregler \(1961\) 56 Cal.2d 308, 310](#) [[14 Cal.Rptr. 289, 363 P.2d 305](#)]; [Mandel v. Municipal Court \(1969\) 276 Cal.App.2d 649, 652](#) [[81 Cal.Rptr. 173](#)].)

We do not agree with the Court of Appeal in [People v. Jackson \(1985\) 171 Cal.App.3d 609, 615](#) [[217 Cal.Rptr. 540](#)], that grounds other than those specified in [Penal Code section 1004](#) may be urged in support of a "common law demurrer" raising "constitutional and other attacks on the sufficiency of an accusatory pleading." [Penal Code section 1002](#) specifies: "The only pleading on the part of the defendant is either a demurrer or a plea." [Penal Code section 1004](#) specifies the grounds on which a demurrer may be made, and we have recognized that if a constitutional challenge is based on matters not appearing on the face of the accusatory pleading a demurrer will not lie. ([In re Berry \(1968\) 68 Cal.2d 137, 146](#) [[65 Cal.Rptr. 273, 436 P.2d 273](#)].)

None of the complaints in the Zuckernick proceedings included any allegations identifying the defendant as an involuntarily homeless person whose violation of the ordinance was involuntary and/or occurred at a time when shelter beds were unavailable.^{FN11} Although the petition for writ of mandate included allegations regarding Santa Ana's past efforts to rid the city of its homeless population, those allegations, even if true, were irrelevant to the legal sufficiency of the complaints. ([Harman v. City and County of San Francisco \(1972\) 7 Cal.3d 150, 166](#) [[101 Cal.Rptr. 880, 496 P.2d 1248](#)]; [People v. Williams \(1979\) 97 Cal.App.3d 382, 391](#) [[158 Cal.Rptr. 778](#)].)

FN11 The allegations charging violation of the ordinance recited only that: "On or about [date] said defendant, in violation of Section 10-402 of the Santa Ana Municipal Code, a

Misdemeanor, did willfully and unlawfully, camp, use camp facilities, or camp paraphernalia in a public street or a public parking lot or other public area."

The Zuckernick demurrers and petition for writ of mandate necessarily constituted only a facial attack on the ordinance since the defendants could not, on a demurrer to the accusatory pleading, offer evidence that as applied *1092 to their individual circumstances the ordinance was invalid. (See [Dillon v. Municipal Court, supra, 4 Cal.3d 860, 865](#).) Those allegations are also irrelevant in determining the facial validity of the ordinance insofar as petitioners alleged that it violated their right to travel and constituted cruel and unusual punishment for status, since they do not establish that there were no circumstances in which the ordinance could be constitutionally applied.

Therefore, while we are not insensitive to the importance of the larger issues petitioners and amici curiae^{FN12} seek to raise in these actions, or to the disturbing nature of the evidence which persuaded the Court of Appeal to base its decision on what it believed to be the impact of the ordinance on homeless persons, the only question properly before the municipal and superior courts and the Court of Appeal for decision was the facial validity of the ordinance.

FN12 Many of those issues are the result of legislative policy decisions. The arguments of many amici curiae regarding the apparently intractable problem of homelessness and the impact of the Santa Ana ordinance on various groups of homeless persons (e.g., teenagers, families with children, and the mentally ill) should be addressed to the Legislature and the Orange County Board of Supervisors, not the judiciary. Neither the criminal justice system nor the judiciary is equipped to resolve chronic social problems, but criminalizing conduct that is a product of those problems is not for that reason constitutionally impermissible. (See [Sundance v. Municipal Court, supra, 42 Cal.3d 1101](#), and conc. opn. of Grodin, J., *id.* at p. 1139.)

(10) We emphasize that the procedural posture of a case is not simply a "technicality." The procedural posture of a case is crucial to determining the proper scope of appellate review. (See, e.g., [Sebago, Inc. v.](#)

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City of Atameada (1989) 211 Cal.App.3d 1372, 1379 [259 Cal.Rptr. 918].) The procedural posture of a case also determines the ability of the parties to exercise their right to present relevant evidence and to the creation of a full record adequate to enable the reviewing court to make a reasoned decision on the questions before it. When an appellate court fails to limit the scope of review to issues properly presented in the trial court, it denies litigants their right to have appellate questions decided on the basis of a full record which exposes all of the relevant facts and circumstances.

(2d) The importance of these considerations is most clearly demonstrated in the Zuckernick matter. There the People had no opportunity to present evidence regarding the circumstances in which the petitioners had been arrested, as the only issue before the municipal court in ruling on the demurrer was the sufficiency of the complaints. That court properly ruled that the complaints were sufficient. How then can a reviewing court find error in that ruling on the basis of evidence unrelated to the sufficiency of the complaint which the People had no opportunity to rebut in the municipal court? *1093

In the Tobe matter, notwithstanding the declarations that were submitted by the plaintiffs, there was no evidence that the ordinance had been applied to any person in a constitutionally impermissible manner.

This court's consideration will, therefore, be limited to the facial validity of the ordinance.

B. Motive of Legislators.

The Court of Appeal also considered the evidence of Santa Ana's past attempts to remove homeless persons from the city significant evidence of the purpose for which the ordinance was adopted. It then considered that purpose in assessing the validity of the ordinance. (11) While the intent or purpose of the legislative body must be considered in construing an ambiguous statute or ordinance (*Code Civ. Proc.*, § 1859; *People v. Pieters* (1991) 52 Cal.3d 894, 898-899 [276 Cal.Rptr. 918, 802 P.2d 420]), the motive of the legislative body is generally irrelevant to the validity of the statute or ordinance. (*Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 145 [130 Cal.Rptr. 465, 550 P.2d 1001]; *City and County of San Francisco v. Cooper* (1975) 13 Cal.3d 898, 913 [120 Cal.Rptr. 707, 534 P.2d 403]; *County of Los Angeles*

v. Superior Court (1975) 13 Cal.3d 721, 726-727 [119 Cal.Rptr. 631, 532 P.2d 495]; *Sunny Slope Water Co. v. City of Pasadena* (1934) 1 Cal.2d 87, 99 [33 P.2d 672]; *In re Sumida* (1918) 177 Cal. 388, 390 [170 P. 823]; *Hadacheck v. Alexander* (1915) 169 Cal. 616, 617 [147 P. 259]; *Odd Fellows' Cem. Assn. v. City and County of San Francisco* (1903) 140 Cal. 226, 235-236 [73 P. 987]; *Dobbins v. City of Los Angeles* (1903) 139 Cal. 179, 184 [72 P. 970], revd. on other grounds (1904) 195 U.S. 223 [49 L.Ed. 169, 25 S.Ct. 18]; *People v. County of Glenn* (1893) 100 Cal. 419, 423 [35 P. 302].) ^{FN13}

FN13 While the Court of Appeal considered Santa Ana's past actions and the documents suggesting that the city had mounted a concerted effort to remove homeless persons, it did not acknowledge that, as part of the settlement of a lawsuit seeking to enjoin further unlawful attempts to remove homeless persons, Santa Ana had agreed to take no further action to drive the homeless from the city. The Court of Appeal nonetheless assumed that the adoption of a facially neutral ordinance prohibiting camping and storing personal possessions on public property was a renewed effort to do so and a violation of the settlement agreement. Had it been a violation of the settlement agreement, however, the Tobe plaintiffs' appropriate recourse would have been through an action to enforce the settlement.

The Court of Appeal relied in part on *Pottinger v. City of Miami* (S.D. Fla. 1992) 810 F.Supp. 1551, 1581, for its assumption that consideration of the motives of the Santa Ana City Council may be considered in assessing the validity of the ordinance. That is not the rule in this state, but even were it so, *Pottinger* was not a challenge to the facial validity of the Miami *1094 ordinance in question there. Moreover, the district court's conclusion that the ordinance was invalid as applied was not based on the motives of the legislators in enacting the ordinance. The court considered internal memoranda and evidence of arrest records as evidence of the purpose underlying enforcement of the ordinance against homeless persons.

Absent a basis for believing that the ordinance would not have been adopted if the public areas of Santa Ana had been appropriated for living accom-

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modation by any group other than the homeless, or that it was the intent of that body that the ordinance be enforced only against homeless persons (see, e.g., *Parr v. Municipal Court* (1971) 3 Cal.3d 861 [92 Cal.Rptr. 153, 479 P.2d 353]), the ordinance is not subject to attack on the basis that the city council may have hoped that its impact would be to discourage homeless persons from moving to Santa Ana.

We cannot assume, as does the dissent, that the sole purpose of the Santa Ana ordinance was to force the homeless out of the city. The city had agreed to discontinue such attempts when it settled the prior litigation. The record confirms that the city faced a problem common to many urban areas, the occupation of public parks and other public facilities by homeless persons. Were we to adopt the approach suggested by the dissent, any facially valid ordinance enacted by a city that had once acted in a legally impermissible manner to achieve a permissible objective could be found invalid on the basis that its past conduct established that the ordinance was not enacted for a permissible purpose. Absent evidence other than the enactment of a facially valid ordinance, we cannot make that assumption here.

The dissent relies on *Parr v. Municipal Court, supra*, 3 Cal.3d 861, as supporting invalidation of a facially valid ordinance on the ground that it is motivated by impermissible legislative intent. The Santa Ana ordinance and the circumstances of its adoption are distinguishable from the Carmel ordinance at issue in *Parr*, however. There, the city had not entered into a court-approved settlement in which it stipulated that it would not engage in discriminatory enforcement of the law against "undesirables," and, unlike the Santa Ana ordinance, the Carmel ordinance banned a customary use of the city park-sitting or lying on the lawn. A "Declaration of Urgency" which accompanied the Carmel ordinance stated that its purpose was to regulate the use of public property, parks, and beaches by transient visitors.

The Carmel ordinance was challenged as facially invalid on grounds that it discriminated against undesirable and unsanitary persons, referring to them as "hippies" and "transients." In *Parr v. Municipal Court, supra*, 3 Cal.3d 861, we rejected the People's argument that only the operative language of *1095 the ordinance should be considered because the declaration of purpose suggested that the operative sec-

tions were intended to be limited in their application to the group it described. On that basis we concluded that the Carmel ordinance had a discriminatory purpose.

The ordinance, by contrast, bans use of public property in the city for purposes for which it was not designed. At the time it was adopted the city had agreed not to engage in discriminatory law enforcement. And no declaration of purpose comparable to that which accompanied the Carmel ordinance was made. The declared purpose of the ordinance did not suggest that it was to be enforced solely against the homeless. We cannot, for those reasons, join the assumption of the dissent that the purpose of the ordinance is simply to drive the homeless out of Santa Ana.^{FN14}

FN14 We also decline to join the conclusion of the dissent that enactment of an ordinance like that adopted by Santa Ana, whose purpose is to preserve public property for its intended use, is constitutionally impermissible because it may lead to the adoption of similar ordinances in other cities with the result that the homeless are everywhere excluded from living on public property.

C. Facial Challenges on Vagueness Grounds.

The Court of Appeal granted relief to the Zuckernick petitioners without regard to either the limitations on a demurrer to a criminal complaint or vagueness challenges by criminal defendants.

(12) "The rule is well established ... that one will not be heard to attack a statute on grounds that are not shown to be applicable to himself and that a court will not consider every conceivable situation which might arise under the language of the statute and will not consider the question of constitutionality with reference to hypothetical situations." (*In re Cregler, supra*, 56 Cal.2d 308, 313.) If the statute clearly applies to a criminal defendant's conduct, the defendant may not challenge it on grounds of vagueness. (*Parker v. Levy* (1974) 417 U.S. 733, 756 [41 L.Ed.2d 439, 457-458, 94 S.Ct. 2547]; *People v. Green* (1991) 227 Cal.App.3d 692, 696 [278 Cal.Rptr. 140].) However, in some cases, a defendant may make a facial challenge to the statute, if he argues that the statute improperly prohibits a "substantial amount of constitutionally protected conduct," "whether or not its application to his own conduct may be constitutional. ("

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[Kolender v. Lawson \(1983\) 461 U.S. 352, 358-359, fn. 8 \[75 L.Ed.2d 903, 909-910, 103 S.Ct. 1855\].](#)^{FN15}

FN15 Because we conclude that the ordinance is not overbroad, we need not decide whether the overbreadth doctrine is applicable outside the area of freedoms protected by the First Amendment. The Supreme Court has stated that overbreadth challenges will be entertained only if a First Amendment violation is alleged. “[O]utside the limited First Amendment context, a criminal statute may not be attacked as overbroad.” (*Schall v. Martin* (1984) 467 U.S. 253, 268, fn. 18 [81 L.Ed.2d 207, 220, 104 S.Ct. 2403].)

Other decisions of the United States Supreme Court suggest that this limitation is not invariably observed. (See *Kolender v. Lawson, supra*, 461 U.S. 352, 358-359, fn. 8 [75 L.Ed.2d 903, 909-910].) We will assume arguing that the overbreadth doctrine may be applied outside the First Amendment context.

The Zuckernick petitioners argued in support of their demurrers that the ordinance failed to give fair and adequate notice of prohibited conduct, had *1096 vague enforcement standards which encourage arbitrary and discriminatory arrests and convictions, and reached constitutionally protected conduct. The vagueness aspect of their challenge to the ordinance is governed by the rule stated in *In re Cregler, supra*, 56 Cal.2d 308, 313. The last ground, an overbreadth, not a vagueness, argument, is governed by *Kolender v. Lawson, supra*, 461 U.S. 352, 358-359, fn. 8 [75 L.Ed.2d 903, 909-910].

The Zuckernick petitioners' vagueness challenge was addressed to the terms “camp,” “camp facilities,” and “camp paraphernalia,” as defined in the ordinance, and the term “temporary shelter,” which is not defined. The definitions in the ordinance include terms which those petitioners do not claim are vague and which may apply to petitioner's conduct. Thus the People may seek to establish violation of the ordinance on the basis that one or more of the petitioners pitched or used a tent on a public street or parking lot. Because the Zuckernick challenge to the ordinance was brought by demurrer and the nature of their conduct has not been determined, those petitioners

cannot show at this stage of the proceedings that the ordinance did not clearly apply to their conduct. To that extent, therefore, the vagueness challenge of the Zuckernick petitioners is premature.

The Tobe plaintiffs are not persons presently charged with violating the ordinance, however. Their actions do not seek to avoid prosecution for criminal acts. They are suing as taxpayers to restrain expenditure of public funds on the enforcement of an allegedly unconstitutional ordinance. (*Code Civ. Proc.*, § 526a.) The restrictions applicable to vagueness challenges by criminal defendants do not apply to their action.

With these considerations in mind, we now turn to the constitutional bases for the decision of the Court of Appeal.

III. Facial Validity of the Santa Ana Ordinance A. Right to Travel.

(13) Although no provision of the federal Constitution expressly recognizes a right to travel among and between the states, that right is recognized *1097 as a fundamental aspect of the federal union of states. “For all the great purposes for which the Federal government was formed, we are one people, with one common country. We are all citizens of the United States; and, as members of the same community, must have the right to pass and repass through every part of it without interruption, as freely as in our own States.” (*Passenger Cases* (1849) 48 U.S. (7 How.) 283, 492 [12 L.Ed. 702, 791] (dis. opn. of Taney, C. J.).)

In the *Passenger Cases, supra*, 48 U.S. 283, the court struck down taxes imposed by the States of New York and Massachusetts on aliens who entered the state from other states and countries by ship. The basis for the decision, as found in the opinions of the individual justices, was that the tax invaded the power of Congress over foreign and interstate commerce. The opinion of Chief Justice Taney, in which he disagreed with the majority on the commerce clause issue, also addressed the tax as applied to citizens of the United States arriving from other states. That tax he believed to be impermissible. Some later decisions of the court trace recognition of the constitutional right of unburdened interstate travel to that opinion. (See, e.g., *Shapiro v. Thompson* (1969) 394 U.S. 618, 630 [22 L.Ed.2d 600, 612-613, 89 S.Ct. 1322].) And, relying on the dissenting opinion of the Chief Justice in the *Passenger Cases*, the court struck down a tax on

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egress from the State of Nevada in [Cranaan v. Nevada](#) (1867) 73 U.S. (6 Wall.) 35 [18 L.Ed. 745], holding that the right of interstate travel was a right of national citizenship which was essential if a citizen were to be able to pass freely through another state to reach the national or a regional seat of the federal government.

Other cases find the source of the right in the privileges and immunities clause. In [Paul v. Virginia](#) (1868) 75 U.S. (8 Wall.) 168 [19 L.Ed. 357], the court rejected a challenge predicated on the privileges and immunities clause made by a corporation to a tax imposed by the State of Virginia on out-of-state insurance companies. In so doing, it recognized interstate travel as a right guaranteed to citizens. "It was undoubtedly the object of the clause in question to place the citizens of each State upon the same footing with citizens of other States, so far as the advantages resulting from citizenship in those States are concerned. It relieves them from the disabilities of alienage in other States; it inhibits discriminating legislation against them by other States; it gives them the right of free ingress into other States, and egress from them; it insures to them in other States the same freedom possessed by the citizens of those States in the acquisition and enjoyment of property and in the pursuit of happiness; and it secures to them in other States the equal protection of their laws." (*Id.* at p. 180 [19 L.Ed. at p. 360], italics added.)

In the [Slaughter-House Cases](#) (1872) 83 U.S. (16 Wall.) 36 [21 L.Ed. 394], the court equated the rights protected by the privileges and immunities *1098 clause to those in the corresponding provision of the Articles of Confederation which provided that the inhabitants of each state were to have "the privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State" (83 U.S. at p. 75 [21 L.Ed. at p. 408].)

The privileges and immunities clause was also the source of the right of interstate travel as an incident of national citizenship recognized by the court in [Twining v. New Jersey](#) (1908) 211 U.S. 78, 97 [53 L.Ed. 97, 105, 29 S.Ct. 14] and [United States v. Wheeler](#) (1920) 254 U.S. 281, 293 [65 L.Ed. 270, 273, 41 S.Ct. 133]. In [Williams v. Fears](#) (1900) 179 U.S. 270, 274 [45 L.Ed. 186, 188-189, 21 S.Ct. 128], the right was held to be one protected by the Fourteenth Amendment as well as other provisions of the Constitution. "Un-

doubtedly the right of locomotion, the right to remove from one place to another according to inclination, is an attribute of personal liberty, and the right, ordinarily, of free transit from or through the territory of any State is a right secured by the Fourteenth Amendment and by other provisions of the Constitution." (*Ibid.*) Again, in [Kent v. Dulles](#) (1958) 357 U.S. 116, 127 [2 L.Ed.2d 1204, 1211, 78 S.Ct. 1113], freedom to travel was recognized as "an important aspect of the citizen's 'liberty.'" (See also [Edwards v. California](#) (1941) 314 U.S. 160, 177, 183 [86 L.Ed. 119, 127, 62 S.Ct. 164] (conc. opns. of Douglas, J. and Jackson, J.).)

The right to travel, or right of migration, now is seen as an aspect of personal liberty which, when united with the right to travel, requires "that all citizens be free to travel throughout the length and breadth of our land uninhibited by statutes, rules, or regulations which unreasonably burden or restrict this movement." ([Shapiro v. Thompson, supra](#), 394 U.S. 618, 629 [22 L.Ed.2d 600, 612]; see also [United States v. Guest](#) (1966) 383 U.S. 745, 757-758 [16 L.Ed.2d 239, 248-250, 86 S.Ct. 1170].)

In a line of cases originating with [Shapiro v. Thompson, supra](#), 394 U.S. 618, the court has considered the right to travel in the context of equal protection challenges to state laws creating durational residency requirements as a condition to the exercise of a fundamental right or receipt of a state benefit. In those cases the court has held that a law which directly burdens the fundamental right of migration or interstate travel is constitutionally impermissible. Therefore a state may not create classifications which, by imposing burdens or restrictions on newer residents which do not apply to all residents, deter or penalize migration of persons who exercise their right to travel to the state.

In [Shapiro](#), where public assistance was denied residents who had lived in the state for less than one year, the court held that durational residence as a *1099 condition of receiving public assistance constituted invidious discrimination between residents, and that if a law had no other purpose than chilling the exercise of a constitutional right such as that of migration of needy persons into the state the law was impermissible. ([Shapiro v. Thompson, supra](#), 394 U.S. 618, 627, 631 [22 L.Ed.2d 600, 613].) Further, "any classification which serves to penalize the exercise of [the right of migration], unless shown to be necessary

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to promote a competing governmental interest, is unconstitutional. (*Id.* at p. 634 [22 L.Ed.2d at p. 615].)

Next, durational residence requirements for voting were struck down by the court in *Dunn v. Blumstein* (1972) 405 U.S. 330 [31 L.Ed.2d 274, 92 S.Ct. 995]. Again the question arose as an equal protection issue. The court held that the state must have a compelling reason for the requirement because it denied residents the right to vote, a fundamental political right, and because the law "classif[ies] ... residents on the basis of recent travel, penalizing those persons ... who have gone from one jurisdiction to another during the qualifying period. Thus, the durational residence requirement directly impinges on the exercise of a second fundamental personal right, the right to travel." (*Id.* at p. 338 [31 L.Ed.2d at pp. 281-282].) The court emphasized the imposition of a "direct" burden on travel: "Obviously, durational residence laws single out the class of bona fide state and county residents who have recently exercised this constitutionally protected right, and penalize such travelers directly." (*Ibid.*) It also took care to point out, as it had in *Shapiro v. Thompson, supra*, 394 U.S. 618, 638, fn. 21 [22 L.Ed.2d 600, 617], that a law which did not penalize residents on the basis of recent travel would not be vulnerable to a similar challenge. The court explained: "Where, for example, an interstate migrant loses his driver's license because the new State has a higher age requirement, a different constitutional question is presented. For in such a case, the new State's age requirement is not a *penalty* imposed solely because the newcomer is a new resident; instead, all residents, old and new, must be of a prescribed age to drive." (405 U.S. at p. 342, fn. 12 [31 L.Ed.2d at p. 284].)

The court's focus on whether the law directly burdened, by penalizing, interstate travel continued in *Memorial Hospital v. Maricopa County* (1974) 415 U.S. 250 [39 L.Ed.2d 306, 94 S.Ct. 1076], in which a durational residence requirement for indigent, nonemergency medical care at county expense was challenged. The court held that the restriction denied newcomers equal protection, impinged on the right to travel by denying basic necessities of life, and penalized interstate migration. (*Id.* at pp. 261-262 [39 L.Ed.2d at pp. 316-317]; see also *Benson v. Arizona State Bd. of Dental Examiners* (9th Cir. 1982) 673 F.2d 272, 277 [licensing requirement that did not

disadvantage newcomers vis-a-vis previous residents did not penalize exercise of right to travel].) *1100

In each of these cases the court had before it a law which denied residents a fundamental constitutional right (voting) or a governmental benefit (public assistance, medical care) on the basis of the duration of their residence. The law created two classes of residents. In *Zobel v. Williams* (1982) 457 U.S. 55 [72 L.Ed.2d 672, 102 S.Ct. 2309], where the right to share in oil revenues was based on the duration of residence in Alaska, the court noted that the right to travel analysis in those cases, which did not create an actual barrier to travel, was simply a type of equal protection analysis. "In addition to protecting persons against the erection of actual barriers to interstate movement, the right to travel, when applied to residency requirements, protects new residents of a state from being disadvantaged because of their recent migration or from otherwise being treated differently from longer term residents. In reality, right to travel analysis refers to little more than a particular application of equal protection analysis. Right to travel cases have examined, in equal protection terms, state distinctions between newcomers and longer term residents." (*Id.* at p. 60, fn. 6 [72 L.Ed.2d at pp. 677-678].)

(14) The right of intrastate travel has been recognized as a basic human right protected by [article I, sections 7 and 24 of the California Constitution](#). (*In re White* (1979) 97 Cal.App.3d 141 [158 Cal.Rptr. 562].) There the court concluded that a condition of probation which barred a defendant convicted of prostitution from designated areas in the City of Fresno should be modified to avoid an overly restrictive impact on the defendant's right to travel. The court held that "the right to intrastate travel (which includes intramunicipal travel) is a basic human right protected by the United States and California Constitutions as a whole. Such a right is implicit in the concept of a democratic society and is one of the attributes of personal liberty under common law. (See 1 Blackstone, Commentaries 134; U.S. Const., art. IV, § 2 and the 5th, 9th and 14th Amends.; [Cal. Const., art. I, § 7](#), subd. (a) and [art. I, § 24](#))" (*Id.* at p. 148.) In *White*, as in the early United States Supreme Court cases, the court addressed a direct burden on travel.

Neither the United States Supreme Court nor this court has ever held, however, that the incidental impact on travel of a law having a purpose other than

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restriction of the right to travel, and which does not discriminate among classes of persons by penalizing the exercise by some of the right to travel, is constitutionally impermissible.

By contrast, in a decision clearly relevant here, a zoning law which restricted occupancy to family units or nonfamily units of no more than two persons was upheld by the Supreme Court, notwithstanding any incidental impact on a person's preference to move to that area, because the law was *1101 not aimed at transients and involved no fundamental right. (*Village of Belle Terre v. Boraas* (1974) 416 U.S. 1, 7 [39 L.Ed.2d 797, 803, 94 S.Ct. 1536].)

Courts of this state have taken a broader view of the right of intrastate travel, but have found violations only when a direct restriction of the right to travel occurred. (*Adams v. Superior Court* (1974) 12 Cal.3d 55, 61-62 [115 Cal.Rptr. 247, 524 P.2d 375].) In *In re White, supra*, the petitioner had been barred directly from traveling to specified areas. In *In re Marriage of Fingert* (1990) 221 Cal.App.3d 1575 [271 Cal.Rptr. 389], a parent had been ordered to move to another county as a condition of continued custody of a child. Indirect or incidental burdens on travel resulting from otherwise lawful governmental action have not been recognized as impermissible infringements of the right to travel and, when subjected to an equal protection analysis, strict scrutiny is not required. If there is any rational relationship between the purpose of the statute or ordinance and a legitimate government objective, the law must be upheld. (*Adams v. Superior Court, supra*, 12 Cal.3d 55, 61-62.)

This court has also rejected an argument that any legislation that burdens the right to travel must be subjected to strict scrutiny and sustained only if a compelling need is demonstrated. In *Associated Home Builders etc., Inc. v. City of Livermore* (1976) 18 Cal.3d 582 [135 Cal.Rptr. 41, 557 P.2d 473, 92 A.L.R.3d 1038], an initiative ordinance which banned issuance of new building permits until support facilities were available was challenged as an impermissible burden on the right to travel. We rejected the argument because the impact of the ordinance was only an indirect burden on the right to travel. The ordinance did not penalize travel and resettlement, although an incidental impact was to make it more difficult to establish residence in the place of one's choosing. (*Id.* at pp. 602-603; see also *R.H. Macy & Co. v. Contra*

Costa County (1990) 226 Cal.App.3d 352, 367-369 [276 Cal.Rptr. 530].)

We do not question the conclusion of the Court of Appeal that a local ordinance which forbids sleeping on public streets or in public parks and other public places may have the effect of deterring travel by persons who are unable to afford or obtain other accommodations in the location to which they travel. (15a) Assuming that there may be some state actions short of imposing a direct barrier to migration or denying benefits to a newly arrived resident which violate the right to travel, the ordinance does not do so. It is a nondiscriminatory ordinance which forbids use of the public streets, parks, and property by residents and nonresidents alike for purposes other than those for which the property was designed. It is not constitutionally invalid because it may have an incidental impact on the right of some persons to interstate or intrastate travel. *1102

As we have pointed out above, to succeed in a facial challenge to the validity of a statute or ordinance the plaintiff must establish that 'the act's provisions inevitably pose a present total and fatal conflict with applicable constitutional provisions.' (*Arcadia Unified School Dist. v. State Dept. of Education, supra*, 2 Cal.4th 251, 267, quoting *Pacific Legal Foundation v. Brown, supra*, 29 Cal.3d 168, 180-181.) (16) All presumptions favor the validity of a statute. The court may not declare it invalid unless it is clearly so. (*Calfarm Ins. Co. v. Deukmejian* (1989) 48 Cal.3d 805, 814-815 [258 Cal.Rptr. 161, 771 P.2d 1247].)

(15b) Since the Santa Ana ordinance does not on its face reflect a discriminatory purpose, and is one which the city has the power to enact, its validity must be sustained unless it cannot be applied without trenching upon constitutionally protected rights. The provisions of the Santa Ana ordinance do not inevitably conflict with the right to travel. The ordinance is capable of constitutional application. The ordinance prohibits any person from camping and/or storing personal possessions on public streets and other public property. It has no impact, incidental or otherwise, on the right to travel except insofar as a person, homeless or not, might be discouraged from traveling to Santa Ana because camping on public property is banned. An ordinance that bans camping and storing personal possessions on public property does not directly impede the right to travel. (*People v. Scott* (1993) 20

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[Cal.App.4th Supp. 3, 13 \[26 Cal.Rptr.2d 1797\]](#) Even assuming that the ordinance may constitute an incidental impediment to some individuals' ability to travel to Santa Ana, since it is manifest that the ordinance is capable of applications which do not offend the Constitution in the manner suggested by petitioners and the Court of Appeal, the ordinance must be upheld.

Our conclusion that the Santa Ana ordinance does not impermissibly infringe on the right of the homeless, or others, to travel, finds support in the decision of the United States District Court in *Joyce v. City and County of San Francisco* (N.D.Cal. 1994) [846 F.Supp. 843](#). The plaintiffs, on behalf of a class of homeless individuals, sought a preliminary injunction to prevent implementation of a program of enforcement (the Matrix Program) of state and municipal laws which were commonly violated by the homeless residents of the city. Among the laws to be enforced were those banning camping or lodging in public parks and obstructing sidewalks. It was claimed, inter alia, that the Matrix Program infringed on the right to travel. The court rejected that argument and refused to require the city to show a compelling state interest to justify any impact the program might have on the right of the class members to travel. It noted that the program was not facially discriminatory as it did not distinguish between persons who were *1103 residents of the city and those who were not. In so doing, the court suggested that the opinion of the Court of Appeal in this case was among those which constituted extensions of the right to travel that appeared to be unwarranted under the governing Supreme Court precedent. (*Id.* at p. 860.) We agree.

(17) The right to travel does not, as the Court of Appeal reasoned in this case, endow citizens with a right to live or stay where one will. While an individual may travel where he will and remain in a chosen location, that constitutional guaranty does not confer immunity against local trespass laws and does not create a right to remain without regard to the ownership of the property on which he chooses to live or stay, be it public or privately owned property.

(18) Moreover, lest we be understood to imply that an as applied challenge to the ordinance might succeed on the right to travel ground alone, we caution that, with few exceptions,^{FN16} the creation or recognition of a constitutional right does not impose on a

state or governmental subdivision the obligation to provide its citizens with the means to enjoy that right. (*Harris v. McRae* (1980) [448 U.S. 297, 317-318 \[65 L.Ed.2d 784, 804-806, 100 S.Ct. 2671\]](#); *Maher v. Roe* (1977) [432 U.S. 464, 471-474 \[53 L.Ed.2d 484, 492-495, 97 S.Ct. 2376\]](#).) (15c) Santa Ana has no constitutional obligation to make accommodations on or in public property available to the transient homeless to facilitate their exercise of the right to travel. (*Lindsey v. Normet* (1972) [405 U.S. 56, 74 \[31 L.Ed.2d 36, 50-51, 92 S.Ct. 862\]](#).) Petitioners' reliance on *Clark v. Community for Creative Non-Violence* (1984) [468 U.S. 288 \[82 L.Ed.2d 221, 104 S.Ct. 3065\]](#), for the proposition that Santa Ana is obliged to provide areas in which camping is permitted on public property is misplaced. The issue in *Clark* was whether the refusal of the National Park Service to permit demonstrators who wished to call attention to the plight of the homeless to sleep in Lafayette Park and on the Mall in the nation's capital violated the First Amendment rights of the demonstrators. The court held that it did not, as other areas were available for the purpose. *Clark* dealt with an affirmative right-that of free speech -which could be restricted in public fora only by reasonable, content-neutral time, place and manner restrictions. (*Id.* at p. 293 [82 L.Ed.2d at p. 293-294].) The court expressly recognized the authority of the National Park Service to promulgate rules and regulations for the use of the parks in *1104 accordance with the purposes for which they were established.^{FN17} ([468 U.S. at p. 289 \[82 L.Ed.2d at p. 224\]](#).) Petitioners in this case make no claim that the right they seek, to camp on public property in Santa Ana, is expressive conduct protected by the First Amendment. There is no comparable constitutional mandate that sites on public property be made available for camping to facilitate a homeless person's right to travel, just as there is no right to use public property for camping or storing personal belongings.^{FN18}

FN16 E.g., the right to counsel guaranteed by the Sixth Amendment to the United States Constitution.

FN17 The ordinance mirrors the National Park Service rules and regulations governing camping in several respects. Those rules prohibit camping by using park lands as living accommodations and storing personal belongings on them. ([36 C.F.R. §§ 2.22, 2.61 \(1994\)](#).)

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FN18 Petitioners' argument that Santa Ana may not deny homeless persons the right to live on public property anywhere in the city unless it provides alternative accommodations also overlooks the Legislature's allocation of responsibility to assist destitute persons to counties. ([Welf. & Inst. Code, §§ 17000-17001.5.](#)) If the inability of petitioners and other homeless persons in Santa Ana to afford housing accounts for their need to camp on public property, their recourse lies not with the city, but with the county under those statutory provisions.

The Court of Appeal erred in holding that the Santa Ana ordinance impermissibly infringes on the right of the homeless to travel.

B. Punishment for Status.

(19) The Court of Appeal invalidated the ordinance for the additional reason that it imposed punishment for the involuntary status of being homeless.^{FN19} On that basis the court held the ordinance was invalid because such punishment violates the Eighth Amendment prohibition of cruel and unusual punishment, and the ban on cruel or unusual punishment of [article I, section 17 of the California Constitution](#). We disagree with that construction of the ordinance and of the activity for which punishment is authorized. The ordinance permits punishment for proscribed conduct, not punishment for status.

FN19 In reaching that decision, the Court of Appeal did not distinguish between involuntarily being homeless, and involuntarily engaging in conduct that violated the ordinance. The court assumed that an involuntarily homeless person who involuntarily camps on public property may be convicted or punished under the ordinance. That question, which the Court of Appeal and the dissent address, and which might be raised in an as applied challenge to the ordinance, is not before us because plaintiffs offered no evidence that the ordinance was being applied in that manner. We express no opinion on the proper construction of the ordinance, in particular on whether the conduct it prohibits must be willful, or on whether or in what circumstances a necessity defense is availa-

ble.

The holding of the Court of Appeal is not limited to the face of the ordinance, and goes beyond even the evidence submitted by petitioners. Neither the language of the ordinance nor that evidence supports a conclusion that a person may be convicted and punished under the ordinance solely *1105 on the basis that he or she has no fixed place of abode. No authority is cited for the proposition that an ordinance which prohibits camping on public property punishes the involuntary status of being homeless or, as the Court of Appeal also concluded, is punishment for poverty. [Robinson v. California \(1962\) 370 U.S. 660 \[8 L.Ed.2d 758, 82 S.Ct. 1417\]](#), on which the court relied, dealt with a statute which criminalized the status of being addicted to narcotics. The court made it clear, however, that punishing the conduct of using or possessing narcotics, even by an addict, is not impermissible punishment for status. ([370 U.S. at pp. 664, 666 \[8 L.Ed.2d at pp. 761-763\].](#))

A plurality of the high court reaffirmed the *Robinson* holding in [Powell v. Texas \(1968\) 392 U.S. 514 \[20 L.Ed.2d 1254, 88 S.Ct. 2145\]](#), where it rejected a claim that punishment of an alcoholic for being drunk in public was constitutionally impermissible. The entire thrust of *Robinson's* interpretation of the Cruel and Unusual Punishment Clause is that criminal penalties may be inflicted only if the accused has committed some act, has engaged in some behavior, which society has an interest in preventing, or perhaps in historical common law terms, has committed some *actus reus*. It thus does not deal with the question of whether certain conduct cannot constitutionally be punished because it is, in some sense, 'involuntary' or 'occasioned by a compulsion.' ([Id. at p. 533 \[20 L.Ed.2d at p. 1268\].](#))

As the district court observed in [Joyce v. City and County of San Francisco, supra, 846 F.Supp. 843, 857](#), the Supreme Court has not held that the Eighth Amendment prohibits punishment of acts derivative of a person's status. Indeed, the district court questioned whether 'homelessness' is a status at all within the meaning of the high court's decisions. 'As an analytical matter, more fundamentally, homelessness is not readily classified as a 'status.' Rather, as expressed for the plurality in *Powell* by Justice Marshall, there is a 'substantial definitional distinction between a 'status' ... and a 'condition'' [392 U.S. at 533, 88 S.Ct. at](#)

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2155, while the concept of status might erode perfect definition, certain factors assist in its determination, such as the involuntariness of the acquisition of that quality (including the presence or not of that characteristic at birth), see *Robinson*, 370 U.S. at 665-69 & [fn.] 9, 82 S.Ct. at 1420-21 & [fn.] 9, and the degree to which an individual has control over that characteristic. (846 F.Supp. at p. 857.)

The declarations submitted by petitioners in this action demonstrate the analytical difficulty to which the *Joyce* court referred. Assuming arguendo the accuracy of the declarants' descriptions of the circumstances in which they were cited under the ordinance, it is far from clear that none had alternatives to either the condition of being homeless or the conduct that led to homelessness and to the citations. *1106

The Court of Appeal erred, therefore, in concluding that the ordinance is invalid because it permits punishment for the status of being indigent or homeless.

C. Vagueness and Overbreadth.

The Court of Appeal concluded that the ordinance was vague and overbroad. It based its vagueness conclusion on the nonexclusive list of examples of camping paraphernalia and facilities in the definitions of those terms. Those definitions were so un-specific, the court reasoned, that they invited arbitrary enforcement of the ordinance in the unfettered discretion of the police. The overbreadth conclusion was based on reasoning that the ordinance could be applied to constitutionally protected conduct. In that respect the court held that the verb *store* was overbroad as it could be applied to innocent conduct such as leaving beach towels unattended at public pools and wet umbrellas in library foyers.

1. Vagueness.

(20a) The Tobe respondents and the People, real party in interest in the Zuckernick matter, argue that the Court of Appeal failed to apply the tests enunciated by the United States Supreme Court and this court in applying the vagueness doctrine. It has isolated particular terms rather than considering them in context. We agree.

(21) A penal statute must define the offense with sufficient precision that ordinary people can understand what conduct is prohibited and in a manner that

does not encourage arbitrary and discriminatory enforcement. (*Kolender v. Lawson*, *supra*, 461 U.S. 352, 357 [75 L.Ed.2d 903, 909]; see also *Papachristou v. City of Jacksonville* (1972) 405 U.S. 156, 162 [31 L.Ed.2d 110, 115-116, 92 S.Ct. 839]; *United States v. Harriss* (1954) 347 U.S. 612, 617 [98 L.Ed. 989, 996, 74 S.Ct. 808]; *Thornhill v. Alabama* (1940) 310 U.S. 88, 97-98 [84 L.Ed. 1093, 1099-1100, 60 S.Ct. 736].) The constitutional interest implicated in questions of statutory vagueness is that no person be deprived of 'life, liberty, or property without due process of law,' as assured by both the federal Constitution (U.S. Const., Amends. V, XIV) and the California Constitution (Cal. Const., art. I, § 7). (*Williams v. Garcetti* (1993) 5 Cal.4th 561, 567 [20 Cal.Rptr.2d 341, 853 P.2d 507].)

To satisfy the constitutional command, a statute must meet two basic requirements: (1) The statute must be sufficiently definite to provide adequate notice of the conduct proscribed; and (2) the statute must provide sufficiently definite guidelines for the police in order to prevent arbitrary and *1107 discriminatory enforcement. (*Williams v. Garcetti*, *supra*, 5 Cal.4th 561, 567; *Walker v. Superior Court* (1988) 47 Cal.3d 112, 141 [253 Cal.Rptr. 1, 763 P.2d 852]; *People v. Superior Court (Caswell)* (1988) 46 Cal.3d 381, 389-390 [250 Cal.Rptr. 515, 758 P.2d 1046].) Only a reasonable degree of certainty is required, however. (46 Cal.3d at p. 391.) The analysis begins with the strong presumption that legislative enactments must be upheld unless their unconstitutionality clearly, positively, and unmistakably appears. [Citations.] A statute should be sufficiently certain so that a person may know what is prohibited thereby and what may be done without violating its provisions, but it cannot be held void for uncertainty if any reasonable and practical construction can be given to its language.' (*Walker v. Superior Court*, *supra*, 47 Cal.3d at p. 143.)

(20b) The Court of Appeal erred in holding that the ordinance is unconstitutionally vague. The terms which the Court of Appeal considered vague are not so when the purpose clause of the ordinance is considered and the terms are read in that context as they should be. (*Williams v. Garcetti*, *supra*, 5 Cal.4th 561, 569; see also *Clark v. Community for Creative Non-Violence*, *supra*, 468 U.S. 288, 290-291 [82 L.Ed.2d 221, 224-226]; *United States v. Musser* (D.C. Cir. 1989) 873 F.2d 1513 [277 App.D.C. 256]; *United States v. Thomas* (D.C. Cir. 1988) 864 F.2d 188,

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197-198 [274 App.D.C. 363], *ACORN v. City of Tulsa, Okl.* (10th Cir. 1987) 835 F.2d 735, 744-745. Contrary to the suggestion of the Court of Appeal, we see no possibility that any law enforcement agent would believe that a picnic in a public park constituted "camping" within the meaning of the ordinance or would believe that leaving a towel on a beach or an umbrella in a library constituted storage of property in violation of the ordinance.

The stated purpose of the ordinance is to make public streets and other areas readily accessible to the public and to prevent use of public property "for camping purposes or storage of personal property" which "interferes with the rights of others to use the areas for which they were intended." No reasonable person would believe that a picnic in an area designated for picnics would constitute camping in violation of the ordinance. The ordinance defines camping as occupation of camp facilities, living temporarily in a camp facility or outdoors, or using camp paraphernalia. The Court of Appeal's strained interpretation of "living," reasoning that we all use public facilities for "living" since all of our activities are part of living, ignores the context of the ordinance which prohibits living not in the sense of existing, but dwelling or residing on public property. Picnicking is not living on public property. It does not involve occupation of "tents, huts, or temporary shelters" "pitched" on public property or residing on public property.

Nor is the term "store" vague. Accumulating or putting aside items, placing them for safekeeping, or leaving them in public parks, on public *1108 streets, or in a public parking lot or other public area is prohibited by the ordinance. When read in light of the express purpose of the ordinance - to avoid interfering with use of those areas for the purposes for which they are intended - it is clear that leaving a towel on a beach, an umbrella in the public library, or a student backpack in a school, or using picnic supplies in a park in which picnics are permitted is not a violation of the ordinance.

Unlike the Court of Appeal, we do not believe that *People v. Mannon* (1989) 217 Cal.App.3d Supp. 1 [265 Cal.Rptr. 616], and *People v. Davenport* (1985) 176 Cal.App.3d Supp. 10 [222 Cal.Rptr. 736], which upheld application of similar ordinances, were wrongly decided.

(22) In *Mannon* the appellate department rejected a claim that the defendants were not "camping" within the definition of a Santa Barbara city ordinance. The court reasoned: "There is nothing ambiguous about the meaning of the word 'camp.' The definition is 'to pitch or occupy a camp ... to live temporarily in a camp or outdoors.'" (Webster's Third New Intern. Dict. (1965) p. 322.) The illustrations of the word 'camp' utilized in the municipal code do not vary the traditional meaning of that word, they merely supplement it. The illustrations are consistent with the ordinary meaning of the word, i.e., living temporarily in the outdoors.... [A] reasonable person would understand 'camp' to mean to temporarily live or occupy an area in the outdoors, and would not be deceived or misled by the undertaking of further explanation in the municipal code." (217 Cal.App.3d at pp. Supp. 4-5.)

(20c) The ordinance is not vague. It gives adequate notice of the conduct it prohibits. It does not invite arbitrary or capricious enforcement. The superior court properly rejected that basis of the Tobe plaintiffs' challenge to the ordinance. The Court of Appeal erred in reversing that judgment on that ground.

2. Overbreadth.

(23a) The Court of Appeal reasoned that the ordinance was broader than necessary since it banned camping on all public property. There is no such limitation on the exercise of the police power, however, unless an ordinance is vulnerable on equal protection grounds or directly impinges on a fundamental constitutional right.

If the overbreadth argument is a claim that the ordinance exceeds the police power of that city, it must also fail. There is no fundamental right to camp on public property; persons who do so are not a suspect classification; *1109 and neither of the petitions claims that the ordinance is invidiously discriminatory on its face. The Legislature has expressly recognized the power of a city "to regulate conduct upon a street, sidewalk, or other public place or on or in a place open to the public" (Pen. Code, § 647c) and has specifically authorized local ordinances governing the use of municipal parks. (Pub. Resources Code, § 5193.) Adoption of the ordinance was clearly within the police power of the city, which may "make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general

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laws. (Cal. Const., art. XI, § 1, *Fisher v. City of Berkeley* (1984) 37 Cal.3d 644, 676 [209 Cal.Rptr. 682, 693 P.2d 261]; *Birkenfeld v. City of Berkeley, supra*, 17 Cal.3d 129, 159-160.) As the more than 90 cities and the California State Association of Counties that have filed an amicus curiae brief in this court have observed, a city not only has the power to keep its streets and other public property open and available for the purpose to which they are dedicated, it has a duty to do so. (*San Francisco Street Artists Guild v. Scott* (1974) 37 Cal.App.3d 667, 674 [112 Cal.Rptr. 502].)

(24) The Court of Appeal also failed to recognize that a facial challenge to a law on grounds that it is overbroad and vague is an assertion that the law is invalid in all respects and cannot have *any* valid application (*Hoffman Estates v. Flipside, Hoffman Estates* (1982) 455 U.S. 489, 494, fn. 5 [71 L.Ed.2d 362, 369, 102 S.Ct. 1186]), or a claim that the law sweeps in a substantial amount of constitutionally protected conduct. The concepts of vagueness and overbreadth are related, in the sense that if a law threatens the exercise of a constitutionally protected right a more stringent vagueness test applies. (*Id.* at p. 499 [71 L.Ed.2d at p. 372]; *Kolender v. Lawson, supra*, 461 U.S. 352, 358-359, fn. 8 [75 L.Ed.2d 903, 909-910].)

(23b) Neither the Tobe plaintiffs nor the Zuckernick petitioners have identified a constitutionally protected right that is impermissibly restricted by application or threatened application of the ordinance. There is no impermissible restriction on the right to travel. There is no right to use of public property for living accommodations or for storage of personal possessions except insofar as the government permits such use by ordinance or regulation. Therefore, the ordinance is not overbroad, and is not facially invalid in that respect. It is capable of constitutional application.

Since the ordinance is not unconstitutionally overbroad, and the facial vagueness challenge must fail, the Court of Appeal erred in ordering dismissal of the complaints in the Zuckernick prosecution and enjoining enforcement of the ordinance. *1110

IV. Disposition

The judgment of the Court of Appeal is reversed.

Lucas, C. J., Kennard, J., Arabian, J., and George, J.,

concurring.

KENNARD, J.,

Concurring.-I join in the majority opinion. I write separately to clarify a point.

The concurring opinion of Justice Werdegar states that the majority evidently reject[s] on its merits, the claim that a homeless person may not constitutionally be punished for publicly engaging in harmless activities necessary to life, such as sleeping. (Conc. opn. of Werdegar, J., *post*, at p. 1111.) Because that issue is not properly before us in this facial challenge to the ordinance, the majority does not address it, and it expressly says so: “[T]he Court of Appeal did not distinguish between involuntarily being homeless, and involuntarily engaging in conduct that violated the ordinance. The court assumed that an involuntarily homeless person who involuntarily camps on public property may be convicted or punished under the ordinance. That question, which the Court of Appeal and the dissent address, and which might be raised in an ‘as applied’ challenge to the ordinance, is not before us because plaintiffs offered no evidence that the ordinance was being applied in that manner. We express no opinion on the proper construction of the ordinance, in particular on whether the conduct it prohibits must be ‘willful,’ or on whether or in what circumstances a necessity defense is available.” (Maj. opn., *ante*, at p. 1104, fn. 19.)

Thus, the majority does *not* decide whether a person who by reason of necessity falls asleep in a public park may constitutionally be successfully prosecuted. Moreover, the majority does not address, much less reject on its merits, a claim that there are no constitutional limits on punishing conduct regardless of the circumstances. Nor does it determine whether or not homelessness is a status as that term is described in *Robinson v. California* (1962) 370 U.S. 660 [8 L.Ed.2d 758, 82 S.Ct. 1417], and in *Powell v. Texas* (1968) 392 U.S. 514 [20 L.Ed.2d 1254, 88 S.Ct. 2145]. What the majority does decide is the issue before it: that the challenged *camping* ordinance does not on its face constitute prohibited punishment based on status. (Maj. opn., *ante*, at pp. 1104-1106.)

WERDEGAR, J.,

Concurring.-I concur in the result and much of the reasoning of the majority. Specifically, I agree the procedural history of both *1111 cases (Tobe and

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Zuckermick) dictates they be treated as purely facial challenges to the ordinance, and that the ordinance survives such a challenge. I write separately because in the process of rejecting plaintiffs' attack on the ordinance as cruel or unusual punishment, the majority enters into the merits of an as applied attack, an issue not properly before us. I would leave the question to another day, when we are presented with a case that requires its resolution.

To succeed, a *facial* attack on the anticamping ordinance as cruel and unusual punishment ([U.S. Const., 8th Amend.](#)) or as cruel or unusual punishment ([Cal. Const., art. I, § 17](#)) would require showing punishment under the ordinance, in *all its possible applications*, is cruel, unusual or both. Plaintiffs have not seriously advanced that proposition, and it could be rejected in few words. Clearly, *some* acts of camping in public places—pitching a tent in the middle of a street, for example—may constitutionally be punished.

The majority unnecessarily goes far beyond that reasoning, however, to consider, and evidently reject on its merits, the claim a homeless person may not constitutionally be punished for publicly engaging in harmless activities necessary to life, such as sleeping. Apparently the majority would reject this claim for two reasons: first, because, in its view, *conduct* may always be constitutionally punished no matter how inseparable it is, causally or logically, from a person's status or condition (maj. opn., [ante](#), at pp. 1104-1105); and second, because it questions whether homelessness is a *status* at all within the meaning of the United States Supreme Court's decision in [Robinson v. California](#) (1962) 370 U.S. 660 [8 L.Ed.2d 758, 82 S.Ct. 1417] (maj. opn., [ante](#), at p. 1105.)

Not surprisingly, since it has disavowed the intent to consider the merits of an as applied challenge, the majority treats these issues cursorily. In so doing, it fails to consider the legal arguments actually made, or the authorities cited, by petitioners and their allied amici curiae. This portion of the majority opinion is pure dictum and should be read as such.

MOSK, J.

I dissent.

By addressing only the facial challenges to the Santa Ana ordinance now before us and looking only to its neutral language, the majority sidestep the

pressing and difficult issues raised in this case. In the process, they erect new procedural barriers that will make future as applied challenges to the ordinance costly and protracted, while shielding the ordinance from meaningful review. Unlike the majority, I decline to ignore the purpose and effect of the ordinance, whether it is assessed on its face or as applied. *1112

The City of Santa Ana (hereafter the City or Santa Ana) enacted the challenged ordinance as the latest offensive in its five-year campaign to banish the homeless. Under its broad provisions, a person who *ocampsö* in any public area or *östoresö* any personal property in any public area is subject to citation and arrest for a criminal offense punishable by six months in jail. (Santa Ana Ord. No. NS-2160, adding art. VIII, § 10-400 et seq. to Santa Ana Mun. Code (hereafter the ordinance), §§ 10-402, 10-403.) It has been enforced against homeless persons whose sole *öcrimeö* was to cover themselves with a blanket and rest in a public area. Homeless persons with no alternative but to temporarily leave their personal belongings in public places are also subject to repeated citation and arrest for violation of the ordinance's prohibition against *östoringö* property.

The City has conceded that the purpose of the ordinance is to address the *öproblemö* of the homeless living in its parks and other public areas. The ordinance has, moreover, been enforced in a manner that specifically targets the homeless.

For those reasons, I conclude that the ordinance is unconstitutional both on its face and as applied to the homeless residents of Santa Ana. Although a city may reasonably control the use of its parks and other public areas, it cannot constitutionally enact and enforce an ordinance so sweeping that it literally prevents indigent homeless citizens from residing within its boundaries if they are unable to afford housing and unable to find a space in the limited shelters made available to them. The City cannot solve its *öhomeless problemö* simply by exiling large numbers of its homeless citizens to neighboring localities.

Although not unconstitutionally vague, the ordinance fails under our decision in [Parr v. Municipal Court](#) (1971) 3 Cal.3d 861 [92 Cal.Rptr. 153, 479 P.2d 353] (hereafter *Parr*), because it violates the guaranty of equal protection under both the United States Constitution (14th Amend.) and the California

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Constitution ([art. I, § 7](#), subd. (a)). It also impermissibly impairs the fundamental right of the homeless, under both the United States and California Constitutions, to travel freely within the state.^{FN1}

FN1 Because I believe the ordinance is invalid on these grounds, I find it unnecessary to reach the issue whether the ordinance also punishes the homeless on the basis of their status in violation of the Eighth Amendment or [article I, section 17, of the California Constitution](#). (But see [Robinson v. California \(1962\) 370 U.S. 660, 665-667 \[8 L.Ed.2d 758, 762-763, 82 S.Ct. 1417\]](#); [Powell v. Texas \(1968\) 392 U.S. 514, 551 \[20 L.Ed.2d 1254, 1278, 88 S.Ct. 2145\]](#) (conc. opn. of White, J.); [id. at pp. 567, 570 \[20 L.Ed.2d at pp. 1286-1287, 1288\]](#) (dis. opn. of Fortas, J.); [Pottinger v. City of Miami \(S.D.Fla. 1992\) 810 F.Supp. 1551, 1561-1565](#) [city's practice of arresting homeless persons for such activities as sleeping, standing, and congregating in public places violated the Eighth Amendment].)

I. Facial and As Applied Claims

The majority conclude that this action raises only facial claims. I disagree. *1113

a. Pleadings and Proceedings Below

The Tobe plaintiffs expressly pleaded both facial and as applied claims in their petition for writ of mandate.^{FN2} They also submitted factual evidence to support both the as applied and facial claims, including expert declarations and declarations by individual plaintiffs and others.

FN2 Thus the petition alleged that the City had a custom, practice, and policy of harassing, arresting, and otherwise interfering with petitioners and other homeless individuals for engaging in ordinary and essential activities of daily life in the public areas where petitioners are forced to live. Plaintiffs specifically pleaded, inter alia, that respondents abused their discretion in enacting and *selectively enforcing Ordinance NS-2160 against homeless persons* in violation of their right to equal protection in that the ordinance abridges the fundamental right of the homeless to travel and to freedom of

movement. (Italics added.) The petition expressly challenged particular applications of the ordinance, including the practice of arresting homeless persons for sleeping and possessing property in public areas. In their prayer for relief plaintiffs requested issuance of a peremptory writ of mandate compelling the City to refrain from enforcing the ordinance, i.e., the equivalent of an injunction against *future application* of the ordinance.

In opposing the writ, the City expressly acknowledged and addressed the Tobe plaintiffs' as applied claims. Thus, it conceded in its memorandum in opposition to the petition that the present case involves a constitutional attack on a municipal ordinance, *both as applied and as written*, which, inter alia, prohibits camping on public property. (Italics added.) The City also conceded that petitioners contend that the ordinance, *as applied to them*, abridges their right to travel and that petitioners contend that the Ordinance, *as applied to homeless persons*, punishes the status and condition of homelessness. (Italics added.)

At the hearing on their petition in the trial court, plaintiffs again expressly argued that the ordinance violated the Eighth Amendment and abridged the right to travel both on its face *and as applied*.^{FN3} The trial court repeatedly acknowledged that the claims included both facial and as applied challenges. Thus it stressed that the thrust of this case was the contention that the ordinance is designed and enacted *and implemented* as an effort to address a perceived problem by the authorities of the City of Santa Ana that regards the people who have been classified generically as, quote, 'homeless,' end quote. (Italics added.) The court expressly observed that the claims based on the right to travel and on the Eighth Amendment involved the *application* of the statute, and it expressly considered how the ordinance *in *1114 application ...* has a tendency to impact certain classes of people more than others. (Italics added.)

FN3 Thus counsel for plaintiffs argued: If the court were to conclude that the Ordinance on its face does not abridge the right to travel then I would submit to the court by way of our declarations and exhibits ... that in fact *as applied* this ordinance abridges the right to travel of petitioners and homeless residents

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of the City of Santa Ana.ö (italics added.)

The trial court properly addressed the vagueness and overbreadth claims solely as facial challenges; they were brought as such. By contrast, however, in rejecting the right to travel and Eighth Amendment claims the court did not indicate that it was limiting itself to a facial analysis or that it was precluded from considering the factual evidence submitted by plaintiffs. Indeed, as the City has repeatedly conceded, the court expressly considered and rejected plaintiffs' as applied arguments, together with the portions of the evidence that plaintiffs brought to its attention in support of those arguments.^{FN4}

FN4 Again, during oral argument before this court the City was pressed on the question whether plaintiffs raised as applied claims; it candidly admitted that plaintiffs challenged the ordinance both facially and as applied and that the Court of Appeal properly addressed the as applied claims. In supplemental briefing, the City once more conceded that plaintiffs raised both facial and as applied claims in the writ petition, that both parties addressed facial and as applied claims in their memoranda, and that they argued both aspects of the right to travel/equal protection issueö at the hearing in the trial court. (Italics added.) As the City also conceded: öIt is clear from a review of the reporter's transcript of the April 8, 1993 hearing that Judge Smith upheld the constitutionality of the ordinance, both as written and as applied. In rejecting appellants' 'as applied' attack, Judge Smith rejected appellants' supporting evidence.ö (Italics added.) These frank concessions by the City, which it documented with specific citations to the record, squarely refute the majority's conclusions that the allegations of the petition did not clearly state an as applied challenge and that the trial court did not rule on the petition as one encompassing an as applied challenge. (See maj. opn., ante, p. 1087.)

The City did not submit evidence or attempt to dispute or rebut the evidence submitted by plaintiffs, much of it derived from the City's own records. At oral argument before this court the City conceded that it was not precluded in the trial court from presenting

evidence or disputing the declarations submitted by plaintiffs; it had the opportunity to present and rebut evidence but chose not to do so. As the record clearly shows, the City's strategy was to argue that the ordinance, both facially and as applied, was a valid exercise of its police power. It therefore regarded the evidence submitted by plaintiffs as essentially irrelevant. I have no trouble concluding that the City's strategy in this regard resulted in a waiver.

In its order directing issuance of a peremptory writ of mandate, the trial court ruled that enforcement of Santa Ana Ordinance NS-2160 ... does not violate the rights of homeless persons to freedom of movement.... The Court further finds that petitioners' challenges to the constitutionality of the remaining portions of Santa Ana Ordinance NS-2160 are without merit. The Court finds that with the exception of the second clause of Santa Ana *1115 Municipal Code § 10-401(a), Santa Ana Ordinance NS-2160 is constitutionally valid.ö (Italics added.)

Nothing quoted in the order demonstrates that the trial court intended to, or did, address only the facial claims.^{FN5} On the contrary, the order appears on its face to reject both facial and as applied claims: the court expressly and specifically refers to enforcementö of the ordinance and to its constitutionality vis-a-vis the örights of homeless persons.ö

FN5 The majority purport to rely only on the öactual judgment of the courtö and not on the concessions of parties and the reporter's transcript of the hearing on the writ. (Maj. opn., ante, p. 1087.) The judgment, however, does not refer to the grounds of the ruling. It provides in its entirety: öIt Is Hereby Ordered, Adjudged and Decreed that: [¶] 1. Judgment is entered for petitioners granting the Peremptory Writ of Mandate. [¶] 2. The Court reserves jurisdiction over the issues of attorney's fees and costs. Any motion for attorney's fees and costs shall be filed in this Department.ö

The majority nonetheless conclude-despite the order, the transcript of the hearing, and the concessions of the parties-that no as applied challenge to the ordinance was öperfected.ö But they point to no deficiency in the pleadings. Instead, they merely note that öplaintiffs never identified the particular applications

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of the law to be enjoined, and the only relief sought in the petition is a writ of mandate enjoining any enforcement of the ordinance by respondents. (Maj. opn., *ante*, pp. 1086-1087.)^{FN6} The City made no objection on that ground, nor is there any indication in the record that the trial court declined to address the as applied claims on that basis. Certainly, had the trial court found merit in the as applied claims, it could readily have fashioned appropriate relief.^{FN7} *1116

FN6 Although the majority observe that the petition alleges in conclusory language that a pattern of unconstitutionally impermissible enforcement of the ordinance existed (maj. opn., *ante*, p. 1086), there can be no doubt that under California's liberal pleading rules the petition was adequately pleaded: it gave notice of the claims and clearly alleged a pattern of constitutionally impermissible enforcement. The undisputed declarations in support of the petition show with specificity that the ordinance was repeatedly enforced against persons who were homeless. The prayer seeks relief as follows: "That a peremptory writ of mandate issue pursuant to [Code of Civil Procedure Section 1085](#) compelling respondents to refrain from enforcement of Santa Ana Municipal Code Section NS02160 ... [S]uch other and further relief as the Court may deem just and proper." The majority fail to identify any requirement of the Code of Civil Procedure or local rules that plaintiffs further delineate the relief sought on their as applied claims. Indeed, it is a rule of long standing that when an answer is filed a court may grant any relief consistent with the issues raised. (See, e.g., *Wright v. Rogers* (1959) 172 Cal.App.2d 349, 367-368 [342 P.2d 447].)

FN7 For example, the court could have required that the City enforce the provisions of the ordinance prohibiting sleeping or storing personal property only against those persons who are *not* homeless. An ordinance that prevented only those *with* homes from "camping" in public areas might be constitutional; it would, of course, be of limited practical utility.

b. *Justiciability and Standing*

Plaintiffs include persons who have been cited under the ordinance and who, because they are homeless, are likely to be cited again. They thus have a direct personal stake in the outcome of this action.^{FN8}

FN8 The majority question whether plaintiffs are "truly" or even sufficiently homeless, concluding that the declarations they submitted did not establish that the conduct for which they were cited was "involuntary." I am satisfied that the undisputed sworn statements of plaintiffs and others cited under the ordinance that they lack the present means to house themselves are sufficient to establish standing and to demonstrate a pattern of enforcement of the ordinance against homeless persons. We need not inquire into the "voluntariness" of all the acts or decisions that might have led to their current plight. As many of the briefs and expert submissions point out, the question whether the homeless, particularly the large proportion of homeless who are mentally ill or addicted to drugs or alcohol, are "voluntarily" living in the streets is complex. Even when services or welfare benefits are available, it may be beyond the resources of many homeless persons to avail themselves of such assistance.

In any event, in light of the shortage of services and beds for the homeless, including the mentally ill and unaccompanied children, the question of "voluntariness" is almost academic. The undisputed fact is that Santa Ana has only 332 beds for a population of approximately 3,000 homeless. The vast majority of homeless in Santa Ana do not have the alternative of sleeping in a bed, off the streets. (See also Vernez et al., Review of California's Program for the Homeless Mentally Disabled (1988) pp. 1, 13, 15 [RAND study prepared for California Department of Mental Health, reporting, inter alia, that about 30 percent of Orange County homeless suffer from severe mental disorders]; Stats. 1988, ch. 1517, § 1, p. 5382 [legislative finding that the extreme shortage of mental health services in California has led to redirection of long-term psychiatric

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parents onto a state of homelessness]; Stats. 1985, ch. 1286, § 1.5, p. 4415 [legislative finding that large numbers of mentally disordered adults are homeless]; State of Cal., Department of Youth Authority, Policy Review and Update: Statewide Needs Assessment of Youth Shelters and Youth Centers (1993) pp. 1, II.2-3 [indicating that Orange County has only 31 beds for unaccompanied children, although there are an estimated 3,000 to 4,000 unaccompanied children in the county]; United States Conference of Mayors, A Status Report on Hunger and Homelessness in America's Cities: 1993-A 26 City Survey (Dec. 1993) p. 29 [children, including unaccompanied children or runaways, account for an estimated 30 percent of the homeless population].)

In addition, plaintiffs address their as applied claims broadly to the unlawful implementation of the ordinance against *all* homeless persons. Plaintiffs thus have sufficient interest as citizens of Santa Ana, under our public right/public duty doctrine, to bring claims on behalf of other homeless persons who have, as a group, been targeted by the ordinance. (See [Green v. Obledo](#) (1981) 29 Cal.3d 126, 144-145 [172 Cal.Rptr. 206, 624 P.2d 256]; [Common Cause v. Board of Supervisors](#) (1989) 49 Cal.3d 432, 439 [261 Cal.Rptr. 574, 777 P.2d 610].) The case poses a question which is of broad public interest, is likely to recur, and should receive uniform resolution throughout the state. ([Ramirez v. Brown](#) (1973) 9 Cal.3d 199, 203 [107 Cal.Rptr. 137, 507 P.2d 1345].)

Our courts have repeatedly applied the public right/public duty exception to the general rule that ordinarily a writ of mandate will issue only to ***1117** persons who are beneficially interested. ([Code Civ. Proc.](#), § 1086.) Thus in [Green v. Obledo](#), *supra*, 29 Cal.3d 126, recipients of welfare benefits petitioned for writ of mandate challenging the compliance of a regulation with the Social Security Act. We held that 'where the question is one of public right and the object of the mandamus is to procure the enforcement of a public duty, the relator need not show that he has any legal or special interest in the result, since it is sufficient that he is interested as a citizen in having the laws executed and the duty in question enforced' (*Id.* at p. 144; accord, [Common Cause v. Board of Supervisors](#), *supra*, 49 Cal.3d at p. 439.)^{FN9}

FN9 (See also [Parr](#), *supra*, 3 Cal.3d 359 [plaintiff had standing to challenge an anti-hippie ordinance although she was herself manifestly not a hippie but a resident and merchant in the city]; [Timmons v. McMahon](#) (1991) 235 Cal.App.3d 512, 518 [286 Cal.Rptr. 620] [applying public interest exception in case involving eligibility rights for welfare benefits]; [Driving Sch. Assn. of Cal. v. San Mateo Union High Sch. Dist.](#) (1992) 11 Cal.App.4th 1513 [14 Cal.Rptr.2d 908] [applying public interest exception in case seeking to prevent school district from charging high school students tuition for a drivers' training class].)

Furthermore, plaintiffs show a sufficient beneficial interest as citizens who seek to restrain the illegal expenditure or waste of city funds to implement an ordinance in an unconstitutional manner. (See [Code Civ. Proc.](#), § 526a; [Blair v. Pitchess](#) (1971) 5 Cal.3d 258, 267-269 [96 Cal.Rptr. 42, 486 P.2d 1242, 45 A.L.R.3d 1206] [an action to restrain county or city officials from continuing to enforce provisions of an unconstitutional law presents a true case or controversy, regardless of whether the plaintiff and the defendant each have a special, personal interest in the outcome of the action]; [Van Atta v. Scott](#) (1980) 27 Cal.3d 424, 450, fn. 28 [166 Cal.Rptr. 149, 613 P.2d 210] [an action that meets the criteria of [section 526a](#) satisfies case or controversy requirements]; [Ames v. City of Hermosa Beach](#) (1971) 16 Cal.App.3d 146, 150 [93 Cal.Rptr. 786].) As we have emphasized, it has never been the rule in this state that parties in [taxpayer suits] must have a personal interest in the litigation.... '[N]o showing of special damage to the particular taxpayer has been held necessary.' ([Blair v. Pitchess](#), *supra*, 5 Cal.3d at pp. 269-270.)

Because the City has used, and continues to use, taxpayer funds to cite and prosecute persons who store belongings or sleep in public places in violation of an ordinance challenged as unconstitutional, these citizen-plaintiffs have a sufficient interest to confer standing. Consequently, plaintiffs' as applied claims challenging the implementation of the ordinance against homeless persons present a true case or controversy. ([Blair v. Pitchess](#), *supra*, 5 Cal.3d at p. 269.)

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The majority also conclude that an as applied claim challenging a criminal statute is justiciable only after the circumstances of its application have *1118 been established by conviction or otherwise. (Maj. opn., *ante*, p. 1085.) But in analogous cases we have not required conviction as a prerequisite to standing. Thus in *Murgia v. Municipal Court* (1975) 15 Cal.3d 286 [124 Cal.Rptr. 204, 540 P.2d 44], we concluded that the defendants, members of a particular union, could obtain discovery to determine whether various penal statutes were being discriminatorily enforced against them in violation of equal protection. The defendants had been charged with, but not yet convicted of, violations of the statutes. (*Id.* at p. 291, fn. 2.) Indeed, we implicitly acknowledged that the defense of discriminatory enforcement did not reach the question of guilt or innocence: "Because the particular defendant, unlike similarly situated individuals, suffers prosecution simply as the subject of invidious discrimination, such defendant is very much the direct victim of the discriminatory enforcement practice. Under these circumstances, discriminatory prosecution becomes a compelling ground for dismissal of the criminal charge, since prosecution would not have been pursued except for the discriminatory design of the prosecuting authorities." (*Id.* at p. 298, fn. omitted.)^{FN10}

FN10 Similarly, under the Eighth Amendment it is not essential to have a formal adjudication of guilt to challenge a provision that makes status a criminal offense. In *Joyce v. City and County of San Francisco* (N.D.Cal. 1994) 846 F.Supp. 843, 853, the district court expressly rejected the defendants' contention that a claim under the Eighth Amendment could be made only by a party convicted of a criminal offense. As *Joyce* emphasized, that proposition was refuted by the United States Supreme Court in *Ingraham v. Wright* (1977) 430 U.S. 651, 666-668 [51 L.Ed.2d 711, 726-728, 97 S.Ct. 1401], which expressly provided that in addition to proscribing certain types of punishments to those convicted of crimes, the amendment "imposes substantive limits on what can be made criminal." Like *Joyce*, this case alleges discrimination on the basis of the status of homelessness-i.e., it challenges the ordinance under the substantive provisions of the Eighth Amendment. Moreover, "fines ... traditionally have been associated with the

criminal process" and subjected to the limitations imposed by the Eighth Amendment. (*Ingraham v. Wright*, *supra*, 430 U.S. at p. 664 [51 L.Ed.2d at pp. 725-726].)

The majority also plainly imply that an as applied challenge must necessarily be restricted to a case-by-case showing by each individual who is convicted under the ordinance that he or she was "truly homeless" and that the ordinance was improperly applied in each case. Such a requirement-which is tantamount to requiring an individual trial of a "necessity" defense for each person cited under the ordinance-is unwarranted. (See, e.g., *Ramirez v. Brown*, *supra*, 9 Cal.3d 199 [holding that challenged provisions were unconstitutional as applied to all ex-felons]; *Van Atta v. Scott*, *supra*, 27 Cal.3d at pp. 433, 452-453 [holding that San Francisco's manner of applying statutes for pretrial release of criminal defendants violated due process].) It would needlessly subject large numbers of homeless persons to the criminal justice system for wholly innocuous conduct and overwhelm *1119 our already strained judicial resources, while effectively insulating the ordinance from meaningful review.^{FN11}

FN11 We have recognized that mandamus review is appropriate where, as here, important issues would be effectively removed from judicial review if standing is not conferred. (See *Driving Sch. Assn. of Cal. v. San Mateo Union High Sch. Dist.*, *supra*, 11 Cal.App.4th at p. 1519 ["High school students who take this brief 24-hour class are unlikely to have the financial resources or the economic interest necessary to maintain the protracted litigation necessary to test the School District's authority to charge tuition for the class."].) In this case, similarly, the targets of the ordinance are unlikely to have the financial resources to test the City's authority on a case-by-case basis. Because the City may cite, arrest, and detain homeless residents repeatedly without "actually convicting" them in a full-blown judicial proceeding, even under the majority's construction it would be justiciable as an issue "evading review."

Significantly, federal courts recently addressing similar challenges to "anti-camping" measures have

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consistently done so by examining ordinances as applied to the homeless in general, *not* on a case-by-case basis, and have not required conviction to establish standing. (See *Pottinger v. City of Miami*, *supra*, 810 F.Supp. at p. 1554 [challenging manner in which city applies these laws to homeless individuals]; *Joyce v. City and County of San Francisco*, *supra*, 846 F.Supp. at p. 846 [challenging ordinance only insofar as it specifically penalizes certain 'life sustaining activities' engaged in by the homeless]; *Johnson v. City of Dallas* (N.D.Tex. 1994) 860 F.Supp. 344, 346 [addressing constitutionality of city ordinances enacted, enforced, or both, allegedly to remove homeless persons from public view].)

In sum, there is ample authority to conclude that these plaintiffs have standing and state justiciable claims, both facial and as applied. Most of the plaintiffs have been cited and fined for violations of the ordinance, and most are taxpayers. Moreover, because Santa Ana has effectively criminalized sleeping and storing personal property in any public places, plaintiffs and other homeless persons in Santa Ana—who have no legal alternative but to sleep and store personal property in public short of leaving the city altogether—will necessarily be subject to future citation and/or arrest. The as applied claims are therefore properly before us.

II. Equal Protection

In my view the ordinance violates equal protection under the rule of our decision in *Parr*, *supra*, 3 Cal.3d 861, because it intentionally discriminates against homeless persons who have no alternative but to sleep and store their property in public areas of the City.^{FN12} *1120

FN12 The majority incorrectly assert that plaintiffs did not pursue an equal protection theory. The writ petition expressly pleaded equal protection claims, including violations of the right to travel. *Parr*, *supra*, 3 Cal.3d 861, a case devoted to equal protection analysis, was extensively briefed by the parties and amici curiae. Moreover, as discussed below, the right to travel is properly analyzed under an equal protection test.

a. Scope of Analysis

As amici curiae for the City concede, "Neither we nor the Court can or should avoid that [*sic*] this case

involves questions about the homeless, although the text of the Ordinance is neutral and does not single out the homeless in any manner." Although I believe we can construe the ordinance both facially and as applied, in either case we must look beyond the neutral face of the measure to its underlying purpose and its impact on particular groups.

There is ample precedent for doing so. In *Shapiro v. Thompson* (1969) 394 U.S. 618, 628 [22 L.Ed.2d 600, 611-612, 89 S.Ct. 1322], the Supreme Court examined the legislative history of the statutes there challenged and found "weighty evidence that exclusion from the jurisdiction of the poor who need or may need relief was the specific object of these provisions."^{FN13}

FN13 (See also *Arlington Heights v. Metropolitan Housing Corp.* (1977) 429 U.S. 252, 265-266 [50 L.Ed.2d 450, 464-465, 97 S.Ct. 555] [recognizing the relevance of discriminatory purpose in assessing the validity of a rezoning decision]; *Parr*, *supra*, 3 Cal.3d 861; *Serrano v. Priest* (1976) 18 Cal.3d 728, 740-741, 747 [135 Cal.Rptr. 345, 557 P.2d 929] [invalidating California's facially neutral school financing scheme in its entirety on the basis of evidence showing it had a discriminatory effect]; see generally, *California Mfrs. Assn. v. Public Utilities Com.* (1979) 24 Cal.3d 836, 844 [157 Cal.Rptr. 676, 598 P.2d 836] [both the legislative history of the statute and the wider historical circumstances of its enactment are legitimate and valuable aids in divining the statutory purpose].)

In *Parr*, *supra*, 3 Cal.3d 861, we addressed a challenge to a facially neutral ordinance enacted by the City of Carmel-by-the-Sea that was similarly aimed at "an extraordinary influx of undesirable and unsanitary visitors to the City, sometimes known as 'hippies.'" (*Id.* at p. 863.) We determined that despite the neutral terms of the ordinance, we were required to look beyond its literal language to determine its purpose. We stressed that "[a] state enactment cannot be construed for purposes of constitutional analysis without concern for its immediate objective [citations] and for its ultimate effect [citations]." (*Id.* at p. 864.)

Among other precedents, we cited Justice Stephen J. Field's perceptive opinion in *Ho Ah Kow v.*

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Nunan (D. Cal. 1879) 12 F. Cas. 252 (No. 6,546), which invalidated a facially neutral San Francisco ordinance requiring every male entering the county jail to have his hair cut to a uniform length of one inch. Under the ordinance a Chinese man convicted of a misdemeanor violation was subjected to loss of his traditional queue.

Justice Field based his ruling on a conclusion that the purpose and effect of the ordinance—although not expressed on the face of the provision—was *1121 to punish the then racially unpopular Chinese: “The class character of this legislation is none the less manifest because of the general terms in which it is expressed.” (*Ho Ah Kow v. Nunan*, supra, 12 F. Cas. at p. 255.) He referred to statements of supervisors in debate on the passage of the ordinance for the purpose of ascertaining the “general object of the legislation proposed, and the mischiefs sought to be remedied.” (*Ibid.*) He added, “When we take our seats on the bench we are not struck with blindness, and forbidden to know as judges what we see as men; and where an ordinance, though general in its terms, only operates upon a special race, sect or class, it being universally understood that it is to be enforced only against that race, sect or class, we may justly conclude that it was the intention of the body adopting it that it should only have such operation, and treat it accordingly.” (*Ibid.*)

Guided by Justice Field, we declined in *Parr* to “blind ourselves to official pronouncements of hostile and discriminatory purpose solely because the ordinance employs facially neutral language.” (3 Cal.3d at p. 865.) We examined the purpose expressed by the Carmel City Council in enacting the measure and concluded that “[t]he irrefragable implication is that the Carmel City Council sought, through Municipal Code section 697.02, to rid the city of the blight it perceived to be created by the presence of the hippies.” (*Ibid.*)

In construing the Carmel ordinance we also examined its probable impact: “Those officials responsible for the enforcement of the law are put on notice that the public property in the city is in imminent danger because of the influx of a particular class against which the ordinance is unmistakably directed. The inevitable effect must be discriminatory enforcement consistent with the discriminatory purpose expressed by the council” (*Parr*, supra, 3 Cal.3d at p. 868.) On these grounds we held that the ordinance

violated equal protection by stigmatizing a particular group. In the present case as well, we are obligated to look behind the neutral facade of the ordinance.

b. *Purpose and Effect of the Ordinance*

As in *Parr*, supra, 3 Cal.3d 861, although the ordinance is neutral on its face we need not go far afield to determine the purpose that the City sought to achieve. Over the past four years, Santa Ana has engaged in what the Court of Appeal aptly called a “crusade against the homeless.”

In a memorandum titled “Vagrants,” dated June 16, 1988, the City’s executive director of the recreation and community services agency informed the City Park Superintendent: “A task force has been formed in an *1122 effort to deal with the vagrants. The City Council has developed a policy that the vagrants are no longer welcome in the City of Santa Ana.... In essence, the mission of this program will be to move all vagrants and their paraphernalia out of Santa Ana by continually removing them from the places that they are frequenting in the City.”

The City’s vagrancy task force developed and implemented a plan that included discouraging food providers—such as the Orange County Rescue Mission and the Salvation Army—from feeding the homeless, turning on sprinklers in public parks, and confiscating and destroying the personal property of homeless residents. After a legal challenge to that plan the City agreed to a settlement in April 1990 that included posting maintenance hours, ceasing to conduct maintenance “sweeps” in public areas, and providing for storage and retrieval of confiscated property.

Only a few months later, however, in August 1990, the Santa Ana police mounted “Operation Civic Center,” described in an internal memorandum as follows: “Eddie West Field [an open-air football stadium adjacent to the Civic Center] was used as the command post because it supplied a secured area where we could house multiple arrestees. In addition, it also allowed access to restroom facilities and water for the persons arrested. Four Police Service Officers were assigned to the command post to process all arrestees. This included photographing, fingerprinting, documentation and running record and warrant checks. Two officers were also assigned to the command post for care and custody of the arrestees. Five 2-man observer teams were assigned throughout the

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plaza area looking for criminal activity. Each of the five 2-man teams was completely concealed and was able to observe the violations from a safe and secure location. Five 2-man arrest teams were called into the plaza area by the observers and the arrest teams took the violators into custody. The violators were then transported to the command post at Eddie West Field where they were processed.

There were 28 arrests for littering, 2 for drinking in public, 7 for urinating in public, 18 for jaywalking, 2 for destroying vegetation, 2 for riding bicycles on a sidewalk, 1 for glue sniffing, 1 for removing trash from a bin, and 2 for an obscure violation of the City's fire code. Two persons who proved they had homes were released. The homeless arrestees were handcuffed, transported to an athletic field for booking, chained to benches for up to six hours, and identified with numbers written on their arms with markers. At the conclusion of the detention, the police loaded the homeless into vans, drove them to the edge of the Central Command Area of the Santa Ana Police Department, and dropped them off.

The homeless brought a further civil action against the City for injunctive relief, asserting they were victims of discriminatory law enforcement. The *1123 trial court agreed, ruling that the homeless were a cognizable class who had been singled out for arrest for offenses that rarely, if ever, even drew citations in Santa Ana. The trial court concluded: "In short, this Court finds that the Santa Ana Police Department deliberately and intentionally implemented a program which targeted those persons living in the Civic Center, the homeless."

In October 1990 the City apparently settled the action. It agreed that "it shall be [] the policy of [the City of Santa Ana] to refrain from discriminating against individuals on the basis of their homelessness and it shall not "take individual or concerted action to drive homeless individuals from Santa Ana." The stipulation was made an order of the court, but no judgment has been entered. The case is to be dismissed during this year.

The ordinance before us reflects the same purpose as Santa Ana's previous official policies: to drive "vagrants" out of Santa Ana. There can be no doubt that it was enacted to resolve what the City refers to in its brief as "the homeless problem." As that brief

explains: "The City is directly impacted by the homeless problem because homeless persons attempt to live on property it owns or controls, thereby causing the myriad of public health and police related concerns which the City must combat in the face of constantly diminishing financial resources." The City again expressly conceded at oral argument that the purpose of the ordinance was to address the problem of homeless persons "camping" in public areas, including the parking lot across from city hall.^{FN14}

FN14 The majority expressly venture no opinion on whether and in what circumstances a necessity defense might be available. (Maj. opn., *ante*, p. 1104, fn. 19.) They nonetheless note that a deputy district attorney "expressed his opinion at oral argument" that a necessity defense "might" be available to "truly homeless" persons. (Maj. opn., *ante*, p. 1088 fn. 8.) Because of that "opinion" the majority refuse to conclude that the City intends to enforce the ordinance against persons who have no alternative to "camping" or storing "camp paraphernalia" on public property. Nothing in the ordinance provides an exception for homeless persons, however, and the district attorney's "opinion" does not purport to bind the City or even to express the City's intent in implementing the ordinance. Moreover, even if a necessity defense were available, it would not prevent the City from repeatedly citing and arresting homeless persons and subjecting them to an endless round of costly and complex judicial proceedings. Thus the effect of the ordinance would continue to be to drive the homeless from Santa Ana, as it is clearly intended to do.

Even if the City had not so candidly admitted its purpose, however, the inevitable effect of the ordinance is to target the homeless. Because there are beds in local shelters for only about one in ten homeless persons in Santa Ana, an ordinance outlawing "camping" in all public areas effectively accomplishes the purpose of driving out the homeless, despite its neutral wording. Although the City and amici curiae observe that the ordinance *1124 would also apply to the mayor and the Girl Scouts, it is unlikely that any significant number of Santa Ana residents or visitors other than the homeless would choose to sleep, pro-

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ected only by a blanket, in a public parking lot or to store personal property in the open.^{FN15}

FN15 (See Waldron, *Homelessness & the Issue of Freedom* (1991) [39 UCLA L.Rev. 295, 313](#) [Anticamping ordinances ðhave and are known and even intended to have a specific effect on the homeless which is different from the effect they have on the rest of us... [E]veryone is perfectly well aware of the point of passing these ordinances, and any attempt to defend them on the basis of their generality is quite disingenuous.ö].)

We concluded in [Parr, supra, 3 Cal.3d at page 870](#), that ðwe cannot be oblivious to the transparent, indeed the avowed, purpose and the inevitable effect of the ordinance in question: to discriminate against an ill-defined social caste whose members are deemed pariahs by the city fathers. This court has been consistently vigilant to protect racial groups from the effects of official prejudice, and we can be no less concerned because the human beings currently in disfavor are identifiable by dress and attitudes rather than by color.ö That vigilance is even more important now. Today's pariahs are no longer the relatively carefree ðhippies,ö many of whom chose that lifestyle, but persons who are homeless largely by necessity and who face far greater restrictions under this ordinance than merely keeping off the grass.^{FN16}

FN16 The majority attempt to distinguish *Parr* on its facts, arguing that the Carmel ordinance ðbanned a customary use of the city park.ö (Maj. opn., [ante, p. 1094](#).) But their discussion of *Parr* is merely dictum, because they decline to acknowledge or address the equal protection claims on the merits. It is also unpersuasive. The Carmel ordinance made it unlawful to ð[c]limb any tree; or walk, stand or sit upon monuments, vases, fountains, railings, fences, planted areas, or upon any other property *not designed or customarily used for such purposes*, or to sit on any sidewalks or steps, or to lie or sit on any lawns.ö ([Parr, supra, 3 Cal.3d at p. 862](#), italics added.) Thus, *Parr* did not turn on the issue of the ðcustomaryö use of the public areas in Carmel, but, as here, on whether a city could prohibit innocuous behavior for the constitutionally impermissible

purpose of driving a disfavored group from its bounds. The majority also argue unpersuasively that we must ignore the obvious purpose of the Santa Ana ordinance because, two years previously, Santa Ana had agreed to discontinue attempts to force the homeless to leave. Their approach permits the City to continue to discriminate against the homeless so long as it does not expressly articulate an impermissible purpose. We have explicitly rejected the notion that the mere appearance of neutrality can be used to shield discriminatory legislation. ([Parr, supra, 3 Cal.3d at p. 870](#); see also [Mulkey v. Reitman \(1966\) 64 Cal.2d 529 \[50 Cal.Rptr. 881, 413 P.2d 825\]](#), affd. [sub nom. Reitman v. Mulkey \(1967\) 387 U.S. 369 \[18 L.Ed.2d 830, 87 S.Ct. 1627\]](#).)

A century ago Anatole France exposed the cruel hypocrisy of such ðneutralö laws against the indigent: ðThe law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread.ö (France, *Le Lys Rouge* (1894) ch. 7.) Even under a facial analysis we cannot blind ourselves to the evident intent of the Santa Ana ordinance. Recognizing that intent, I would hold that the ordinance *1125 impermissibly discriminates against the homeless and thereby violates equal protection.^{FN17}

FN17 We need not hold, therefore, that homeless persons are members of a ðsuspect classö in order to invalidate the ordinance on equal protection grounds. As in [Parr, supra, 3 Cal.3d 861](#), the purpose of the ordinance-to banish a disfavored group-is plainly not a legitimate state interest. (See also [U. S. Dept. of Agriculture v. Moreno \(1973\) 413 U.S. 528, 534 \[37 L.Ed.2d 782, 787-789, 93 S.Ct. 2821\]](#) [invalidating a federal statute that discriminated against ðhippiesö and ðhippieö communes: ðif the constitutional conception of 'equal protection of the laws' means anything, it must at the very least mean that a bare congressional desire to harm a politically unpopular group cannot constitute a *legitimate* governmental interest.ö]; [Cleburne v. Cleburne Living Center, Inc. \(1985\) 473 U.S. 432, 448 \[87 L.Ed.2d 313, 325-326, 105 S.Ct. 3249\]](#) [holding city's denial of building permit invalid because the

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decision discriminated against the mentally retarded.)

III. Right to Travel

The ordinance also impermissibly penalizes the fundamental right of indigent homeless persons to travel to or remain in Santa Ana, by denying them the basic necessities of sleeping and storing personal belongings in any public areas.

a. Constitutional Freedom to Travel and Abide

Both the United States Supreme Court and the courts of California have expressly recognized a fundamental constitutional right to travel, a basic human right protected by the United States and California Constitutions as a whole. (*In re White* (1979) 97 Cal.App.3d 141, 148 [158 Cal.Rptr. 562]; see, e.g., *Shapiro v. Thompson, supra*, 394 U.S. at p. 629 [22 L.Ed.2d at p. 612].)^{FN18} A law implicates the right to travel when it either penalizes travel or is intended to impede travel. (*Attorney General of N.Y. v. Soto-Lopez, supra*, 476 U.S. at p. 903 [90 L.Ed.2d pp. 905-906] [a state law implicates the right to travel when it actually deters such travel [citations], when impeding travel is its primary objective [citations], or when it uses any classification which serves to penalize the exercise of that right.]

FN18 Although the Supreme Court has never reached a consensus concerning the specific constitutional source of the right to travel, it has often either relied upon or recognized the equal protection clause as a potential source of the right. (See, e.g., *Shapiro v. Thompson, supra*, 394 U.S. at pp. 630, 634 [22 L.Ed.2d at pp. 612-613, 614-615]; *Zobel v. Williams* (1982) 457 U.S. 55, 66-67 [72 L.Ed.2d 672, 681-682, 102 S.Ct. 2309] (conc. opn. of Brennan, J.); *Memorial Hospital v. Maricopa County* (1974) 415 U.S. 250, 253-270 [39 L.Ed.2d 306, 312-322, 94 S.Ct. 1076].) [T]he right to travel receives its most forceful expression in the context of equal protection analysis. (*Attorney General of N.Y. v. Soto-Lopez* (1986) 476 U.S. 898, 902, fn. 2 [90 L.Ed.2d 899, 905, 106 S.Ct. 2317], (plur. opn. of Brennan, J.).)

The United States Supreme Court has repeatedly rejected statutes designed to exclude the indigent. Thus in *Edwards v. California* (1941) 314 U.S. 160,

174 [86 L.Ed. 119, 125-126, 62 S.Ct. 164], the court struck down a California statute that prohibited the transportation of indigent nonresidents into California. The court explained that a community may not gain a momentary respite from the pressure of events by the simple expedient of shutting its gates to the outside world. (*Id.* at p. 173 [86 L.Ed. at p. 125].) Similarly, in *Shapiro v. Thompson, supra*, 394 U.S. at page 629 [22 L.Ed.2d at p. 612], the court held that the right to travel was triggered by any attempt to fence out indigents. (See also *Memorial Hospital v. Maricopa County, supra*, 415 U.S. 250 [indigents' right to travel and settle in Arizona was impermissibly penalized by durational residency requirements for nonemergency medical care for indigents at county expense].)

The right to travel includes the right to stay as well as the right to go. (See, e.g., *Kent v. Dulles* (1958) 357 U.S. 116, 126 [2 L.Ed.2d 1204, 1210, 78 S.Ct. 1113] [Freedom of movement is basic in our scheme of values.]; *Dunn v. Blumstein* (1972) 405 U.S. 330, 338 [31 L.Ed.2d 274, 281-282, 92 S.Ct. 995] [right to travel ensures freedom to enter and abide], italics added; *Attorney General of N.Y. v. Soto-Lopez, supra*, 476 U.S. at p. 903 [90 L.Ed.2d at pp. 905-906] [right encompasses burdens on freedom to enter and abide in states]; *Papachristou v. City of Jacksonville* (1972) 405 U.S. 156 [31 L.Ed.2d 110, 92 S.Ct. 839] [vagrancy ordinance offends freedom of movement].) Our courts, too, have recognized that the right to travel includes the concomitant right not to travel. (*In re Marriage of McGinnis* (1992) 7 Cal.App.4th 473, 480 [9 Cal.Rptr.2d 182], italics added; see also *In re White, supra*, 97 Cal.App.3d at pp. 148-149 [banishment violates constitutional right to freedom of travel]; *In re Barbak S.* (1993) 18 Cal.App.4th 1077, 1084-1086 [22 Cal.Rptr.2d 893] [same]; *People v. Bauer* (1989) 211 Cal.App.3d 937, 944 [260 Cal.Rptr. 62] [same].)

b. Intrastate Travel

This case involves intrastate travel. In California we have expressly recognized that the constitutional right to freedom of movement necessarily embraces intrastate travel. [T]he right to intrastate travel (which includes intramunicipal travel) is a basic human right protected by the United States and California Constitutions. (*In re White, supra*, 97 Cal.App.3d at p. 148; see also *In re Marriage of Fingert* (1990) 221 Cal.App.3d 1575, 1581 [271 Cal.Rptr. 389]

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[court order requiring parent to relocate or lose custody violates right to intrastate travel]; *People v. Bauer, supra*, 211 Cal.App.3d at p. 944 [requiring defendant to obtain official approval of choice of residence as a condition of probation impinges on right to intrastate travel].)

The right to intrastate travel in this state is protected without regard to federal decisions on the issue, because the rights guaranteed by the California Constitution 'are not dependent upon those guaranteed by the United *1127 States Constitution.' (*In re White, supra*, 97 Cal.App.3d at p. 148.) Nonetheless, I would approve the holding in *White*, concluding that the United States Constitution ensures the right to intrastate, as well as interstate, travel.

Although the United States Supreme Court has not expressly addressed the right to intrastate travel, it has strongly suggested that such a broad reading of the right to travel is appropriate. Thus in *Kolender v. Lawson* (1983) 461 U.S. 352, 358 [75 L.Ed.2d 903, 909-910, 103 S.Ct. 1855], the court emphasized that a law prohibiting wandering the streets at night without identification implicated 'consideration of the constitutional right to freedom of movement.' (See also *Papachristou v. City of Jacksonville, supra*, 405 U.S. at p. 164 [31 L.Ed.2d at pp. 116-117] ['wandering or strolling' 'are 'historically part of the amenities of life as we have known them'].)

The Circuit Courts of Appeal have repeatedly concluded that the right encompasses intrastate travel. (See, e.g., *Spencer v. Casavilla* (2d Cir. 1990) 903 F.2d 171, 174; *Lutz v. City of York, PA.* (3d Cir. 1990) 899 F.2d 255, 268 [the right to move freely about one's neighborhood or town ... is indeed 'implicit in the concept of ordered liberty' and 'deeply rooted in the Nation's history']; *King v. New Rochelle Municipal Housing Authority* (2d Cir. 1971) 442 F.2d 646, 648-649 [right to travel includes intrastate travel].) As the Second Circuit recognized in *King*, 'It would be meaningless to describe the right to travel between states as a fundamental precept of personal liberty and not acknowledge a correlative constitutional right to travel within a state.' (442 F.2d at p. 648, fn. omitted, italics added.)

c. Impact of the Ordinance

The majority conclude that the ordinance does not inevitably conflict with the right to travel because it

has no impact, incidental or otherwise, on the right to travel *except* insofar as a person, homeless or not, might be discouraged from traveling to Santa Ana because camping on public property is banned. (Maj. opn., *ante*, p. 1102, italics added.) But homeless persons are not simply 'discouraged' from traveling to Santa Ana. They are effectively *prevented* from doing so, because the ordinance forbids them to sleep or store their personal belongings in any public area in the City. By criminalizing their unavoidable but innocuous conduct of sleeping and storing their personal effects, the ordinance has an immediate impact on the right of the homeless to enter or remain in Santa Ana.
FN19

FN19 Even a provision that penalized travel indirectly would not be immune from strict constitutional scrutiny. As the Supreme Court stressed in *Dunn v. Blumstein, supra*, 405 U.S. at page 341 [31 L.Ed.2d at pp. 283-284]: 'Constitutional rights would be of little value if they could be ... indirectly denied.' ' In *Dunn*, the court invalidated a one-year residential requirement for voting in Tennessee, although there was no evidence that it in fact deterred-or was intended to deter-travel.

I therefore disagree with the majority's assertion that the effect of the ordinance on the homeless is merely 'incidental.' Criminalizing the harmless act of sleeping in a public place-when the vast majority of homeless *1128 persons in Santa Ana have no legal alternative other than to 'get out of town by sun-down'-forbids a 'necessity of life' and thereby effectively penalizes migration. (See *Memorial Hospital v. Maricopa County, supra*, 415 U.S. at pp. 258-259 [39 L.Ed.2d at pp. 314-316] [laws penalize travel when they deny a person a 'necessity of life' such as nonemergency medical care for indigents at the county's expense].) Arresting or citing the homeless for sleeping in public also burdens their freedom of movement, because they must either forgo sleep or leave the City altogether to avoid criminal penalty. Moreover, as discussed above, the primary purpose for enforcing the ordinance against the homeless was to drive them out of public areas.
FN20

FN20 The majority's reliance on cases involving only incidental and nondiscriminatory zoning and taxing provisions is therefore

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misplaced. (See maj. opn., *ante*, p. 1101; *R.H. Macy & Co. v. Contra Costa County* (1990) 226 Cal.App.3d 352, 367-369 [276 Cal.Rptr. 530] [unequal taxation under Proposition 13 had an 'inconsequential' effect on interstate mobility and did not result in invidious discrimination, either directly or indirectly]; *Associated Home Builders etc., Inc. v. City of Livermore* (1976) 18 Cal.3d 582, 602-603 [135 Cal.Rptr. 41, 557 P.2d 473] [zoning ordinance barring residential construction only incidentally burdened right to travel]; but see *id.* at p. 623 (dis. opn. of Mosk, J.) [total exclusion of people from a community is both immoral and illegal].)

The indirect effects of the ordinance may prove even more invidious. As one amicus curiae, a former mayor, points out, ordinances like Santa Ana's encourage an unhealthy and ultimately futile competition among cities to impose comparable restrictions in order to avoid becoming a refuge for homeless persons driven out by other cities. The case at bar provides a striking example of this domino effect: in response to the Santa Ana ordinance, surrounding communities quickly enacted similar measures to protect themselves from an influx of Santa Ana's homeless.^{FN21} To carry this effect to its logical conclusion, if all communities followed suit the homeless could effectively be excluded from the entire State of California.

FN21 Fullerton, Long Beach, and Orange, for example, have passed anticamping ordinances. The City Attorney of Fullerton explained: 'We're trying to protect ourselves so that when Santa Ana throws out their 1,300, they don't all come over here.' (Schaffer, *Tent Cities: Laws Aim to Break Camp*, Orange County Register (June 7, 1992) pp. 1, 8.) Another amicus curiae, a former mayor of Laguna Beach, similarly observed in a letter to this court: 'To the extent that Santa Ana officials 'succeed' [in excluding the homeless], the homeless poor migrate to other nearby cities in search of streets and other public places where they can sleep. Laguna Beach, already 'home' to many poor and homeless individuals, may have to take on yet more of a social support burden.'

In striking down a California law that aimed to

exclude the indigent of an earlier era, the Supreme Court observed: 'in the words of Mr. Justice Cardozo: 'The Constitution was framed under the dominion of a political philosophy less parochial in range. It was framed upon the theory that the *1129 peoples of the several states must sink or swim together, and that in the long run prosperity and salvation are in union and not division.' [Citation.] [¶] ... [¶] ... [I]n not inconsiderable measure the relief of the needy has become the common responsibility and concern of the whole nation.' (*Edwards v. State of California, supra*, 314 U.S. at pp. 173-174 [86 L.Ed.2d 124].) The same principle requires us to invalidate the Santa Ana ordinance.

d. Strict Scrutiny

Because the ordinance impairs the right to travel of plaintiffs and other homeless persons, it is subject to strict scrutiny. (See *Dunn v. Blumstein, supra*, 405 U.S. at pp. 339-342 [31 L.Ed.2d at pp. 282-284]; *Shapiro v. Thompson, supra*, 394 U.S. at p. 634 [22 L.Ed.2d at p. 615]; *Serrano v. Priest, supra*, 18 Cal.3d at p. 761; *Committee to Defend Reproductive Rights v. Myers* (1981) 29 Cal.3d 252, 276, fn. 22 [172 Cal.Rptr. 866, 625 P.2d 779, 20 A.L.R.4th 1118].) The applicable test, therefore, is whether the ordinance is narrowly tailored to meet a compelling governmental interest. (See *Plyler v. Doe* (1982) 457 U.S. 202, 216-217 [72 L.Ed.2d 786, 798-799, 102 S.Ct. 2382].)

The ordinance does not survive under that standard. As stated above, its true underlying purpose—to drive the homeless out of Santa Ana—is not a legitimate governmental interest. But even the more benign, if euphemistic, purpose expressed on the face of the ordinance fails under strict scrutiny.

The ordinance provides: 'The public streets and areas within the City [of Santa Ana] should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended [*sic*]. The purpose of this article is to maintain public streets and areas within the city [of Santa Ana] in a clean and accessible condition.' (Ord., § 10-400.)

The interests advanced by the City are, in essence, improving the aesthetic appearance of its public areas and maintaining facilities for general public use. These concerns are legitimate and, indeed, 'substan-

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ua.ö (see [Clark v. Community for Creative Non-Violence](#) (1984) 468 U.S. 288, 296 [82 L.Ed.2d 221, 228-229, 104 S.Ct. 3065] [governmental interest in maintaining park was ösubstantialö].) But they are certainly not compelling.

Even if the City's asserted purposes were deemed compelling, moreover, the ordinance would nonetheless fail because it is not narrowly tailored to accomplish its objectives. Santa Ana could certainly maintain public areas in *1130 öa clean and accessible conditionö through less restrictive means than citing and arresting homeless persons-under a provision that includes a penalty of six months in jail-for sleeping or storing their personal belongings in public.

As a federal court explained in holding a similar ordinance unconstitutional: öProvision of alternative shelter and services would be the ideal means of accomplishing the same goals. However, in the absence of available shelter space or funds for services, the parks and streets could be cleaned and maintained without arresting the homeless. For example, the City could ask homeless individuals to relocate temporarily to another public area while maintenance crews work on a particular site. It could also establish regular times for each park to be cleaned so that homeless individuals would know not to be in a certain park on a particular day. Instead of arresting homeless individuals for being in the park after hours, the City could allow them to stay in a designated area in exchange for maintaining that area. Similarly, promotion of tourism and business and the development of the downtown area could be accomplished without arresting the homeless for inoffensive conduct.ö ([Pottinger v. City of Miami, supra](#), 810 F.Supp. at p. 1582; see also [Clark v. Community for Creative Non-Violence, supra](#), 468 U.S. 288 [ban on sleeping in Lafayette Park, across the street from the White House, was a reasonable time, place, and manner restriction on expression]; [Joyce v. City and County of San Francisco, supra](#), 846 F.Supp. 843 [prohibition against sleeping in certain public places at certain times].)

The majority urge that the City has no affirmative constitutional obligation to provide accommodations for the ötransient homelessö on or in public property.^{FN22} That does not mean, however, that if the City declines to provide shelters for the homeless it may effectively banish them from all public areas. As long as the homeless have no other place where they may

legally sleep and store their personal property in Santa Ana, the City cannot constitutionally prevent them from doing so in public places.

FN22 In referring generically to the ötransient homeless,ö the majority overlook the fact that plaintiffs include long-term residents of Santa Ana who have lost their residences and jobs. In any event, as discussed above, the right to travel applies both to homeless residents of the City who wish to remain and to ötransientö homeless persons who wish to enter and abide in the City.

The majority cite with approval a recent district court decision denying preliminary injunctive relief against implementation of the Matrix Program, a San Francisco ordinance addressing the öhomeless problem.ö ([Joyce v. City and County of San Francisco, supra](#), 846 F.Supp. 843.) Their reliance on *Joyce* is misplaced because the ordinances are crucially dissimilar. *1131

Unlike Santa Ana's ordinance, the Matrix Program did not involve a total ban on sleeping or storing property in public areas. Indeed, San Francisco police officers were instructed that ö '[t]he mere lying or sleeping on or in a bedroll in and of itself does not constitute a violation'ö ([Joyce v. City and County of San Francisco, supra](#), 846 F.Supp. at p. 861.) Nor did San Francisco attempt to drive the homeless from the city; instead, it provided counseling and referral to local social service programs and attempted to provide temporary housing for the homeless. (*Id.* at pp. 847-848.)^{FN23} The history of Santa Ana's efforts in dealing with the homeless, in sharp contrast, included an official policy of actively *discouraging* existing charitable services for the homeless, including the Salvation Army food program, and a task force directed to drive övagrantsö out of town. In enforcing the ordinance, Santa Ana police officers applied an official policy of citing individuals who were sleeping under blankets.^{FN24}

FN23 Thus under the Matrix Program social workers were dispersed throughout the city in order to contact homeless persons and a öNight Shelter Referral Program ... [was] designed to offer the option of shelter accommodations to those homeless individuals in violation of code sections pertaining to

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lodging, camping in public parks and sleeping in public parks during prohibited hours.ö (*Joyce v. City and County of San Francisco, supra, 846 F.Supp. at p. 848.*) San Francisco also estimated that in 1993-1994 it would spend \$46.4 million for services to the homeless, of which over \$8 million was specifically earmarked to provide housing. (*Ibid.*)

FN24 The majority also approve *People v. Scott* (1993) 20 Cal.App.4th Supp. 5, 13 [26 Cal.Rptr.2d 179], in which the Appellate Department of the Los Angeles Superior Court upheld a West Hollywood anticamping ordinance against a claim that it violated the right to travel of homeless residents. *Scott* offered no case authority to support its conclusory analysis. In any event it is factually distinguishable: there was no claim that the ordinance prohibited sleeping in any public area in West Hollywood and ðno evidence [was] presented in this case to support the inference that West Hollywood has used this ordinance to interfere with a person's right to travel or even that it is being enforced in such a way as to drive homeless people out of its community.ö (*Ibid.*) Nonetheless, I would disapprove *Scott* to the extent that it could be construed to suggest that an ordinance like Santa Ana's, which *is* intended to ðdrive homeless people out of its community,ö does not impair the right to travel.

The City is not required, of course, to open *all* its public spaces at *all* hours to the homeless or to tolerate dangerous or unhealthful conduct. For example, it may enforce existing ordinances against such ðcampingö behavior as the erection of semipermanent structures, outdoor cooking, and public defecation and urination. It may also enforce existing laws against public drunkenness, drug use, vandalism, assault, theft, and similar misconduct. It may not, however, penalize individuals who have committed only the offense of being without shelter. Sleeping outdoors under a blanket is neither dangerous nor unhealthful to anyone other than the homeless persons who do so as a matter of necessity. Similarly, if the City does not choose to provide storage places for the personal property of the homeless, it may not criminalize their discreet ðstorageö of personal belongings in public

areas. *1132

As the Court of Appeal aptly concluded, ðThe camping ordinance is a butcher knife where a scalpel is required.... The city may preclude the erection of structures in public places and it might ban 'camping' in select locations with a properly drafted ordinance, but it may not preclude people who have no place to go from simply living in Santa Ana. And that is what this ordinance is all about.ö

For all these reasons I would affirm the judgment of the Court of Appeal. *1133

Cal. 1995.
Tobe v. City of Santa Ana
9 Cal.4th 1069, 892 P.2d 1145, 40 Cal.Rptr.2d 402, 63 USLW 2676

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RENEE J., Petitioner,
v.
THE SUPERIOR COURT OF ORANGE COUNTY,
Respondent; ORANGE COUNTY SOCIAL SER-
VICES AGENCY et al., Real Parties in Interest.

No. S090730.

Supreme Court of California
Aug. 16, 2001.

SUMMARY

In child dependency proceedings, the trial court denied a mother reunification services, relying in part on [Welf. & Inst. Code, § 361.5](#), subd. (b)(10), which states reunification services need not be provided where past efforts at reunification proved unsuccessful after removal of another child from the parent's custody. (Superior Court of Orange County, No. DP002263, Kim Garlin Dunning, Judge.) The Court of Appeal, Fourth Dist., Div. Three, No. G026981, granted the mother's petition for extraordinary relief.

The Supreme Court reversed the judgment of the Court of Appeal. The court held that the Court of Appeal erred in its interpretation of [Welf. & Inst. Code, § 361.5](#), subd. (b)(10), which states that reunification services need not be provided where past efforts at reunification proved unsuccessful after removal of another child, and where parental rights to another child have been severed. A clause at the end of [§ 361.5](#), subd. (b)(10) states that reunification services must nonetheless be afforded if the parent has made a "reasonable effort" to treat the problems that led to the other child's removal. Contrary to the Court of Appeal's construction, that clause applies only to the situation where parental ties to another child were severed, and not to the mother's situation, where prior reunification efforts for another child were unsuccessful. Although the statute was ambiguous and the canons of construction were of little assistance, recent legislative trends toward restricting the circumstances in which reunification services must be provided indicate a legislative intent to deny reunification services to a parent who previously has failed at reunification. This interpretation did not violate the moth-

er's procedural or substantive due process rights. (Opinion by Werdegar, J., with George, C. J., Baxter, Chin, and Brown, JJ., concurring. Dissenting opinion by Kennard, J. (see p. 751).)

HEADNOTES

Classified to California Digest of Official Reports **(1a, 1b)** Delinquent, Dependent, and Neglected Children § 56--Dependent Children--Denial of Reunification Services--Past Failure to Reunify with Other Child--Application of Exception.

The Court of Appeal erred in granting a mother extraordinary relief from the trial court's order denying her reunification services and in its interpretation of [Welf. & Inst. Code, § 361.5](#), subd. (b)(10), which states that reunification services need not be provided where past efforts at reunification proved unsuccessful after removal of another child, and where parental rights to another child have been severed. A clause at the end of [§ 361.5](#), subd. (b)(10) states that reunification services must nonetheless be afforded if the parent has made a "reasonable effort" to treat the problems that led to the other child's removal. Contrary to the Court of Appeal's construction, that clause applies only to the situation where parental ties to another child were severed, and not to the mother's situation, where prior reunification efforts for another child were unsuccessful. Although the statute was ambiguous and the canons of construction were of little assistance, recent legislative trends toward restricting the circumstances in which reunification services must be provided indicate a legislative intent to deny reunification services to a parent who previously has failed at reunification. This interpretation did not violate the mother's procedural or substantive due process rights. (Disapproving [Shawn S. v. Superior Court](#) (1998) 67 Cal.App.4th 1424 [80 Cal.Rptr.2d 80] and [In re Diamond H.](#) (2000) 82 Cal.App.4th 1127 [98 Cal.Rptr.2d 715] to the extent they are inconsistent with the court's decision.)

[See 10 Witkin, Summary of Cal. Law (9th ed. 1989) Parent and Child, § 703A; West's Key Number Digest, Infants k. 155.]

(2a, 2b) Statutes §
29--Construction--Language--Legislative Intent.

A fundamental rule of statutory construction is that a court should ascertain the intent of the Legislature so as to effectuate the purpose of the law. In

Constructing a statute, the first task is to look to the language of the statute itself. When the language is clear and there is no uncertainty as to the legislative intent, courts look no further and simply enforce the statute according to its terms. Additionally, however, courts must consider the statutory language in the context of the entire statute and the statutory scheme of which it is a part. Courts are required to give effect to statutes according to the usual, ordinary import of the language employed in framing them. If possible, significance should be given to every word, phrase, sentence and part of an act in pursuance of the legislative purpose. When used in a statute, words must be construed in context, keeping in mind the nature and obvious purpose of the statute in which they appear. Moreover, the various parts of a statutory enactment must be harmonized by considering the particular clause or section in the context of the statutory framework as a whole. Where a statute is theoretically capable of more than one construction a court must choose that which most comports with the intent of the Legislature. Principles of statutory construction are not rules of independent force, but merely tools to assist courts in discerning legislative intent.

(3) Statutes § 31--Construction--Language--Words and Phrases--Last Antecedent Rule.

A long-standing rule of statutory construction-the last antecedent rule-provides that qualifying words, phrases, and clauses are to be applied to the words or phrases immediately preceding them and are not to be construed as extending to or including others more remote. Exceptions to the rule, however, have been identified. One provides that when several words are followed by a clause that applies as much to the first and other words as to the last, the natural construction of the language demands that the clause be read as applicable to all. Another provides that when the sense of the entire act requires that a qualifying word or phrase apply to several preceding words, its application will not be restricted to the last.

(4) Statutes § 22--Construction--Reasonableness.

Courts must give a statute a reasonable and commonsense interpretation consistent with the apparent purpose and intention of the lawmakers, practical rather than technical in nature, which upon application will result in wise policy rather than mischief or absurdity. Significance, if possible, should be attributed to every word, phrase, sentence, and part of an act in pursuance of the legislative purpose, as the

various parts of a statutory enactment must be harmonized by considering the particular clause or section in the context of the statutory framework as a whole. The court should take into account matters such as context, the object in view, the evils to be remedied, the history of the times and of legislation upon the same subject, public policy, and contemporaneous construction.

(5) Delinquent, Dependent, and Neglected Children § 56--Dependent Children--Denial of Reunification Services--Past Failure to Reunify with Other Child--Application of Exception.

As a general rule, reunification services are offered to parents whose children are removed from their custody in an effort to eliminate the conditions leading to loss of custody and facilitate reunification of parent and child. This furthers the goal of preservation of family, whenever possible. Nevertheless, as evidenced by [Welf. & Inst. Code, § 361.5](#), subd. (b), the Legislature recognizes that it may be fruitless to provide reunification services under certain circumstances. Once it is determined that one of the situations outlined in [§ 361.5](#), subd. (b) applies, the general rule favoring reunification is replaced by a legislative assumption that offering services would be an unwise use of governmental resources.

(6) Delinquent, Dependent, and Neglected Children § 56--Dependent Children--Reunification Services--Restriction--Past Failure to Reunify with Other Child

The Legislature intended to restrict provision of reunification services in the case of a parent who previously has failed to reunify ([Welf. & Inst. Code, § 361.5](#), subd. (b)(10)). Before this subdivision applies, the parent must have had at least one chance to reunify with a different child through the aid of governmental resources and must have failed to do so. Experience has shown that with certain parents the risk of recidivism is a very real concern. Therefore, when another child of that same parent is adjudged a dependent child, it is not unreasonable to assume that reunification efforts will be unsuccessful. Further, the court may still order reunification services if the court finds, by clear and convincing evidence, that reunification is in the best interests of the child ([Welf. & Inst. Code, § 361.5](#), subd. (c)).

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WERDEGAR, J.

This case calls upon us to construe [Welfare and Institutions Code section 361.5](#),^{FN1} which governs orders for reunification services in child dependency proceedings. Pursuant to subdivision (a) of that statute, whenever a child is removed from a parent's or guardian's custody, with certain exceptions not applicable here, the juvenile court shall order the social worker to provide services to the child and the child's parent or guardian. Subdivision (b) of the statute, however, provides that reunification services need not be offered when the court finds, by clear and convincing evidence, that any of a number of conditions exists. Subdivision (b)(10) of [section 361.5](#) provides that services may be denied on a finding *ö*[t]hat (A) the court ordered termination of reunification services for any siblings or half-siblings of the child because the parent or guardian failed to reunify with the sibling or half-sibling after the sibling or half-sibling had been removed from that parent or guardian pursuant to Section 361 and that parent or guardian is the same parent or guardian described in subdivision (a), or (B) the parental rights of a parent or guardian over any sibling or half-sibling of the child had been permanently severed, *and that, according to the findings of the court, this parent or guardian has not subsequently made a reasonable effort to treat the problems that led to removal of the sibling or half-sibling of that child from that parent or guardian.* (Italics added.)

FN1 Unless otherwise specified, all further statutory references are to the Welfare and Institutions Code.

(1a) Mother Renee J. was denied reunification services under subdivision (b)(10) of [section 361.5](#). On the facts of this case, the correctness of that ruling hinges on whether the italicized language in the immediately preceding paragraph applies to both subparts (A) and (B), or only the latter. The Courts of Appeal are divided on the question, and the present Court of Appeal joined the court in [Shawn S. v. Superior Court \(1998\) 67 Cal.App.4th 1424 \[80 Cal.Rptr.2d 80\]](#), holding that the language applies to both subparts. (Accord, [In re Diamond H. \(2000\) 82 Cal.App.4th 1127 \[98 Cal.Rptr.2d 715\]](#); but see [Marshall M. v. Superior Court \(1999\) 75 Cal.App.4th 48 \[88 Cal.Rptr.2d 891\]](#) (*Marshall M.*) [holding *ö*reasonable effort*ö* language applies only to subpart (B)]; [In re Jasmine C. \(1999\) 70 Cal.App.4th 71, 76 \[82 Cal.Rptr.2d 493\]](#) [same]; [In re Baby Boy H. \(1998\) 63 Cal.App.4th 470, 475 \[73 Cal.Rptr.2d 793\]](#) [same]; see also [Marlene M. v. Superior Court \(2000\) 80 Cal.App.4th 1139 \[96 Cal.Rptr.2d 104\]](#) [implicitly concluding same].) Thus, in the absence of the requisite finding, the court granted Renee J.'s petition for extraordinary relief, ordering the juvenile court to vacate its order denying services and directing a new dispositional hearing be held at which services would be offered. *740

We find the statute ambiguous in the relevant respect and the canons of construction of little assistance in resolving the question before us. From recent legislative trends toward restricting the circumstances in which reunification services must be provided, however, we discern a legislative intent to deny reunification services to a parent who previously has failed at reunification. We conclude the Court of Appeal erred in its reading of the statute and therefore reverse.

Facts and Procedure

Sayrah R. was born to Renee J. in October 1998. Several of Renee's older children previously had been the subject of dependency proceedings: Anthony R., born in September 1996, Christopher R., born in September 1995, and Dylan J., born in December 1990, had been declared dependents of the Orange County Juvenile Court under section 300, subdivisions (b) and (j) in November 1996, after Anthony was born with a positive toxicology screen for methamphetamine.

Both Renee J. and Robert R., the father of Anthony, Christopher and Sayrah, had long-standing substance abuse problems and an extensive history of domestic violence. In January 1998, after Renee and Robert had received reunification services in the earlier dependency proceeding for 14 months without completing successfully any of the drug programs, testing regimens, parenting classes, housing procurements, domestic violence programs, or visitation schedules that had been prescribed for them by the trial court, the Orange County Juvenile Court terminated reunification services. Later, the court terminated Renee's and Robert's parental rights to Anthony and Christopher, who were in the process of being adopted. Renee's parental rights to Dylan J. were also terminated, and Dylan was in the process of being adopted by Renee's father and stepmother.^{FN2}

FN2 Another sibling, Jesse K., born in July 1993, was living with his father, Brian K.

According to Renee, when she learned she was pregnant with Sayrah, she began to abstain from drugs and thereafter remained abstinent, although she completed no treatment programs. She acknowledged needing help, such as counseling or a program, in the area of substance abuse. Renee obtained prenatal care throughout the pregnancy, and Sayrah was healthy at birth.

From the time Sayrah was two months to four months old, Renee J. lived with Robert R. At that point, however, she stopped living with Robert and ended the relationship because he became emotionally abusive toward her and she feared he would physically abuse her again, as he had in the past. Thereafter, Renee lived with a friend for a short while and then began living with her friend Leticia Velez, a former schoolteacher. In lieu of rent, Renee provided child care services for Velez's children. Velez told the social worker she had not been very trusting of Renee at first because she had heard Renee had lost custody of her other children, but Velez began to trust her completely after seeing her consistency in disciplining the children. Velez also said she saw no sign of drug use in Renee during the time she lived with her.

In April 1999, Renee was arrested for burglary and forgery. She was convicted of possessing deceptive government identification, possessing a driver's license to commit forgery, receiving stolen property,

second degree burglary and two counts of felony possession of bad checks or money orders. Renee was sentenced to 60 days in jail and 36 months' probation. She did not, however, turn herself in to serve her sentence.^{FN3}

FN3 Previously, on February 26, 1998, Renee had been sentenced to 30 days in jail for forgery.

At the jurisdictional hearing in this case, Renee acknowledged she had committed the crimes that led to her arrest, explaining she was trying to get money to get herself and Sayrah away from Robert R. She admitted she was aware of the requirement that she turn herself in to serve 60 days, and of the warrant subsequently issued for her arrest. She testified she had planned to turn herself in, but was trying to get things together to have a secure, safe place for Sayrah to stay.

On January 6, 2000, police officers on patrol recognized Renee as a person with outstanding warrants and arrested her. The officers found Sayrah in an improperly secured car seat. In a diaper bag in the car, police found a wallet, personal checks and credit cards that had previously been reported stolen. Renee's picture with an unknown male subject was found inside the wallet, along with the owner's identification. Renee asserted she had found the wallet and notified the owner, but had not had time to return it to her. Police confirmed that the owner of the wallet had received a call from a Renee, who said she would bring the wallet to the owner's workplace but had never showed up. Renee was eventually sentenced to 150 days in jail on old warrants and probation violations. No new charges were filed in connection with Renee's possession of the reportedly stolen wallet. No drugs or paraphernalia were found in Renee's car.

When Sayrah was taken into protective custody, she was dirty and her diaper had not been changed for several hours, but she appeared healthy and developmentally normal. Because Renee could not provide the name of a relative to take custody of Sayrah, Sayrah was initially placed in a series of temporary homes. Later, Sayrah was moved to the home of her maternal grandfather and stepgrandmother, who, as noted, were in the process of adopting Sayrah's half brother, Dylan. The juvenile court established juris-

decision over the case on February 23, 2000, after finding Sayrah was a *742 person described in section 300, subdivisions (b) (failure to protect due to substance abuse), (g) (no provision for support), and (j) (sibling abuse).

At the dispositional hearing on March 14, 2000, the juvenile court found, by clear and convincing evidence, that the reunification services offered to Renee in the cases of Sayrah's two siblings, Anthony and Christopher, and half sibling Dylan had been terminated because both Renee J. and Robert R. had failed to reunify. The juvenile court further found that Renee's parental rights to those children had been terminated and that neither Renee J. nor Robert R. had made a reasonable effort to treat the problems that had led to the removal of Renee's three other children. The court found that, under both subparts (A) and (B) of [section 361.5](#), subdivision (b)(10), reunification services were not appropriate in this case. Although the Orange County Social Services Agency (SSA) specifically eschewed reliance on subdivision (b)(12) of [section 361.5](#), the court nevertheless concluded that subdivision applied, in that Renee had a history of substance abuse. The court further found, by clear and convincing evidence, that the provisions of subdivision (c)(1) and (5) of section 361 applied and that to vest custody of Sayrah with her parents would be detrimental to her. The court then set the matter for a permanency planning hearing pursuant to section 366.26.

Renee petitioned for extraordinary relief pursuant to California Rules of [Court, rule 39.1B](#). The Court of Appeal agreed with her that the juvenile court had erred in resting its decision on subdivision (b)(12) of [section 361.5](#) because SSA had waived reliance on that provision and Renee had relied on the waiver. With respect to [section 361.5](#), subdivision (b)(10), the Court of Appeal likewise found merit in Renee's arguments and, following [Shawn S. v. Superior Court, supra, 67 Cal.App.4th 1424](#), read the "reasonable efforts" clause as applicable to both subparts (A) and (B). The Court of Appeal reasoned that abstinence from drugs, regardless of actual completion of a rehabilitation program, would constitute "the most important evidence that a drug problem is being addressed" and concluded that, in the absence of any evidence Renee was still using drugs or had exposed Sayrah to domestic violence, the juvenile court could not simply assume those conditions continued to exist.

Having thus rejected both of the juvenile court's stated bases for denying reunification services to Renee, the Court of Appeal granted relief, ordering the juvenile court to vacate its order denying reunification services and setting the matter for a permanency planning hearing, and directing that court instead to hold a new dispositional hearing at which reunification services would be offered.

We granted SSA's petition for review in order to construe [section 361.5](#), subdivision (b)(10). Renee's answer to the petition for review raised, as an *743 additional issue for our review, the question whether interpreting [section 361.5](#), subdivision (b)(10) to deny her reunification services would deprive her of due process.

Analysis

(2a) "A fundamental rule of statutory construction is that a court should ascertain the intent of the Legislature so as to effectuate the purpose of the law. [Citations.] In construing a statute, our first task is to look to the language of the statute itself. [Citation.] When the language is clear and there is no uncertainty as to the legislative intent, we look no further and simply enforce the statute according to its terms. [Citations.] [¶] Additionally, however, we must consider the [statutory language] in the context of the entire statute [citation] and the statutory scheme of which it is a part. "We are required to give effect to statutes 'according to the usual, ordinary import of the language employed in framing them.' [Citations.] " [Citations.] "If possible, significance should be given to every word, phrase, sentence and part of an act in pursuance of the legislative purpose." [Citation.] ... "When used in a statute [words] must be construed in context, keeping in mind the nature and obvious purpose of the statute where they appear." [Citations.] Moreover, the various parts of a statutory enactment must be harmonized by considering the particular clause or section in the context of the statutory framework as a whole. [Citations.]" ([Phelps v. Stostad](#) (1997) 16 Cal.4th 23, 32 [65 Cal.Rptr.2d 360, 939 P.2d 760].)

We are directed to no legislative history expressly answering the question before us and, as a matter of English usage, nothing in [section 361.5](#), subdivision (b)(10) clearly compels one reading over the other. To resolve the ambiguity, the parties cite various principles of statutory interpretation. (3) "A longstanding

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rule of statutory construction—the last antecedent rule—provides that 'qualifying words, phrases and clauses are to be applied to the words or phrases immediately preceding and are not to be construed as extending to or including others more remote.' ([White v. County of Sacramento \(1982\) 31 Cal.3d 676, 680 \[183 Cal.Rptr. 520, 646 P.2d 191\].](#)) Exceptions to the rule, however, have been identified. One provides that when several words are followed by a clause that applies as much to the first and other words as to the last, 'the natural construction of the language demands that the clause be read as applicable to all.' ([Wholesale T. Dealers v. National etc. Co. \(1938\) 11 Cal.2d 634, 659 \[82 P.2d 3, 118 A.L.R. 486\].](#)) Another provides that when the sense of the entire act requires that a qualifying word or phrase apply to several preceding words, its application will not be restricted to the last. (*White v. County of Sacramento*, *744 *supra*, at p. 681.) This is, of course, but another way of stating the fundamental rule that a court is to construe a statute 'so as to effectuate the purpose of the law.' (2b) [Citation.] 'Where a statute is theoretically capable of more than one construction [a court must] choose that which most comports with the intent of the Legislature.' [Citation.] (*Ibid.*, second bracketed insertion in original.) Principles of statutory construction are not rules of independent force, but merely tools to assist courts in discerning legislative intent.

(4) As the court in [Marshall M., supra, 75 Cal.App.4th at pages 55-56](#), observed: 'We must ... give the provision a reasonable and commonsense interpretation consistent with the apparent purpose and intention of the lawmakers, practical rather than technical in nature, which upon application will result in wise policy rather than mischief or absurdity. [Citation.] Significance, if possible, should be attributed to every word, phrase, sentence and part of an act in pursuance of the legislative purpose, as 'the various parts of a statutory enactment must be harmonized by considering the particular clause or section in the context of the statutory framework as a whole.' [Citation.] 'The court should take into account matters such as context, the object in view, the evils to be remedied, the history of the times and of legislation upon the same subject, public policy, and contemporaneous construction.' [Citation.]

(5) The purpose of [section 361.5](#) was explained in [In re Baby Boy H., supra, 63 Cal.App.4th at page 478](#).

As a general rule, reunification services are offered to parents whose children are removed from their custody in an effort to eliminate the conditions leading to loss of custody and facilitate reunification of parent and child. This furthers the goal of preservation of family, whenever possible. [Citation.] Nevertheless, as evidenced by [section 361.5](#), subdivision (b), the Legislature recognizes that it may be fruitless to provide reunification services under certain circumstances. [Citation.] Once it is determined one of the situations outlined in subdivision (b) applies, the general rule favoring reunification is replaced by a legislative assumption that offering services would be an unwise use of governmental resources. [Citation.]

(6) As pertinent, the *In re Baby Boy H.* court went on to infer that the Legislature intended to restrict provision of reunification services in the case of a parent who previously had failed to reunify. The exception at issue here, [section 361.5](#), subdivision (b)(10), recognizes the problem of recidivism by the parent despite reunification efforts. Before this subdivision applies, the parent must have had at least one chance to reunify with a different child through the aid of governmental resources and fail to do so. *745 Experience has shown that with certain parents, as is the case here, the risk of recidivism is a very real concern. Therefore, when another child of that same parent is adjudged a dependent child, it is not unreasonable to assume reunification efforts will be unsuccessful. Further, the court may still order reunification services be provided if the court finds, by clear and convincing evidence, that reunification is in the best interests of the child. ([§ 361.5](#), subd. (c).) (*In re Baby Boy H., supra, 63 Cal.App.4th at p. 478.*)

(1b) We agree with *In re Baby Boy H.*'s understanding of the legislative purpose in enacting [section 361.5](#), subdivision (b)(10) and with its interpretation of the statute. Renee cites factual differences between that case and this one, but any such differences are irrelevant to the pure question of statutory interpretation confronting us here. At the same time that it enacted subdivision (b)(10), moreover, the Legislature shortened from 12 months to six the period for provision of reunification services in the case of a child who was under age three at the time of removal from the physical custody of the parent. ([§ 361.5](#), subd. (a)(2), added by Stats. 1996, ch. 1083, § 2.7.) One might thus characterize both of these amendments as aimed at expediting the dependency process in order to facili-

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late the placement of minors in stable, permanent homes, particularly in the cases of the youngest children and those least likely to benefit from reunification services. Consistent with this aim, we find it probable that the Legislature did not intend, in the case of a minor whose parent in connection with a prior dependency proceeding has already demonstrated an inability to benefit from services, to impose for denial of services an additional and arguably redundant requirement that the parent has made no reasonable effort to treat the underlying problem.

As the [Marshall M. Court of Appeal reasoned \(supra, 75 Cal.App.4th at p. 55\)](#), our reading of the statute accords significance to all its parts. Had the Legislature intended to require the finding of no reasonable effort in the case both of the parent whose service plan had been ordered terminated and of the parent whose rights over the child had been severed, there would have been no need to affix separate (A) and (B) labels to the two clauses. (Cf. [Briggs v. Eden Council for Hope & Opportunity \(1999\) 19 Cal.4th 1106, 1117 \[81 Cal.Rptr.2d 471, 969 P.2d 564\]](#) [separately numbered paragraphing as emphasizing grammatical and analytical independence of clauses within [Code Civ. Proc., § 425.16](#), subd. (e)].) Likewise, had the Legislature meant to require the no-reasonable-effort finding in both cases, it might have set forth that requirement as a preface to the two different scenarios. The Legislature, however, did neither.

Moreover, when viewed in the context of the different ways in which a child is removed from his or her parents, the distinction between subparts *746 (A) and (B) of [section 361.5](#), subdivision (b)(10) is a reasonable one. As the [court in Marshall M., supra, 75 Cal.App.4th at page 56](#), observed, "Subparts (A) and (B) ... are similar in that each involve[s] a court's prior removal of another child of the parent" But, as the court explained, "there is also a key distinction between the two subparts. This distinction relates to whether the parent has previously failed when given a chance at reunification services." (*Ibid.*) Thus, under subpart (A), "the parent had an opportunity to reunify and failed. Therefore, the court selected a permanent plan for the sibling. In other words, in the case of subdivision (b)(10)(A), the parent did not make a reasonable effort to treat the problems that led to the sibling's removal because that parent necessarily failed to reunify. [¶] [Section 361.5](#), subdivision

(b)(10)(B) anticipates a discrete scenario. Subpart (B) requires a termination of rights but does not condition the termination upon a parent's failure to reunify. Indeed, the fact that the parent's rights over any sibling have been permanently severed ... does not inescapably establish that the parent failed to make a reasonable effort to treat the problems that led to the sibling's removal.... [¶] ... [I]n a case described by ... subpart (A), the court knows as a matter of law that the parent did not make reasonable efforts to treat the problems that led to the sibling's removal. The same cannot be said solely because a parent's rights over another child have been permanently severed." ^{FN4} (*Marshall M., supra*, at pp. 56-57.)

FN4 SSA offers specific examples illuminating the difference between subparts (A) and (B) of [Welfare and Institutions Code section 361.5](#), subdivision (b)(10). Whereas subpart (A) addresses dependent children whose parents have received reunification services, SSA posits, subpart (B) embraces children whose parents may not have received services. SSA observes that parental rights may be terminated outside the dependency system without provision of services, pursuant to the Family Code, by one parent against another in order to free a child from the burden of an absent or ineffective parent's custody rights, or to free a child for adoption. Thus, under [Family Code section 7820](#), a parent or even a third party could bring an action to sever a parent's rights in the case of abandonment ([Fam. Code, § 7822](#)), neglect (*id.*, § 7823), the respondent parent's disability due to substance abuse (*id.*, § 7824), the respondent parent's conviction of a felony (*id.*, § 7825), the respondent parent's developmental disability or mental illness (*id.*, § 7826), or the child's being in an out-of-home placement for a one-year period (*id.*, § 7828). Parental rights also would be severed without provision of services in the case of a parent who voluntarily relinquishes his or her child to a public or private adoption agency pursuant to [Family Code section 8700](#). Thus, for example, a mother who, as a young girl, had relinquished a child for adoption due to her inability to support the child and, years later, becomes involved in the dependency system with a subsequent child, might, under [Welfare and Institutions](#)

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Code section 361.5, subdivision (b)(10), subpart (B), argue that she had made a reasonable effort to improve her financial circumstances (i.e., she had treated the problem that led to the removal of the first child) and would benefit from reunification services. We agree with SSA that the Legislature reasonably could conclude that under these scenarios reunification services should be provided, in contrast to the case of a parent who previously had failed to reunify despite the provision of services.

As SSA observes, the legislative history of section 361.5, subdivision (b)(10) reveals that subparts (A) and (B) were originally drafted as *747 separately numbered paragraphs and were only combined in the shaping of the final form of the amendment to section 361.5. (See Legis. Counsel's Dig., Assem. Bill No. 2679 (1995-1996 Reg. Sess.) as amended Feb. 22, 1996; Assem. Com. on Judiciary, Analysis of Assem. Bill No. 2679 (1995-1996 Reg. Sess.) as amended Apr. 18, 1996; Sen. Rules Com., Office of Sen. Floor Analyses, 3d reading analysis of Assem. Bill No. 2679 (1995-1996 Reg. Sess.) as amended Aug. 22, 1996.) Of the two, only the provision that is now subpart (B) ever included the requirement of the no-reasonable-effort finding. Although the significance of this sequence of events is not free from doubt, we find it reasonable to infer that, in combining into one subdivision the two provisions that are now subparts (A) and (B), respectively, the Legislature meant to group together two thematically related scenarios (i.e., two distinct kinds of court-ordered removal of a child from a parent), while still applying different requirements to each.

The parties devote much of their remaining argument to an examination of technical aspects of the wording and punctuation of the statute, matters that we find less significant than its legislative history and evident purpose, as discussed above.

First, Renee argues that because both subpart (A) and subpart (B) of section 361.5, subdivision (b)(10) refer to a "sibling or half-sibling," and the "reasonable effort" clause also refers to a "sibling or half-sibling," the principle in Wholesale T. Dealers v. National etc. Co., *supra*, 11 Cal.2d at page 659, dictates that the latter clause refers to both subparts. Undercutting this argument, however, is the fact that—as Renee

acknowledges—both subpart (A) and the "reasonable effort" clause, but not subpart (B), refer to a "removed" sibling. Obviously, the "reasonable effort" clause must apply, at a minimum, to subpart (B). The repetition (or absence) of certain words or phrases within the various parts of section 361.5, subdivision (b)(10), therefore, does not dictate the interpretation Renee urges.

Citing Board of Trustees v. Judge (1975) 50 Cal.App.3d 920, 927-928, footnote 4 [123 Cal.Rptr. 830], Renee further argues that the Legislature's use of a comma to separate the "reasonable effort" phrase from the antecedent phrases signifies it intended the phrase to apply to all antecedents rather than only the last. She also observes that the Legislature, after the enactment of section 361.5, subdivision (b)(10) but before its effective date, amended the statute to add that comma (Stats. 1997, ch. 793, § 18), the initial version of the statute not having included it (Stats. 1996, ch. 1083, § 2.7). We agree generally that the presence or absence of commas is a factor to be considered in interpreting a statute (see Board of Trustees v. Judge, *supra*, at p. 928, fn. *748 4), but find this principle not to be dispositive in the present case. Inasmuch as a comma properly joins the independent clauses of subpart (B) regardless of the existence of subpart (A), the inference that, by so amending the statute, the Legislature meant the "reasonable effort" clause to apply to both subparts arises only weakly, if at all, and the history of the provision, as discussed above, tends to refute it.^{FN5}

FN5 Of somewhat greater force, as a matter of grammatical interpretation, is the fact the "reasonable effort" clause refers to "this parent or guardian" (italics added); as SSA observes, the demonstrative pronoun "this" ordinarily is understood to refer to the nearer of two or more things or persons, hence in this context it arguably would relate to the parent or guardian described in subpart (B) of section 361.5, subdivision (b)(10).

Pointing out that courts are to avoid interpretations that render some words surplusage (Moyer v. Workmen's Comp. Appeals Bd. (1973) 10 Cal.3d 222, 230 [110 Cal.Rptr. 144, 514 P.2d 1224]), Renee contends SSA's interpretation of section 361.5, subdivision (b)(10) runs afoul of this principle. She reasons that SSA justifies its discrepant treatment of the parent

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who previously has failed at reunification with other siblings (i.e., facts triggering the application of subpart (A)), vis-a-vis the parent whose rights over another sibling had been permanently severed (i.e., facts triggering the application of subpart (B)), by equating the parental failure to complete a prior service plan, leading to a court-ordered termination of services (subpart (A)), with the failure to make a reasonable effort to treat the problems that led to the removal of the sibling. But the statute, according to Renee, contemplates that such effort be made "subsequently" to the court order, an impossibility under SSA's reading, inasmuch as the failure to complete the reunification plan necessarily *precedes* the court's order terminating services. Renee's argument, however, commits the fallacy of assuming its conclusion, i.e., only if one accepts the premise that the reasonable effort clause applies to subpart (A) does the referent for "subsequently" become an issue. But even were we to accept that premise, we disagree that the efforts must be made subsequent to the *termination* order. Rather, the statute by its terms refers to efforts subsequently made to treat the problem that led to *removal* of the child from the parents, which removal, in the case of subpart (A) cases, occurs before services are provided or terminated. (See *Marshall M., supra, 75 Cal.App.4th at p. 57.*)

In sum, we interpret the no-reasonable-effort clause as applicable only to subpart (B) of [section 361.5](#), subdivision (b)(10).^{FN6} If we have failed to *749 discern correctly the Legislature's intent in enacting the statute, that body may clarify the statute accordingly.^{FN7}

FN6 *Shawn S. v. Superior Court, supra, 67 Cal.App.4th 1424*, and *In re Diamond H., supra, 82 Cal.App.4th 1127*, are disapproved to the extent they are inconsistent with our decision in this case.

FN7 [California Rules of Court, rule 1456\(f\)\(5\)](#), we note, is inconsistent with the interpretation of [section 361.5](#), subdivision (b)(10) endorsed here. As relevant, the rule provides: "Reunification services need not be provided to a mother, statutorily presumed father, or guardian, if the court finds, by clear and convincing evidence, any of the following: [¶] ... [¶] (J) The court: [¶] (i) has terminated reunification services for a sibling or

half-sibling of the child because the parent failed to reunify with the sibling or half-sibling, or finds that the parental rights of the parent over any sibling or half-sibling have been terminated; and [¶] (ii) finds that the parent or guardian has not made a reasonable effort to treat the problems that led to the removal of the sibling or half-sibling from that parent or guardian." The rule, as is evident, "does not track the language of [section 361.5](#), subdivision (b)(10)." (*Marshall M., supra, 75 Cal.App.4th at p. 59.*)

Renee contends the interpretation of [section 361.5](#), subdivision (b)(10) that we embrace in this case violates due process. Her argument is twofold: Procedural due process is denied by the statute's failure to place the burden on SSA to demonstrate the parent's unworthiness to receive reunification services, and substantive due process is violated by its exclusive reliance on the parent's problematic history and corresponding failure to require proof of the parent's *current* unfitness. We address each contention in turn.

For her procedural due process claim, Renee relies on *Santosky v. Kramer* (1982) 455 U.S. 745 [102 S.Ct. 1388, 71 L.Ed.2d 599] (*Santosky*), in which the United States Supreme Court held unconstitutional a New York statute permitting termination of parental rights based on a finding of permanent neglect made by a mere preponderance of the evidence. Because of the fundamental nature of the rights at stake and the irreparable harm an erroneous decision to terminate them would cause, as compared with the lesser societal costs of an erroneous decision to postpone their termination, the high court determined that the federal Constitution imposes a heightened standard, that of clear and convincing evidence. (*Santosky, supra, at p. 769* [102 S.Ct. at p. 1403].)

Renee also distinguishes *Cynthia D. v. Superior Court* (1993) 5 Cal.4th 242 [19 Cal.Rptr.2d 698, 851 P.2d 1307] (*Cynthia D.*), in which this court rejected a parent's argument that California's child dependency scheme violates due process by allowing termination of parental rights based on a finding by a mere preponderance of the evidence that return of the child to parental custody would create a substantial risk of detriment to the child. In *Cynthia D.*, we held that, in the context of the entire process for terminating parental rights under the dependency statutes, the proof

requirements at the selection and implementation hearing held pursuant to section 366.26 comport with due process because the precise and demanding substantive and procedural requirements the petitioning agency must have satisfied before it *750 can propose termination are carefully calculated to constrain judicial discretion, diminish the risk of erroneous findings of parental inadequacy and detriment to the child, and otherwise protect the legitimate interests of the parents. At this late stage in the process the evidence of detriment is already so clear and convincing that more cannot be required without prejudice to the interests of the adoptable child, with which the state must now align itself. (Cynthia D., supra, at p. 256.)

At issue in both *Santosky* and *Cynthia D.* was the quantum of proof required for termination of parental rights, which indisputably are fundamental in nature. (*Santosky*, supra, 455 U.S. at pp. 758-759, 769 [102 S.Ct. at pp. 1397-1398, 1403].) Here, in contrast, Renee's parental rights have not been terminated. Renee assumes, but fails to establish, the foundational premise that she possesses a constitutionally protected liberty interest in the state's providing her with reunification services. The Courts of Appeal that have addressed this question have held to the contrary. (*In re Baby Boy H.*, supra, 63 Cal.App.4th at p. 475; *In re Christina A.* (1989) 213 Cal.App.3d 1073, 1078-1079 [261 Cal.Rptr. 903].) Although Renee may be understood to argue that reunification services constitute her only opportunity to reunify with Sayrah, and thus that a denial of services is tantamount to a slow termination of her rights, in our view the present state of the record does not enable this court to draw such a conclusion. For example, a petition pursuant to section 388 remains an available mechanism by which to modify the juvenile court's previous orders, given some sufficiently compelling new evidence or change of circumstances.

In any event, as SSA points out, even in the face of a finding under [section 361.5](#), subdivision (b)(10), the juvenile court may still order reunification services if it finds, by clear and convincing evidence, that reunification is in the best interest of the child. (§ 361.5, subd. (c).) Thus, contrary to Renee's and amicus curiae California Public Defenders Association's substantive due process argument, evidence of a parent's current fitness may, in appropriate circumstances, persuade the juvenile court to order reunification services de-

spite his or her problematic history.^{FN8}

FN8 Amicus curiae contends the existence of subdivision (c)'s *obailout* provision cannot save [section 361.5](#) from a due process challenge because, unlike the parental rights termination at issue in *Cynthia D.*, supra, 5 Cal.4th 242, the determination to withhold reunification services comes near the inception of the dependency case, before the state has borne the burden of repeatedly demonstrating parental unfitness at the various hearings required at specified stages of the proceedings. Our analysis of the *Santosky* factors, however, leads us to conclude [section 361.5](#), subdivision (b)(10) is constitutionally valid as we have interpreted it. First, considering the private interest affected (*Santosky*, supra, 455 U.S. at p. 759 [102 S.Ct. at pp. 1397-1398]; *Cynthia D.*, supra, at p. 254), we observe again that at the stage of the proceedings with which we are concerned, the juvenile court has already found jurisdiction over the child (see § 300), but has not yet reached the point at which a decision to terminate parental rights is to be made. The parent's interest, therefore, while significant, is of a somewhat lesser order than in the decisions on which Renee and amicus curiae rely. Second, the risk of erroneous factfinding (*Santosky*, supra, at p. 762 [102 S.Ct. at p. 1399]; *Cynthia D.*, supra, at pp. 254-255) is mitigated by the parent's right to counsel (§ 317, subd. (d)) and access to relevant records maintained by state or local public agencies, hospitals, medical or non-medical practitioners, and child care custodians (§ 317, subd. (f)). Third, the governmental interest supporting the statutory procedure (*Santosky*, supra, at p. 766 [102 S.Ct. at pp. 1401-1402]; *Cynthia D.*, supra, at pp. 255-256)-the state's *parens patriae* interest in preserving and promoting the welfare of the child, and the state's fiscal and administrative interest in reducing the cost and burden of such proceedings (*Cynthia D.*, supra, at p. 255)-is substantial.

We are satisfied that, given the weighty interests of the state in assuring the proper care and safety of children in the dependency system, and those of *751

the children themselves, this provision sufficiently diminishes the risk of erroneous deprivations of services as to satisfy the requirements of due process. (See *Cynthia D.*, *supra*, 5 Cal.4th at pp. 250-256.)

Disposition

The judgment of the Court of Appeal is reversed.

George, C. J., Baxter, J., Chin, J., and Brown, J., concurred.

KENNARD, J., Dissenting.

When a child is removed from a parent's custody as part of a dependency proceeding ([Welf. & Inst. Code, § 300](#)),^{FN1} the juvenile court must normally order the social services agency to provide reunification services to the child and the parent. Without such services, a parent whose child has been removed has little hope of ever regaining custody of the child.

FN1 Unless otherwise stated, all statutory references are to the Welfare and Institutions Code.

But reunification services need not be provided in certain instances specified by statute. Subdivision (b)(10) of [section 361.5 \(section 361.5\(b\)\(10\)\)](#) describes two such instances: When past efforts at reunification proved unsuccessful after removal of another child, and when parental rights to another child have been severed. A clause at the end of [section 361.5\(b\)\(10\)](#) states that reunification services must nonetheless be afforded if the parent has made a "reasonable effort" to treat the problems that led to the other child's removal. At issue here is whether this clause (the reasonable effort clause) applies only when parental rights to the other child were severed, or whether it also applies when reunification services were unsuccessfully provided after removal of the other child.

The majority concludes that the reasonable effort clause applies only when parental rights were severed. I disagree. *752

I. Facts

Petitioner Renee J. and her boyfriend Robert R. had a long history of drug use and domestic violence. As a result, the Orange County Social Services Agency (SSA) removed their children, Anthony and

Christopher, and Renee's daughter Dylan. After reunification services proved unsuccessful, the superior court terminated the parental rights of Renee and Robert as to those three children.

Thereafter Renee and Robert had Sayrah R., the subject of this proceeding, who was born in October 1998. According to Renee, she stopped using drugs when she was pregnant with Sayrah; when Sayrah was four months old, Renee broke up with Robert, taking Sayrah with her. Two months later she was charged and convicted of burglary and forgery. Sentenced to 60 days in jail, she failed to turn herself in to serve her sentence, and a bench warrant was issued for her arrest. When arrested on that warrant in January 2000, she was driving a car. Sayrah was in a child safety seat that lacked the required base and was not properly attached. Renee told police she was a transient, and she could not name a responsible adult who would care for Sayrah during incarceration.

SSA filed a petition asking the superior court to declare Sayrah a dependent child. The petition alleged that Renee's negligence in the matter of the safety seat showed a lack of concern for Sayrah's safety; that Renee was unable to care for Sayrah because of her history of drug abuse, her criminal history, her incarceration on the bench warrant, and her lack of a permanent residence; and that Renee had abused or neglected Sayrah's siblings and there was a substantial risk she would abuse or neglect Sayrah. The superior court found the allegations of the petition true.

At the time of the dispositional hearing, Renee was separated from Robert (who had apparently left the state), and there was no evidence that she had resumed using drugs. SSA argued that under [section 361.5\(b\)\(10\)](#), it need not provide reunification services to Renee because it had afforded them without success after removal of Renee's other children. The superior court construed [section 361.5\(b\)\(10\)](#) as entitling Renee to reunification services if she had made a reasonable effort to treat the problems that led to the removal of her other children, but it ruled that she had not made such an effort. It therefore refused to order reunification services.

Renee filed a petition for writ of mandate in the Court of Appeal to challenge the superior court's ruling. The Court of Appeal agreed with the superior court that Renee was entitled to reunification services

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if she had made a reasonable effort to treat her problems, but it held that the superior court had abused its discretion when it ruled that Renee had not made such an effort. We granted review, limited to the question of whether a parent who made a reasonable effort to treat the problems that led to the previous removal of a child or children may obtain reunification services when another child is later removed in a dependency proceeding.

II. The Statutory Scheme

Subdivision (a) of [section 361.5](#) sets forth the general rule that a parent whose child has been removed in a dependency proceeding must be afforded reunification services. Subdivision (b) of that section lists the relatively extreme or unusual circumstances in which reunification services are not required. These circumstances include death of a sibling from abuse or neglect, severe sexual abuse or physical harm, repeated physical or sexual abuse, parental conviction of a violent felony, and willful abduction of the child from placement by the parent.

At issue here are the circumstances described in [section 361.5\(b\)\(10\)](#). That provision states that reunification services need not be afforded if the superior court finds: *That (A) the court ordered termination of reunification services for any siblings or half-siblings of the child because the parent or guardian failed to reunify with the sibling or half-sibling after the sibling or half-sibling had been removed from that parent or guardian pursuant to Section 361 and that parent or guardian is the same parent or guardian described in subdivision (a), or (B) the parental rights of a parent or guardian over any sibling or half-sibling of the child had been permanently severed, and that, according to the findings of the court, this parent or guardian has not subsequently made a reasonable effort to treat the problems that led to removal of the sibling or half-sibling of that child from that parent or guardian.* (Italics added.) The superior court and the Court of Appeal here concluded that the reasonable effort clause, italicized above, applies to both subparts of [section 361.5\(b\)\(10\)](#). SSA argues that it applies only to subpart (B).

Ordinarily, the removal of a child in the course of dependency proceedings would require reunification services. Thus, subpart (A) of [section 361.5\(b\)\(10\)](#) applies to *most* parents whose children were removed in dependency proceedings. Subpart (B), however,

applies if reunification services for the sibling in a dependency proceeding were denied because of circumstances described in subdivision (b) of [section 361.5](#), which we described earlier. Subpart (B) also applies when parental rights are severed outside of the dependency system. This occurs when a child has been abandoned or **754* voluntarily relinquished for adoption, or when a third party brings an action to sever parental rights after the parent has been convicted of a felony or is seriously mentally ill. ([Fam. Code, § 7800](#) et seq.)

III. Discussion

At issue here is how to construe [section 361.5\(b\)\(10\)](#). In performing that task, we are guided by these principles: *“The aim of statutory construction is to discern and give effect to the legislative intent. (Phelps v. Stostad (1997) 16 Cal.4th 23, 32 [65 Cal.Rptr.2d 360, 939 P.2d 760].) The first step is to examine the statute’s words because they are generally the most reliable indicator of legislative intent.” (Summers v. Newman (1999) 20 Cal.4th 1021, 1026 [86 Cal.Rptr.2d 303, 978 P.2d 1225].) I therefore begin with the language of [section 361.5\(b\)\(10\)](#).*

The majority insists that, *“as a matter of English usage,”* nothing in the words of [section 361.5\(b\)\(10\)](#) indicates whether the Legislature intended the section’s reasonable effort clause to apply only to subpart (B) of that section, or to subparts (A) and (B). (Maj. opn., ante, at p. 743.) I disagree. As I shall explain, when the words of [section 361.5\(b\)\(10\)](#) are given their *“usual and ordinary meaning”* (*DaFonte v. Up-Right, Inc. (1992) 2 Cal.4th 593, 601 [7 Cal.Rptr.2d 238, 828 P.2d 140]*), the reasonable effort clause at issue here logically applies to both subparts of that section.

[Section 361.5\(b\)\(10\)](#), as discussed earlier, does not require reunification services if the superior court finds: *“That (A) the court ordered termination of reunification services for any siblings or half-siblings of the child because the parent ... failed to reunify ... after the sibling or half-sibling had been removed ... or (B) the parental rights of a parent ... over any sibling or half-sibling of the child had been permanently severed, and that, according to the findings of the court, this parent ... has not subsequently made a reasonable effort to treat the problems that led to removal of the sibling or half-sibling of that child from that parent ...”* (Italics added.) As a matter of syntax, the second italicized *“that”* in that passage, which prefaces the

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reasonable effort clause, logically pairs with the first italicized *that* at the beginning of the section. Therefore, the reasonable effort clause after the second *that* necessarily applies to the entire section, not merely to subpart (B). Had the Legislature intended the reasonable effort clause to apply only to subpart (B), it could easily have omitted the second italicized *that*.

Furthermore, in the reasonable effort clause the Legislature uses the phrase *the problems that led to removal ...* (italics added), which suggests that the clause applies to both subparts (A) and (B). As previously *755 explained (see pt. II, *ante*), some parents fall under the provisions of subpart (B) (termination of parental rights to a sibling of the child without reunification services) not because the sibling was *removed*, but because the parents abandoned the sibling or voluntarily gave the sibling up for adoption. If anything, the word *removal* appears to refer to subpart (A), which uses the word *removed*. Had the Legislature intended the reasonable effort clause to refer only to subpart (B), it would most likely have said *the problems that led to termination of parental rights*, rather than *the problems that led to removal*, as currently stated in the statute.

Aside from the statutory language, an examination of the policy concerns underlying the Legislature's decision to include the reasonable effort clause in [section 361.5\(b\)\(10\)](#) shows that it intended the clause to apply to both subparts of that provision. The purpose of the clause is to give a parent who has made a reasonable effort to deal with the problems that led to removal of one child a chance at reunification when a second child is removed. For example, if one child is removed because the parent is addicted to drugs, and the parent later gives up drugs but another child is thereafter removed because the parent has an abusive partner, the parent should, in the Legislature's view, be given a chance to reunify with the second removed child.

This policy applies equally to parents in subpart (A) (parents for whom previous reunification services were unsuccessful) as it does to parents in subpart (B) (parents whose parental rights were severed). As I have explained (see pt. II, *ante*), included in subpart (B) are parents who never received reunification services before losing custody of a child in an earlier proceeding because their treatment of that child was so

bad that it fell within one of the statutorily described circumstances in which the court could deny reunification services. (See [§ 361.5](#), subd. (b).) I can think of no reason why the Legislature would have chosen to give such parents a chance at reunification when a second child became a dependent of the juvenile court, while denying that opportunity to parents who were unsuccessful in reunifying with a previously removed child. Yet that is the effect of the majority's holding today.

One more point. This court generally construes laws in a manner that avoids doubts about their constitutionality. (See, e.g., [People v. Superior Court \(Romero\)](#) (1996) 13 Cal.4th 497, 509 [53 Cal.Rptr.2d 789, 917 P.2d 628].) This rule also applies when one of two possible constructions of a statute raises doubts about the constitutionality of another part of the statutory scheme. That is the case here. The majority's construction of the reasonable effort clause raises doubts about the constitutionality of another part of the Legislature's statutory scheme for the severance of parental rights to dependent children, as I explain below. *756

Under California's statutory scheme, parental rights may be permanently severed when a superior court finds by a *preponderance of the evidence* that returning the child to the parent's custody would create a substantial risk of detriment to the child. (See §§ 366.21, subd. (e), 366.22, subd. (a), 366.26, subd. (c)(1).) In [Cynthia D. v. Superior Court](#) (1993) 5 Cal.4th 242 [19 Cal.Rptr.2d 698, 851 P.2d 1307], a majority of this court rejected a due process challenge to that standard. As part of the basis for its decision, the majority noted that before a final determination by the superior court whether to sever a parental relationship, *there have been a series of hearings involving ongoing reunification efforts* and, at each hearing, there was a statutory presumption that the child should be returned to the custody of the parent. (*Id.* at p. 253, italics added.) I dissented in *Cynthia D.*, reasoning that *the basic requirements of procedural due process do not allow the state to terminate parental rights in such a proceeding without clear and convincing evidence of a substantial risk of detriment to the child.* (*Id.* at p. 257 (dis. opn. of Kennard, J.).)

Under the majority's decision today, a parent who, after failing to reunify with one removed child, makes a reasonable effort to treat the problems that

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caused that child's removal but then suffers the removal of a second child, may not, as to the second child, receive the series of hearings involving ongoing reunification efforts so that the majority in *Cynthia D. v. Superior Court, supra*, 5 Cal.4th at page 253, relied on in upholding the constitutionality of the preponderance of evidence standard established by the statutory scheme. Thus, the majority's holding here weakens the underpinnings of *Cynthia D.*, and it raises doubts about the constitutionality of the preponderance of evidence standard that the *Cynthia D.* majority upheld. To avoid those constitutional issues, I would construe the reasonable effort clause broadly, applying it to all parents in [section 361.5\(b\)\(10\)](#).

Here, the Court of Appeal agreed with the superior court that the reasonable effort clause applied to Renee, but it disagreed with the superior court's finding that she was not entitled to reunification services with Sayrah because she had not made a reasonable effort to treat the problems that had led to the removal of her other children. Were the issue properly before this court, I might well find that the evidence supports the superior court's ruling that Renee did not make a reasonable effort to deal with her problems. But that issue is not before us. In its petition for review, SSA did not challenge the Court of Appeal's conclusion that Renee had made reasonable efforts to treat her problems; instead, it asserted that the reasonable effort clause was inapplicable. Therefore, I would affirm the judgment of the Court of Appeal, *757 which applied the reasonable effort clause in reversing the superior court's ruling that Renee was not entitled to reunification services with reference to Sayrah. *758

Cal. 2001.
Renee J. v. Superior Court
26 Cal.4th 735, 28 P.3d 876, 110 Cal.Rptr.2d 828, 01
Cal. Daily Op. Serv. 7133, 2001 Daily Journal D.A.R.
8755

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▶ EARL W. PORTER, Plaintiff and Respondent,
v.
CITY OF RIVERSIDE et al., Defendants and Appellants.

Civ. No. 8676.

Court of Appeal, Fourth District, Division 2, California.

May 6, 1968.

HEADNOTES

(1) Municipal Corporations § 232(6)--Ordinances--Validity--Harmony With Charter Provisions.

An ordinance stands in the same relationship to a city charter as a statute does to the Constitution of the state; thus, charter provisions constitute the organic law or local constitution of the city and the same presumptions that favor the constitutionality of state legislative enactments apply also to ordinances.

(2) Municipal Corporations § 242--Ordinances--Validity--Presumptions.

Every presumption is in favor of the constitutionality of an ordinance and the invalidity of such legislative act must be clear before it can be declared unconstitutional.

See **Cal.Jur.2d**, Municipal Corporations, § 416; **Am.Jur.**, Municipal Corporations (1st ed §§ 178, 179).

(3) Municipal Corporations § 234--Ordinances--Validity--Province of Courts.

The legislative action of a city council will be upheld by the courts unless beyond its powers, or unless its judgment or discretion is being fraudulently or corruptly exercised.

(4) Municipal Corporations § 242--Ordinances--Validity--Presumptions.

When the right to enact a law or ordinance depends on the existence of a fact, the passage of the act implies, and the conclusive presumption is, that the legislative body performed its duty and ascertained the existence of the fact before enacting and approving the law, a decision which the courts have no right to

question or review.

(5) Municipal Corporations § 234, 242--Ordinances--Validity--Province of Courts Presumptions.

Not only must a legislative act of a city be reviewed by a court in the light of every presumption favorable to its constitutionality, but the court must limit itself to a consideration of such matters as appear on the face of the enactment together with those facts which are matters of judicial cognizance.

(6) Municipal Corporations § 234--Ordinances--Validity--Province of Courts.

Where a statute or ordinance is valid on its face, and there are no other considerations of which the court can take judicial notice tending to establish unconstitutionality, the court will not go behind the statute or ordinance and receive evidence *aliunde* to establish facts that would tend to impeach and overturn the law.

(7a, 7b) Municipal Corporations § 232(6)--Ordinances--Validity--Harmony With Charter Provisions.

In an action to restrain a city from paying a fixed monthly expense allowance to each city councilman without presentation of a claim therefor, the trial court erred in determining that the ordinance authorizing such payment was invalid on the ground that the allowance was in excess of actual expenses and therefore included compensation for services, where the city charter provided that councilmen should be paid no salary but should receive, in addition to council-authorized travel expenses and other expenses when on official duty, an amount to be fixed by ordinance as reimbursement for other out of pocket expenditures and costs imposed on them in serving as councilmen, where the charter was silent as to presentation of claims for such allowance, where, in passing the ordinance, the council found that the councilmen's out of pocket expenditures and costs were and would continue to be at least equal to the sum fixed, and where such legislative finding was entirely reasonable and possible.

(8) Municipal Corporations § 234--Ordinances--Validity--Province of Courts.

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In an action to restrain a city from paying a fixed monthly expense allowance to city councilmen, the trial court exceeded its powers and also went beyond the issues generated by the complaint in admitting evidence *aliunde* for the purpose of contravening the express finding of the city council that each councilman's monthly out of pocket expenditures and costs did and would continue to exceed the amount fixed, where the court, if it did not regard such finding as creating a conclusive presumption of the validity of the enactment, should have confined its review to a consideration of those facts which appeared on the face of the ordinance, together with those facts within its judicial knowledge.

See **Cal.Jur.2d**, Municipal Corporations, § 406; **Am.Jur.**, Municipal Corporations (1st ed § 183).

SUMMARY

APPEAL from a judgment of the Superior Court of Riverside County. Russell S. Waite, Judge. Reversed.

Action by a taxpayer to restrain the City of Riverside from paying an expense allowance to city councilmen. Judgment for plaintiff reversed.

COUNSEL

John Woodhead, City Attorney, O'Melveny & Myers, and Howard J. Deards for Defendants and Appellants.

Henry W. Coil, Sr., as Amicus Curiae on behalf of Defendants and Appellants. *834

Thompson & Colegate and Michael R. Raftery for Plaintiff and Respondent.

KERRIGAN, Acting P. J.

The Charter of the City of Riverside was prepared by a Board of Freeholders, adopted by the electors, approved by the Legislature, and became effective in April 1953. The charter provision relating to councilmen's expenses reads as follows:

Sec. 402. Compensation; reimbursement for expenses. The members of the city council shall receive *no compensation* for their services *as such*, but shall receive reimbursement on order of the city council for council-authorized traveling and other expenses when on official duty. *In addition, each member shall receive such amount as may be fixed by*

ordinance, which amount shall be deemed to be reimbursement of other out-of-pocket expenditures and costs imposed upon him in serving as a city councilman." [Italics supplied.]

In May 1953, the council held its inaugural meeting and adopted an ordinance fixing each councilman's expense allowance in the sum of \$200 per month. Thereafter, in July 1955, the council adopted Ordinance No. 2226, which increased the councilmen's expense allowance to \$250 monthly. Ten years later, in August 1965, the council passed Ordinance No. 3300, which recited that the councilmen's original expense allowance was \$200; that it was thereafter increased to \$250 monthly; that inflation and greater demands on councilmen had resulted in an increase in out-of-pocket expenses; that the sum of \$350 per month represented reasonable costs expenditures incurred by councilmen; that the expense allowance be increased to \$350 monthly; and that the \$350 be paid monthly without presentation of any claim.

In September 1965 the plaintiff filed this action, and the allegations of the complaint may be briefly summarized in the following manner: that Ordinance No. 3300 requires the payment to each councilman of \$350 monthly as purported reimbursement of out-of-pocket expenses without presentation of any claim, voucher, proof of payment or proof of authorization of such expenses by the council; that such payment as reimbursement for out-of-pocket expenses not shown to be expended, is, in fact, payment of compensation, as prohibited by the Riverside City Charter; that such payment will increase the burden of taxation in an unlawful manner, to wit, the payment of compensation to each City Councilman in direct violation of the Charter provisions of the City of Riverside. *835 No allegations were contained in the complaint attacking the council's finding that the amount of out-of-pocket expenditures were at least \$350 as being so unreasonable as to constitute arbitrary action or constructive fraud. Nor was there an allegation that the council acted in bad faith with improper motives in that \$350 per month was in excess of actual expenses. Thus, the attack on the ordinance was based on the premise that section 402 of the charter was violated in the event the \$350 additional allowance authorized by Ordinance No. 3300 was paid without requiring the presentation of itemized claims and vouchers showing actual expenditures. The complaint prayed that the city be restrained from paying

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the \$350 per month to the councilmen was reimbursement of out-of-pocket expenses, without requiring proof of the nature of said ... expenses, the amount thereof, and that they are actually incurred. ...ö

Defendants filed a general and special demurrer to the complaint. The demurrer was overruled and defendants answered.

During trial, the court permitted the introduction of evidence at plaintiff's counsel's request as to the actual monthly expenses incurred by members of the city council. The seven councilmen's expenses ranged from \$150 to \$555. From the evidence thus presented, the trial court determined that the \$350 allowance fixed in Ordinance No. 3300 was öin excess of the actual and allowable out-of-pocket expenses and costs ...ö incurred öand does ... include compensation for services rendered by the City Councilmen. ...ö Judgment was therefore rendered in favor of the plaintiff wherein its was decreed: (1) Riverside City Ordinance No. 3300 was invalid in its entirety as violative of section 402 of the Riverside City Charter; (2) Ordinance No. 2226 [the prior ordinance authorizing \$250 per month allowance] was valid and binding; and (3) defendants be restrained from paying the members of the City Council \$350 per month pursuant to Ordinance No. 3300, öbut that said injunction shall not, and does not, restrain or enjoin defendants from paying to the members of said City Council the sums provided by said Ordinance No. 2226 or any other sum provided to be paid by any subsequent amendment of said Ordinance No. 2226 or any subsequent ordinance of the City of Riverside. ...ö

Defendants' assault on the judgment is stated in varying forms, which may be categorized in the following manner: (1) The complaint fails to state a cause of action; (2) the findings *836 went beyond the issues framed by the pleadings; (3) the trial court erred in permitting the introduction of evidence relating to the councilmen's actual expenses; (4) insufficiency of the evidence to support the findings; and (5) the action is barred by reason of plaintiff's laches, unclean hands, and political motives.

Stated simply, the sole, crucial issue on appeal is whether Ordinance No. 3300 is valid under section 402 of the charter.

(1) An ordinance stands in the same relationship

to a city charter as does a statute to the constitution of the state. Thus, charter provisions constitute the organic law or local constitution of the city. (*In re Pfahler*, 150 Cal. 71, 82 [88 P. 270, 11 Ann.Cas. 911, 11 L.R.A. N.S. 1092]; *Dalton v. Lelande*, 22 Cal.App. 481, 487 [135 P. 54].) The same presumptions that favor the constitutionality of state legislative enactments apply also to ordinances. (11 Cal.Jur.2d, Const. Law, § 74, pp. 407-408.) (2) Every presumption is in favor of constitutionality and the invalidity of a legislative act must be clear before it can be declared unconstitutional. (35 Cal.Jur.2d, Municipal Corporations, § 416, p. 223.) (3) The action of the Legislature will be upheld by the courts unless beyond its powers, öor its judgment or discretion is being fraudulently or corruptly exercised.ö (*Nickerson v. County of San Bernardino*, 179 Cal. 518, 522-523 [177 P. 465]; *Wine v. Boyar*, 220 Cal.App.2d 375, 381-382 [33 Cal.Rptr. 787].)

(4) When the right to enact a law depends upon the existence of a fact, the passage of the act implies, and the conclusive presumption is, that the Legislature performed its duty and ascertained the existence of the fact before enacting and approving the law—a decision which the courts have no right to question or review. (*Robins v. County of Los Angeles*, 248 Cal.App.2d 1, 6 [56 Cal.Rptr. 853]; *Taylor v. Cole*, 201 Cal. 327, 336-337 [257 P. 40]; *Smith v. Mathews*, 155 Cal. 752, 756 [103 P. 199].) (5) Not only must the legislative act be reviewed in the light of every presumption favorable to its constitutionality, but the court must limit itself to a consideration of such matters as appear on the face of the enactment (*Alameda etc. Water Dist. v. Stanley*, 121 Cal.App.2d 308, 315 [263 P.2d 632]; *People v. Sacramento Drainage Dist.*, 155 Cal. 373, 386 [103 P. 207]), together with those facts which are matters of judicial cognizance. (*Los Angeles County Flood Control Dist. v. Hamilton*, 177 Cal. 119, 125 [169 P. 1028]; *City of Ojai v. Chaffee*, 60 Cal.App.2d 54, 61 [140 P.2d 116]; *Whitcomb v. Emerson*, 46 Cal.App.2d 263, 276 [*837115 P.2d 892].) (6) Stated in basic terms, where a statute is valid on its face, and there are no other considerations of which the court can take judicial notice tending to establish unconstitutionality, the courts will not go behind the statute or ordinance and receive evidence *aliunde* to establish facts that would tend to impeach and overturn the law. (*Taylor v. Cole, supra*, p. 337; *Stevenson v. Colgan*, 91 Cal. 649, 652 [27 P. 1089, 25 Am.St.Rep. 230, 14 L.R.A. 459].)

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(7a) Whether we view the presumption in support of the validity of enactments as a conclusive presumption which the courts have no right to question or review (*Robins v. County of Los Angeles, supra*, 248 Cal.App.2d 1, 6; *Smith v. Mathews, supra*, 155 Cal. 752, 756), or follow the more limited rules to the effect that the enactment is presumed to be constitutional and must be deemed to have been enacted on the basis of any state of facts supporting it that "reasonably can be conceived" (*Higgins v. City of Santa Monica*, 62 Cal.2d 24, 30 [41 Cal.Rptr. 9, 396 P.2d 41]), or "reasonably could be assumed" (*Redevelopment Agency v. Hayes*, 122 Cal.App.2d 777, 806 [266 P.2d 105]), or are "possible" (*Galeener v. Honeycutt*, 173 Cal. 100, 103-104 [159 P. 595]), it inevitably follows that the trial court's determination holding the expense allowance invalid was erroneous.

Section 1 of Ordinance No. 3300 provides that each councilman's out-of-pocket expenditures and costs are "and will continue to be at least \$350 per month."

(8) The foregoing finding by the council may be regarded as giving rise to a conclusive presumption sustaining the validity of the enactment (see *Robins v. County of Los Angeles, supra*, 248 Cal.App.2d 1, 6). However in the event the trial court determined that it was acting within its prerogative in questioning the council's determination that \$350 monthly was required as an expense allowance, its review should have been confined to a consideration of those facts which appeared on the face of the ordinance, together with those facts within its judicial knowledge. (*Alameda etc. Water Dist. v. Stanley, supra*, 121 Cal.App.2d 308, 315; *Los Angeles County Flood Control Dist. v. Hamilton, supra*, 177 Cal. 119, 125.) Succinctly stated, it was certainly reasonable and possible that the councilmen's expenditures and costs amounted to \$350 monthly, and inasmuch as the city's legislative body made such a determination, the court exceeded its powers in admitting evidence *aliunde* for the purposes of contravening such finding. *838

Galeener v. Honeycutt, supra, 173 Cal. 100, is a case involving a change of compensation; plaintiff was elected to the office of supervisor of Madera County at a time when the statute fixing the compensation of supervisors provided that the compensation was \$1,200 per year and 25c per mile for all distances

traveled by the supervisors in the discharge of their duties as road commissioners, which mileage allowance was not to exceed \$600 annually; a subsequent 1915 act changed the compensation to \$1,800 per year for services as board members and as road commissioners; the act "found" that the change did not work an increase in compensation and declared that it was intended that it apply to the present incumbents; the enactment was attacked on the ground that it was violative of section 9 of article XI [since repealed] of the California Constitution, which prohibited the increase of compensation to incumbents during their term of office; the Supreme Court held that the Madera County statute was constitutional and explicitly stated: "There is absolutely nothing on the face of the law to show that each supervisor of Madera County is not actually required to travel two thousand four hundred miles per year in the discharge of his duties as road commissioner, and that such was the condition in both the years 1914 and 1915. If such a condition was possible, we must assume in favor of the legislative enactment that it existed, for, as was said ... in *Smith v. Mathews*, 155 Cal. 752, 756 [103 P. 199, 201], the doctrine of *Stevenson v. Colgan*, 91 Cal. 649 [27 P. 1089, 25 Am.St.Rep. 230, 14 L.R.A. 459] ... is that 'when the right to enact a law depends upon the existence of a fact, the passage of the act implies, and the conclusive presumption is, that the Governor and the Legislature have performed their duty and ascertained the existence of the fact before enacting and approving the law. ...' "

The trial court's finding that the councilmen's "actual" out-of-pocket expenses were less than \$350 monthly went beyond the issues generated in the complaint, was based upon inadmissible evidence, and was therefore void. (*Simmons v. Simmons*, 166 Cal. 438, 441 [137 P. 20].)

(7b) Finally, under any reasonable interpretation of section 402 of the charter, it manifestly appears that while a councilman is not entitled to receive compensation "as such," he is expressly entitled to receive reimbursement on "order of the City Council for council-authorized travel and other expenses when on official duty." Furthermore, he is *839 entitled to an additional allowance unconnected with travel and other official-duty expenses by reason of the following proviso: "In addition, each member shall receive such amount as may be fixed by ordinance, which amount shall be deemed to be reimbursement of other

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out-of-pocket expenditures and costs imposed upon him in serving as a city councilman.ö Consequently, by the express provisions of the charter, each councilman is entitled to receive a sum fixed by ordinance as an additional expense allowance. Moreover, councilmen are not required to submit itemized claims or vouchers showing actual expenditures under the last-quoted section of the charter. While the charter precludes a councilman from receiving a salary for his governmental services, and while it has been judicially determined that when a city charter is silent on the subject of compensation of members of the council, an ordinance authorizing the payment of a salary to councilmen is invalid as being violative of the charter (*Woods v. Potter*, 8 Cal.App. 41, 45 [95 P. 1125]), the Riverside Charter unequivocally sanctions the payment of the expense allowance involved in the case under review.

The judgment is reversed.

Tamura, J., concurred.

Cal.App.4.Dist.
Porter v. City of Riverside
261 Cal.App.2d 832, 68 Cal.Rptr. 313

END OF DOCUMENT



JEROME C. CORNELL, Appellant,
v.
GEORGE R. REILLY et al., as Members of STATE
BOARD OF EQUALIZATION, Respondents.

Civ. No. 16165.

District Court of Appeal, First District, Division 1,
California.
Aug. 18, 1954.

HEADNOTES

(1a, 1b) Intoxicating Liquors §
82--Offenses--Evidence.

Finding that liquor licensee hired girls to solicit sales of alcoholic beverages, in violation of Pen. Code, § 303, is sustained by evidence that, among other things, when customer entered barroom a female employee asked him to buy her a drink and that bartender kept record of her drinks.

(2) Administrative Law § 6--Administrative Proceedings--Nature of Proceedings.

Although in disciplinary administrative proceedings burden of proof is on party asserting affirmative and guilt must be established to reasonable certainty and not based on surmise, conjecture, suspicion, theoretical conclusions or uncorroborated hearsay, the proceedings are not criminal in nature and not governed by law applicable to criminal cases.

See **Cal.Jur.2d**, Administrative Law and Procedure, §§ 86, 87; **Am.Jur.**, Public Administrative Law, § 107.

(3) Licenses §
55--Revocation--Proceedings--Purpose.

Administrative proceedings aimed at revoking license are not conducted for primary purpose of punishing an individual but to keep regulated business clean and wholesome and to protect public by determining whether licensee exercised his privilege in derogation of public interest.

(4) Intoxicating Liquors § 9.9--Licenses--Revocation.

Standards to be applied in proceeding for revocation of liquor license are not those applicable to criminal trials, the proceeding being a disciplinary

function of Board of Equalization.

See **Cal.Jur.2d**, Alcoholic Beverages, § 33 et seq.

(5) Intoxicating Liquors § 9.9--Licenses--Revocation.

Board of Equalization need not define by law or rule all of things that will put liquor license in jeopardy. (Const. art. XX, § 22.)

(6) Intoxicating Liquors § 9.9--Licenses--Revocation.

Board of Equalization can revoke liquor license irrespective of violation of specific Penal Code section, if evidence shows situation contrary to public welfare or morals.

(7) Criminal Law § 369--Evidence--Intent.

Intent may be proved by circumstantial evidence. (Pen. Code, § 21.)

(8) Intoxicating Liquors § 9.9--Licenses--Revocation.

The asserted fact that liquor licensee had no specific intent to violate Pen. Code, § 303, would not prevent revocation of license because of acts of bartender-manager in hiring female employees to solicit drinks, since licensee who elects to operate business through employee is responsible to licensing authority for employee's conduct in exercise of license.

(9) Criminal Law § 1018--Judgment--Conclusiveness.

Acquittal of liquor licensee's bartender-manager of criminal charge of violation of Pen. Code, § 303, is not res judicata in proceedings before Board of Equalization aimed at revoking license.

SUMMARY

APPEAL from a judgment of the Superior Court of the City and County of San Francisco. Herbert C. Kaufman, Judge. Affirmed.

Proceeding in mandamus to review validity of order of State Board of Equalization revoking a liquor license. Judgment denying writ, affirmed.

COUNSEL

Donovan, Stuhr & Martin and Charles Stuhr for Appellant.

Edmund G. Brown, Attorney General, and William M.

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Bennett, Deputy Attorney General, for Respondents.

PETERS, P. J.

The State Board of Equalization, after hearings before a hearing officer and the board, found that Jerome Cornell, the owner of an on-sale general liquor license and the operator of a restaurant-bar in San Francisco, had employed two girls to encourage customers to buy them drinks in violation of the law. Because of such violation, Cornell's liquor license was ordered revoked. Cornell, under the provisions of section 1094.5 of the Code of Civil Procedure, applied to the superior court for a writ of mandate to review the *180 validity of the revocation order. That court found that the findings of the board were supported by substantial evidence and by the weight of the evidence, that the findings constituted good cause for revocation, and denied the petition for a writ of mandate. Cornell appeals from the judgment based on those findings.

The accusation before the board contained two counts. The first charged Cornell with employing, on certain dates, two named girls for the purpose of procuring or encouraging the purchase or sale of alcoholic beverages, and with paying these girls a commission for such services. The second count is not here involved.^{FN1} The first count charges, without mentioning, the commission of acts declared unlawful by section 303 of the Penal Code. That section makes it a misdemeanor for a liquor seller to employ upon the premises where the alcoholic beverages are sold any person for the purpose of procuring or encouraging the purchase or sale of such beverages, or to pay any person a percentage or commission on the sale of such beverages for procuring or encouraging such purchase or sale. Section 24200 of the Business and Professions Code^{FN2} provides that it is grounds for the suspension or revocation of a license (a) When the continuance of a license would be contrary to public welfare or morals ... (b) ... the violation or the causing or the permitting of a violation by a licensee of ... any rules of the board ... or any other penal provisions of law of this State prohibiting or regulating the sale ... of alcoholic beverages. ...

FN1 This second count charged Cornell with possession on the licensed premises on a certain date of 11 empty distilled spirits bottles, which, under the law, should have been destroyed. Cornell was found to have vio-

lated the law in this respect, and his license was suspended for 15 days for such violation. The validity of that suspension is not challenged in these mandate proceedings.

FN2 This section was added to the Business and Professions Code in 1953. Before that, its provisions, in substance, were to be found in 2 Deering's General Laws, Act No. 3796, section 40.

A hearing on the accusation was had, as provided by law, before a hearing officer, whose proposed decision, findings and conclusions, recommending revocation, were adopted by the board. Thereafter, Cornell, under the provisions of section 11521 of the Government Code, petitioned for a reconsideration, which was granted, and a second hearing was then had before the board. The board reaffirmed its original decision. It found that Cornell, on the dates in question, did employ the two girls named in the accusation for the purpose of procuring *181 or encouraging the purchase or sale of alcoholic beverages, in violation of section 303 of the Penal Code, but that it was not true that Cornell paid the girls a percentage or commission for procuring or encouraging such purchases or sales in violation of that section. Revocation of Cornell's license was ordered. The superior court, in the mandate proceedings, found these findings were supported and refused to grant the writ.

(1a) The basic facts as presented to the hearing officer and to the board, and as accepted by the board and the reviewing court, are not in serious dispute. Cornell, the owner of the bar and liquor license, was not present on the premises during the times the alleged offenses occurred, nor did he testify at the hearing before the hearing officer. During all times here relevant Cornell had delegated the operation of the bar to William Andrews, the bartender-manager. Just before midnight on March 24, 1953, several liquor control officers entered the bar. One of them, by the name of Wright, testified that he sat at the bar; that a woman, who later identified herself as Dottie Shannon, one of the entertainers, sat down beside him; that after some conversation he ordered a drink for himself and she asked "Am I in?"; that he replied that she was, whereupon the bartender Andrews, without further orders, served her a "champagne cocktail" taken from a Champale^{FN3} bottle; that the bartender charged him eighty-five cents for the highball ordered

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by him, and \$1.50 for the cocktail served to the girl; that during the next hour he and Miss Shannon had three drinks each; that on each occasion he was charged \$2.35 for the two drinks; that after the serving of the drinks the bartender made a notation on a pad lying beside the cash register.

FN3 Champale is a malt beverage of low alcoholic content and much cheaper than champagne. It costs but 40 cents a bottle. The drinks here involved were 2 or 3 ounces each.

Officer Wright returned to the bar at about 10:50 p. m. on the night of March 27, 1953. He testified that on that occasion he observed Andrews serving drinks to Dottie Shannon and another identified liquor officer, and that each time a drink was served to the girl a notation was made by the bartender on the pad. Wright testified that he observed that the type of drink, price and procedure of notation were identical to his own prior experienced solicitation. Two other officers testified that on these occasions they had substantially similar *182 experiences with Miss Shannon or Miss Lee, another entertainer. They corroborated Wright in all substantial respects.

The officers decided to and did make the arrest in the early morning hours of March 28, 1953. They confiscated the remainder of one of the girl's drinks, which, upon analysis, was discovered to have an alcoholic content of 5.1 per cent. They also confiscated the pad upon which the notations had been made, and 11 empty, but unbroken, distilled spirits bottles found under the bar. The pad contained the names of all of the entertainers and some other employees, and after each name were tally marks, and dollars and cents figures.

Andrews was then arrested. Vickie Lee, one of the entertainers for whom the officers had purchased drinks, told the officers at the time of Andrews' arrest that she was paid fifty cents by her employer for each "champagne cocktail" purchased for her. At the hearing before the hearing officer Miss Lee denied making any such statement, denied that she received any commission for the solicitation of drinks, and testified that she paid for all drinks consumed by herself when she cashed her paycheck each week. Andrews admitted keeping the pad with the tally marks after each entertainer's name, but testified that this was done to keep a record of the number of drinks

each girl consumed and for which they were charged at the end of each week. This, according to him, was the reason for the tally marks and the dollars and cents figures after each girl's name on the pad. It will be noted that the officers had testified that they had paid \$1.50 each for the drinks consumed by the entertainers, and that marks were made on the pad after the purchase of each drink for an entertainer. Thus, if Andrews' and Miss Lee's testimony had been believed, which it was not, the bar received double payment for the drinks consumed by the entertainers. Otherwise, there would have been no reason for keeping a record of drinks already paid for.

It was stipulated that if Cornell were present he would testify that Andrews had told him that the bar was being conducted lawfully and according to the rules and regulations of the board, and that, although female entertainers were employed, they were never paid any sums except the contract wages for their dancing and singing; in other words, were not employed to solicit drinks. The written contracts of the entertainers providing a salary for singing and dancing only were introduced into evidence, as well as certain paychecks issued to the entertainers. It also appears in evidence that *183 Andrews had been charged with a violation of section 303 of the Penal Code and with keeping empty unbroken alcoholic beverage bottles on the premises, that he had been tried before a jury in the municipal court, and that he had been acquitted of both charges.

The basic argument of appellant is that administrative proceedings looking toward the revocation of a liquor license are criminal in nature insofar as the *quantum* of proof is concerned, and that the evidence here does not meet that test. The principal California case relied upon to establish this premise is [Messner v. Board of Dental Examiners](#), 87 Cal.App. 199, where, at page 205 [262 P. 58], it is stated in reference to a proceeding resulting in the suspension of a dental license: "The statute [the Dental Act] is highly penal, and a proceeding thereunder for the revocation of a license to practice dentistry is in the nature of a criminal trial in which all intendments are in favor of the accused." Based on this argument, the appellant contends that all of the elements of the offense or offenses defined in section 303 of the Penal Code were not proved. Appellant admits that the evidence shows that he hired entertainers, but correctly points out that such is perfectly legal. He also admits that the evi-

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ence shows that these entertainers solicited drinks from patrons of the bar, but correctly points out that mere solicitation by employees of drinks, under the law as it then existed, constituted no offense against the liquor laws so far as the licensee was concerned. He argues that to constitute an offense under section 303 of the Penal Code the employees must be hired for the purpose of soliciting drinks,^{FN4} and that this requires evidence of a specific intent or “*mens rea*” on his part to so hire the employees. Appellant urges that there is no evidence at all of his specific intent to hire personnel to solicit drinks. Appellant further argues that, since the record shows that he personally was out of the city when the challenged acts took place, he cannot be held responsible for the acts of Andrews in the absence of any evidence that he authorized those acts, because the statute requires proof of his specific intent.

FN4 The section prohibits the hiring of persons for the purpose of soliciting drinks or from paying any person a commission for soliciting drinks. So far as the “pay” provision of the statute is concerned, the board found the charge unfounded. The validity of the revocation, therefore, must be upheld, if at all, upon the charge of hiring employees for the purpose of soliciting drinks.

(2) It may be conceded that in disciplinary administrative *184 proceedings the burden of proof is upon the party asserting the affirmative ([Bley v. Board of Dental Examiners, 87 Cal.App. 193 \[261 P. 1036\]](#)), and that guilt must be established to a reasonable certainty ([Furman v. State Bar, 12 Cal.2d 212 \[83 P.2d 12\]](#); [Coffman v. Board of Architectural Examiners, 130 Cal.App. 343 \[19 P.2d 1002\]](#)) and cannot be based on surmise or conjecture, suspicion or theoretical conclusions, or uncorroborated hearsay. (See cases collected 2 Cal.Jur.2d 248, § 145.) But it is now well settled that such proceedings are not criminal in nature, and are not governed by the law applicable to criminal cases. (See many cases collected 2 Cal.Jur.2d 169, § 87.) The contrary language found in the [Messner case \(87 Cal.App. 199, 205\)](#) above quoted has been classified as a mere “dictum,” and expressly disapproved. ([Webster v. Board of Dental Examiners, 17 Cal.2d 534, 539 \[110 P.2d 992\]](#).) (3) The object of an administrative proceeding aimed at revoking a license is to protect the public, that is, to determine whether a licensee has exercised his privilege in der-

ogation of the public interest, and to keep the regulated business clean and wholesome. Such proceedings are not conducted for the primary purpose of punishing an individual. (See cases collected 2 Cal.Jur.2d 169, § 87, at p. 170.) Hence, such proceedings are not criminal in nature.

These principles are now well settled in this state, although admittedly there was language in several early cases to the contrary. The problem was thoroughly discussed and settled in [Webster v. Board of Dental Examiners, 17 Cal.2d 534 \[110 P.2d 992\]](#). In that case, at page 537, it is stated:

“Appellant first challenges the order of suspension on the theory that administrative proceedings to revoke a professional license are quasi-criminal in nature. It is suggested that the rules governing burden of proof, and *quantum* of proof must be those which apply in criminal trials, and that in consequence the board used an improper standard in weighing the evidence. This analogy between a proceeding to revoke a license and a criminal trial is found in a number of the earlier cases. ...

“Where, on the other hand, the legislature has created a professional board and has conferred upon it power to administer the provisions of a general regulatory plan governing the members of the profession,^{FN5} the overwhelming weight of authority has rejected any analogy which would require *185 such a board to conduct its proceedings for the revocation of a license in accordance with theories developed in the field of criminal law. [Citing many cases.] Many California cases have expressly rejected the contention that administrative proceedings for the revocation of a professional license are to be governed by criminal law theories on matters of evidence. [Citing many cases.] ...

FN5 In the instant case the State Board of Equalization was created by and receives its powers directly from the Constitution. (Art. XX, § 22.)

“Some of the cases relied upon by appellant are clearly distinguishable. ... The statement in [Messner v. Board of Dental Examiners, 87 Cal.App. 199, 205 \[262 P. 58\]](#) ... that the proceedings were *quasi-criminal* in nature is *dictum* which is contradicted so far as it relates to matters of evidence by the long line of cases

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ated above. ... The few remaining decisions which contain language tending to support petitioner's view are contrary to the great weight of authority in California and elsewhere, as pointed out above.ö

In [Kendall v. Board of Osteopathic Examiners](#), 105 Cal.App.2d 239, 248 [233 P.2d 107], this court quoted, with approval, the following statement from [Murphy v. Board of Medical Examiners](#), 75 Cal.App.2d 161, 166 [170 P.2d 510]: ö "The proceeding here involved is an administrative, disciplinary proceeding, and is not criminal in its nature, nor is it to be judged by the legal standards applicable to criminal prosecutions." ö

(4) Thus, it follows that this proceeding for the revocation of a liquor license is a disciplinary function of the State Board of Equalization, and that the standards to be applied are not those applicable to criminal trials. Furthermore, in the instant case, it was not necessary for the board to find that there had been a criminal violation of section 303 of the Penal Code in order to revoke the license. (5) Article XX, section 22, of the Constitution, confers on the board öthe exclusive power to license ... sale of intoxicating liquors in this State, ... and shall have the power, in its discretion, to deny or revoke any specific liquor license if it shall determine for good cause that the granting or continuance of such license would be contrary to public welfare or morals.ö This means that since a liquor license is a permit to do what would, without such license, be unlawful, the board need not define by law or rule all of the things that will put that license in jeopardy. ([Moore v. State Board of Equalization](#), 76 Cal.App.2d 758, 764 [174 P.2d 323]; see also Bus. & Prof. Code, § 24200; [Covert v. State Board of Equalization](#), 29 Cal.2d 125, 131 [173 P.2d 545].) *186 (6) Thus, although it is not indispensable to a holding in the instant case that the evidence supports the findings, because the evidence does show a violation of section 303 of the Penal Code, it is the law that appellant's license could have been revoked irrespective of a violation of a specific Penal Code section, if the evidence shows a situation contrary to public welfare or morals.

(1b) Tested by the standards applicable to administrative proceedings, or even by the standards applicable to criminal trials, the evidence here is sufficient to support the finding of a hiring for the purpose of solicitation. The fact that the girls were em-

ployed by appellant is conceded. The fact that they, on numerous occasions, solicited drinks from patrons of the bar was established by substantial evidence, and is not denied. The fact that the bartender-manager Andrews knew of such solicitation was established by the record kept by the bar of all drinks consumed by the entertainers, even though paid for by a patron. Under such a state of facts the inference that such solicitation was an integral part of the employment of the entertainers is not only reasonable, but almost inevitable. Thus, even if it was necessary to establish that appellant had a specific intent to hire the employees for solicitation purposes, such fact was established by clear evidence and the reasonable inferences therefrom. (7) Intent can, of course, be proved by circumstantial evidence. (Pen. Code, § 21; [People v. Von Mullendorf](#), 110 Cal.App.2d 286 [242 P.2d 403].)

(8) The contention of appellant that even if a hiring of girls for the purpose of soliciting drinks was proved, the evidence shows such hiring was by Andrews, his manager and agent, and cannot be charged to him in the absence of evidence that he knew of or directed such acts, because the Penal Code section requires a specific intent on the part of the person charged, requires but brief consideration. The question is not whether appellant is criminally liable for the acts of Andrews, but whether the board can revoke a license because of the acts of the manager of the establishment in violating the provisions of section 303 of the Penal Code. Obviously, as was said in [Mantzoros v. State Board of Equalization](#), 87 Cal.App.2d 140, 144 [196 P.2d 657]: öThe licensee, if he elects to operate his business through employees must be responsible to the licensing authority for their conduct in the exercise of his license, else we would have the absurd result that liquor could be sold by employees at forbidden *187 hours in licensed premises and the licensees would be immune to disciplinary action by the board. Such a result cannot have been contemplated by the Legislature. Even in the case of criminal statutes vicarious liability for the acts of employees is not unknown.ö By virtue of the ownership of a liquor license such owner has a responsibility to see to it that the license is not used in violation of law. Obviously, the economic benefits of the solicitation of drinks by the entertainers with Andrews' knowledge and participation redounded to the benefit of appellant. The responsibility for Andrews' acts in the operation of the license can and should be imputed to appellant.

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② The somewhat related argument that Andrews' acquittal in the criminal action constitutes a conclusive determination, binding in this proceeding, that such offenses had not been committed is equally without merit. Even if appellant had been charged criminally and acquitted, such acquittal would be no bar in a disciplinary action based on the same facts looking towards the revocation of a license. (*Traxler v. Board of Medical Examiners*, 135 Cal.App. 37 [26 P.2d 710]; *Bold v. Board of Medical Examiners*, 135 Cal.App. 29 [26 P.2d 707]; *Saxton v. State Board of Education*, 137 Cal.App. 167 [29 P.2d 873].) Quite clearly, if the principle of res judicata is rejected where the defending party is identical in the two actions, it necessarily follows that it is not res judicata when the prior acquittal is of a different party.

The judgment appealed from is affirmed.

Bray, J., and Wood (Fred B.), J., concurred. *188

Cal.App.1.Dist.
Cornell v. Reilly
127 Cal.App.2d 178, 273 P.2d 572

END OF DOCUMENT



DESERT TURF CLUB (a Corporation), Appellant,
v.
THE BOARD OF SUPERVISORS OF RIVERSIDE
COUNTY et al., Respondents.

Civ. No. 5262.

District Court of Appeal, Fourth District, California.
May 11, 1956.

HEADNOTES

(1) Constitutional Law § 107--Police Power--Legislative Discretion.

When the state sees fit to regulate a matter which is within its police power, its authority over the subject is plenary.

See **Cal.Jur.2d**, Constitutional Law, §§ 178, 179; **Am.Jur.**, Constitutional Law, § 305 et seq.

(2) Theaters and Exhibitions § 3--Regulation--Racing.

The state has taken over in its entirety the subject of horse racing.

See **Cal.Jur.**, Theaters, Shows, Exhibitions and Public Resorts, § 4 et seq.; **Am.Jur.**, Theaters, Shows, Exhibitions and Public Resorts, § 13 et seq.

(3) Theaters and Exhibitions § 3--Regulation--Racing.

A board of supervisors cannot overrule the act of the people of the state in adopting a constitutional amendment and the Legislature of the state in passing a full and comprehensive plan for licensing and control of horse racing by forbidding on moral grounds what the state expressly permits.

(4) Theaters and Exhibitions § 3--Regulation--Racing.

A board of supervisors, acting in good faith, may by properly adopting zoning restrictions exclude on soundly-based grounds the installation of a horse racing track or any other type of activity from those portions of the county as to which such exclusion is reasonable.

(5) Counties § 55--Boards--Powers.

A board of supervisors cannot, under the guise of doing one thing, accomplish a wholly disparate end.

(6) Administrative Law § 8, 9--Proceedings--Hearing--Evidence.

In an administrative hearing the evidence must be produced by witnesses personally present or by authenticated documents, maps or photographs; ordinarily hearsay evidence standing alone can have no weight, and this applies to hearsay evidence concerning someone else's opinion; cross-examination within reasonable limits must be allowed and statements in letters and arguments in petitions should not be considered.

(7) Counties § 176--Mandamus.

Where a board of supervisors, in denying a permit to use land subject to a zoning ordinance as a race-track, based the denial on moral grounds of opposition to racing and betting under an erroneous conclusion as to the board's rights and duties, and, on the record legitimately before the board, abused its discretion, a writ of mandate will issue requiring the board to cancel the denial and, in the operation of its discretion in enforcement of the ordinance, to reconsider the application, giving no consideration to the alleged immorality of racing and betting.

(8) Courts § 75--Sessions.

The sessions of the superior court of a given county must be held in that county. (Gov. Code, §§ 68099, 69741.)

See **Cal.Jur.2d**, Courts, § 41; **Am.Jur.**, Courts, §§ 25, 26, 37 et seq.

SUMMARY

APPEAL from a judgment of the Superior Court of Riverside County. R. Bruce Findlay, Judge. ^{FN*} Reversed with directions.

FN* Assigned by Chairman of Judicial Council.

Proceeding in mandamus to compel a county board of supervisors to cancel its order denying a permit to conduct horse racing. Judgment denying writ reversed with directions.

COUNSEL

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Thompson & Colegate and John E. Grover for Appellant.

Ray T. Sullivan, Jr., County Counsel, Leo A. Deegan, Deputy County Counsel, and James H. Angell, Assistant County Counsel, for Respondents.

CONLEY, J. pro tem. ^{FN*}

FN* Assigned by Chairman of Judicial Council.

This case involves the proper definition and delimitation of authority as between the state and the county of Riverside in their respective control and administration of horse racing and zoning.

The appellant, Desert Turf Club, a corporation, after securing a permit from the California Horse Racing Board to conduct quarter-horse racing at the site hereafter described, made written application to the Riverside County Planning Commission for a land use permit to establish, operate and maintain a race track on Zone M-3 land in the Northwest Quarter and the North Half of the Southwest Quarter of Section 6, Township 5 South, Range 6 East, S.B. B. & M., comprising 240 acres, situated on the east side of Del Sol Road, between Tamarisk Road and Avenue 40. The California Horse Racing Board by a decision and order of July 19, 1954, had determined: *448

ö1. That the applicant, Desert Turf Club, has shown and established that the conducting of quarter-horse racing meetings of the proposed Palm Springs track would be in the public interest and would subserve the purposes of the California Horse Racing Act;

ö2. That the conducting of quarter-horse racing meetings at the proposed Palm Springs track will be in the public interest and will subserve the purpose of the California Horse Racing Act.ö

After a public hearing pursuant to proper notice, the Riverside Planning Commission made its order and decision on February 23, 1955, recommending to the board of supervisors that the application be granted upon certain specified terms and conditions, all of which were afterwards accepted and agreed to by the applicant. In accordance with the requirements of

article III of Ordinance 348 of Riverside County, the planning commission filed with the board of supervisors on March 2, 1955, in connection with its recommendation that the application be granted, a summary of the testimony presented at the public hearing and all reports and exhibits which had been introduced in evidence. Thereafter, the board of supervisors regularly noticed and held a public hearing on the question on March 28, 1955; besides the entire files and records of the planning commission on its hearing, the board received evidence from several witnesses respectively for and against the granting of the permit and also accepted as evidence various petitions and letters in opposition thereto. At the close of the hearing, the board, by unanimous vote, denied the application for the permit.

No findings of fact of any kind were made by the supervisors, but the record of the proceedings makes it abundantly clear that the board members took into consideration öevery type of evidence that anybody cared to bring to usö and that they assumed that it was öup to the Board to look at all angles, the moral aspects or any other point.ö

On April 22, 1955, Desert Turf Club filed its petition for a writ of mandate praying that the board of supervisors be required to cancel its order denying the permit, and to make an order granting it and further praying that Charles Bixel, as Chief Building Inspector of Riverside County be required to issue the permit. The respondents below filed a general and special demurrer; at the hearing, which according to the reporter's transcript was held öBefore Hon. R. Bruce Findlay, Superior Court Judge (of San Bernardino County), *449 presiding as Superior Court Judge of Riverside County but actually sitting in San Bernardino County, California, May 24 and 25, 1955,ö it was stipulated that the special demurrer be deemed withdrawn, and that if the general demurrer should be overruled the cause would be submitted for decision substantially on the record of the hearing before the board of supervisors. The court overruled the general demurrer, denied the peremptory writ of mandate and discharged the alternative writ.

The trial court determined in its conclusions of law that the order of the board of supervisors denying the application for a permit was sufficiently supported by competent substantial evidence, that the board did not act arbitrarily, capriciously or unlawfully, and that

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petitioner was not denied a fair trial and

õ5. That, although the licensing throughout the State of California of horse racing tracks where pari-mutuel wagering is conducted is a matter of general and statewide concern, the same is, nevertheless, a municipal affair and is subject to local regulation as embodied by the provisions of Ordinance 348 of the County of Riverside, Section 3.1 of Article III thereof.õ

It is our opinion that the trial court erred in these views.

By the provisions of [section 65300 of the Government Code](#) each county in the state is required to create a planning commission; each of said latter bodies is directed to adopt a comprehensive long-term master plan for the development of the county ([Gov. Code, § 65460](#)). Zoning regulations by boards of supervisors are specifically authorized by law, it being provided that a county may by ordinance õregulate the use of buildings, structures, and land as between agriculture, industry, business, residence and other purposes.õ ([Gov. Code, § 65800.](#)) The Riverside County Zoning Ordinance Number 348, is a part of the master plan of land used in Riverside County, it having been adopted as recited in article I thereof õin order to classify, restrict, regulate and encourage the orderly use of land in the County of Riverside and to conserve and promote public health, peace, safety, comfort, convenience, and general welfare.õ Article III of the zoning ordinance provides that:

õAll the unincorporated territory of the County which is not included under the terms of this ordinance in any other zone is hereby designated and classified as M-3 Zone. *450

õThe restrictions pertaining to other zone classifications shall not be deemed or construed to apply to land or property in Zone M-3. The restrictions applicable to land use in M-3 Zone shall be only as hereinafter in this Article specifically set forth.õ

Article III, section 3.1 forbids a person to use any premises or erect any building in Zone M-3 for any of some 39 uses without first securing a permit; among these enumerated uses is õ23. Race track, except for contests between human beings only.õ

By the adoption of [section 25a of article IV of the Constitution](#), the people of the State of California enacted the controlling principle that the Legislature could provide for the regulation of horse races and horse race meetings throughout the state and wagering on the results thereof. (1) As is said in *Sandstrom v. California Horse Racing Board*, 31 Cal.2d 401, 407 [[189 P.2d 17, 3 A.L.R.2d 90](#)]:

õWhen the state sees fit to regulate upon a matter which is within its police power, its authority over the subject is plenary. ...õ

[Chapter 4 of division 8 \(§§ 19400 to 19663\) of the Business and Professions Code](#) contains a full and comprehensive legislative treatment of legalized horse racing in this state which is a clear and complete plan for the state-wide control of the subject matter. [Section 19480.5 of the Business and Professions Code](#) provides that the board shall not issue any new license unless it shall determine that conducting horse racing meetings at such place will be in the public interest and will subserve the purposes of the provisions of state law relative to horse racing.

(2) There can be no legitimate doubt that the state has taken over in its entirety the whole subject of horse racing. There is also no room for doubt that many thousands of citizens (who were in a minority at the time the constitutional amendment was adopted) are uncompromisingly opposed to race tracks and any form of betting on horses, not only on abstract moral grounds, but because of their observations as to the practical effect on the community. They oppose, so they say, any improvement in the breed of horses that debases the breed of men.

It is not our province to pass on the moral question but only on the question of power. (3) The query to be answered is: can a board of supervisors overrule the act of the people of the state in adopting a constitutional amendment *451 and the Legislature of the state in passing a full and comprehensive plan for the licensing and control of horse racing by forbidding on moral grounds what the state expressly permits? There is no escape, in our opinion, from a negative answer.

In *Shean v. Edmonds*, 89 Cal.App.2d 315, 325 [[200 P.2d 879](#)], it is said:

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õHorse racing was recognized in this state in 1933 (Stats. 1933, p. 2046.) [Section 25a of article IV of the Constitution](#) gave certain powers regulating horse racing to the Legislature. 'The continuance of the grant of power' as expressed in certain sections of the Business and Professions Code 'did not affect its status as previously ratified and confirmed.' (*Sandstrom v. California Horse Racing Board*, 31 Cal.2d 401, 413 [[189 P.2d 17, 3 A.L.R.2d 90](#)].)

The opinion in *Cunningham v. Hart*, 80 Cal.App.2d 902, 906 [[183 P.2d 75](#)], thus enumerates various instances in which the adoption by the state of general laws covering the field deprives a local legislative body of any right to act relative to the subject matter involved:

õThe following cases are examples of matters which have been determined to be of state-wide concern and in which general laws have prevailed over conflicting laws in municipalities adopting the 'home rule' afforded by [section 6, article XI of the Constitution](#): *Ex parte Daniels*, 183 Cal. 636 [[192 P. 442, 21 A.L.R. 1172](#)], regulation of traffic on city streets. To the same effect, *Atlas Mixed Mortar Co. v. City of Burbank*, 202 Cal. 660 [[262 P. 334](#)]; *Mann v. Scott*, 180 Cal. 550 [[182 P. 281](#)]; *In re Murphy*, 190 Cal. 286 [[212 P. 30](#)]; *Pipoly v. Benson*, 20 Cal.2d 366 [[125 P.2d 482, 147 A.L.R. 515](#)]. Regulation of the character and standards of taxicab service to be performed on city streets, *In re Martinez*, 56 Cal.App.2d 473 [[132 P.2d 901](#)]. Appointment of a probation officer and the fixing of his salary payable out of the city and county treasury, pursuant to the Juvenile Court Law, *Nicholl v. Koster*, 157 Cal. 416 [[108 P. 302](#)]. Sustaining the Metropolitan Water District Act which permits individual municipalities to initiate proceedings in the formation of a water district, *City of Pasadena v. Chamberlain*, 204 Cal. 653 [[269 P. 630](#)]. Sustaining the City Boundary Line Act, *Gadd v. McGuire*, 69 Cal.App. 347 [[231 P. 754](#)]. Adoption of a pension system by a municipality does not take the place of the Workmen's Compensation Law in its application to city employees, *Sacramento v. Industrial Acc. Com.*, 74 Cal.App. 386 [[240 P. 792](#)]. General *452 laws prohibiting the licensing by a city of a house of prostitution, *Farmer v. Behmer*, 9 Cal.App. 773 [[100 P. 901](#)]. General laws prohibiting the organization and control of a school district by a county, *Scott v. County of San Mateo*, 27 Cal.App. 708 [[151 P. 33](#)]. A statute

claiming a city street to be a secondary state highway prevails over right of municipality to improve that street, *Southern California Roads Co. v. McGuire*, 2 Cal.2d 115 [[39 P.2d 412](#)]. Exclusive control in the state of liquor licensing, *Los Angeles Brewing Co. v. [City of] Los Angeles*, 8 Cal.App.2d 391 [[48 P.2d 71](#)]. Issuance and revocation of motor bus licenses within a city, *People v. Willert*, 37 Cal.App.2d Supp. 729 [[93 P.2d 872](#)]. Drunken driving provision in Motor Vehicle Act prevails over city ordinance, *Helmer v. Superior Court*, 48 Cal.App. 140 [[191 P. 1001](#)]. Liability of a municipality for tortious acts or omissions of its servants, *Douglass v. City of Los Angeles*, 5 Cal.2d 123 [[53 P.2d 353](#)]. Liability of a municipality for defective highways within its limits, *Wilkes v. City etc. of San Francisco*, 44 Cal.App.2d 393 [[112 P.2d 759](#)].

This rule has also been applied by this court to a city ordinance requiring an electrical contractor, licensed by the state, to procure a local business license (*Horwith v. City of Fresno*, 74 Cal.App.2d 443 [[168 P.2d 767](#)]). (See *Agnew v. City of Los Angeles*, 110 Cal.App.2d 612 [[243 P.2d 73](#)].) And this court has pointed out that this principle gives the State of California the sole right to regulate and license the liquor business. (*City of San Diego v. State Board of Equalization*, 82 Cal.App.2d 453, 464 [[186 P.2d 166](#)].)

What does this holding do to the zoning ordinance? Nothing at all. The right to zone is by express provision of law a local matter. (4) A board of supervisors, acting of course in good faith, may by properly adopting zoning restrictions exclude on soundly-based grounds the installation of a horse racing track or any other type of activity from those portions of the county as to which such exclusion is reasonable, just as manufacturing establishments or business houses may be legitimately prohibited in residential districts. (5) But the board cannot under guise of doing one thing, accomplish a wholly disparate end. The board here, on moral grounds, contrary to the legislative fiat of the people, has in effect excluded all horse racing from all parts of the county-or, to borrow an analogy from the field of liquor regulation, has exercised a *local option* with respect to horse racing. There *453 is no such thing as local option on this question under the present law.

If the opinion evidence of those persons opposed to the granting of the permit on the ground that horse

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racing and its attendant betting are immoral be eliminated, there is insufficient evidence in the present record to uphold the decision of the board of supervisors, or the findings of the trial court. The testimony adduced on behalf of petitioner was: that the plans and specifications for the construction of the track and buildings in all respects conformed with state and county building codes and regulations; that access roads for ingress and egress were adequate to handle traffic; that the use and development of the land as proposed conformed with good and established planning and zoning regulations; that there would be no flood problem or water drainage problem; that the owners of all property within a distance of 500 feet from the exterior boundaries of the premises favored the granting of the application; that the nearest subdivided area is approximately one-half mile from the site; that government land and vineyards adjoin the proposed track; that no objections of any kind have been interposed by the Riverside County Flood Control and Water Conservation District or the Riverside County Agricultural Commissioner.

The opposing evidence of a number of citizens was that the nature of the general area as one of homes and farms would be violated by the building of a race track; that police problems, in the opinion of the witness based on hearsay, would be increased by the attraction to the course of undesirable types; that many petitioners opposed the coming of a race track believing that gambling is a social evil. The Coachella Valley Ministerial Association filed a protest containing numerous names of citizens who opposed the establishment of any race track where parimutuel betting is permitted; attached to the signed document is a writing signed by Harvey W. Harper, Chairman, stating as further grounds of opposition "... it would not be within the public interest to bring such a questionable industry into this area" and asserting that it would be an economic burden, in that money would be taken away from the community by parimutuel betting, law enforcement problems would arise, county roads would be overtaxed and fire protection problems would arise; further it was said that "... It has been clearly demonstrated in other cases that credit ratings drop during racing seasons; next the document states that a race track would *454 be a social and cultural detriment through the attraction of "undesirable elements" and finally that the moral tone of the community would be lowered.

Supervisor Varner made the following observation at the close of the hearing:

Out of 100 telephone calls received approximately ninety were in opposition to granting permission for the race track. I have received here and admitted in evidence some 20 letters, almost all there were two in favor of it. There have been petitions submitted here today of between some four and five hundred names in opposition to granting this permit. In view of this fact it indicates to me that it is not in the public interest to grant this M-3 Permit to establish this quarter-horse race track. I move that the M-3 Permit be denied.

The motion having been seconded, all supervisors voted "Aye" and the permit was denied.

Some of the reasons advanced by the witnesses opposing the granting of the permit should weigh powerfully with the voters of California in determining whether race tracks and parimutuel betting should be allowed anywhere, but in view of the preemption by the state of the whole field of legislation and the passage of complete general laws on the subject such arguments are not available in the present situation. Counsel for respondents ably attempt a scholastic distinction between the abstract immorality of race tracks and parimutuel gambling which they concede is not available to respondents because the state has taken over that total legislative field, and the alleged objective social demoralization resulting from racing and gambling, which, they argue, may still be considered by the board of supervisors in judging whether a permit should be issued under the zoning ordinance. But, to use an old western expression, the hair goes with the hide. Those who believe strongly that gambling is immoral base their opinion largely, if not wholly, on its observed effect on people and the community. Similarly, the opposition to alcoholic drinks does not arise from any abstract hatred for alcohol as such, but from a dislike for what it does to drinkers, as individuals and social groups. The onus of the people's authorization of race tracks and parimutuel machines must be borne by the grouped voters of the whole state; they have, for the time being at least, decided the question, and whatever advantages or disadvantages go with the decision cannot be barred by local legislative action from the entire territory of any county, as has been done in this case.

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Appellants also complain concerning the nature of the evidence accepted by the board of supervisors at the hearing. (6) While administrative bodies are not expected to observe meticulously all of the rules of evidence applicable to a court trial, common sense and fair play dictate certain basic requirements for the conduct of any hearing at which facts are to be determined. Among these are the following: the evidence must be produced at the hearing by witnesses personally present, or by authenticated documents, maps or photographs; ordinarily, hearsay evidence standing alone can have no weight (*Walker v. City of San Gabriel*, 20 Cal.2d 879, 881 [[129 P.2d 349, 142 A.L.R. 1383](#)]; *Englebretson v. Industrial Acc. Com.*, 170 Cal. 793, 797 [[151 P. 421](#)]; *Employers A. Corp. v. Industrial Acc. Com.*, 170 Cal. 800, 801 [[151 P. 423](#)]; *Dymont v. Board of Medical Examiners*, 93 Cal.App. 65 [[268 P. 1073](#)]; *Thrasher v. Board of Medical Examiners*, 44 Cal.App. 26 [[185 P. 1006](#)]), and this would apply to hearsay evidence concerning someone else's opinion; furthermore, cross-examination within reasonable limits must be allowed. Telephone calls to one of the officials sitting in the case, statements made in letters and arguments made in petitions should not be considered as evidence.

(7) As it appears to us that the board of supervisors based its action on an erroneous conclusion as to its legal rights and duties, and that upon the record legitimately before it the board acted in abuse of its discretion, a writ of mandate should issue. (*Tilden v. Blood*, 14 Cal.App.2d 407, 413-414 [[58 P.2d 381](#)]; *Martin v. Board of Supervisors*, 135 Cal.App. 96, 103 [[26 P.2d 843](#)]; *Walker v. City of San Gabriel*, *supra*, 20 Cal.2d 879; *Bleuel v. City of Oakland*, 87 Cal.App. 594, 597-598 [[262 P. 477](#)].)

But, as the board of supervisors has a proper field for the operation of its discretion in the enforcement of its zoning ordinance, after eliminating the moral ground of opposition to racing, this court cannot agree with the contentions of the appellant that the board of supervisors is wholly without jurisdiction to pass on the application, and that the permit of the State Racing Board is all that is required. (*Dormax Oil Co. v. Bush*, 42 Cal.App.2d 243 [[108 P.2d 710](#)].) The same observation applies to the contention that the board should be by-passed and a writ directed to the respondent building inspector, requiring him to issue a permit forthwith. The writ should be directed to the

board of supervisors and its members requiring them to cancel and annul the order denying *456 appellant's application, and to reopen the hearing with leave to hold a supplemental hearing upon due notice if they be so advised, and to reconsider the petition of appellants as to land use, wholly excluding any consideration as to the alleged immorality of horse racing and betting as authorized by state law, and wholly excluding from such consideration all testimony not received in open hearing, and all statements of alleged fact and arguments in petitions and letters on file, except the bare fact that the petitioners or letter writers approve or oppose the granting of the petition; also wholly excluding each and every instance of hearsay testimony unless supported by properly admissible testimony, it being further required that the attorneys representing any party in interest be granted a reasonable opportunity to examine or cross-examine every new witness produced.

Attention has already been called to the statement in the reporter's transcript that the case was tried before a superior court judge of San Bernardino County, öpresiding as Superior Court Judge of Riverside County but actually sitting in San Bernardino County.ö The first page of the transcript begins:

öSan Bernardino, California, May 24, 1955,

Afternoon Session

öMr. Deegan: Your Honor, for the purpose of this case you are sitting as Superior Court Judge of Riverside County?

öThe Court: Yes, I appreciate you gentlemen coming over here, otherwise we would be in the position of having to exchange judges, get started on a case here, never could seem to finish up at the same time.ö

We assume from the foregoing that the judge who tried the case had secured the essential assignment from the Chairman of the Judicial Council to sit and act in Riverside County, but that for convenience the case was actually tried in the San Bernardino County courthouse, with the tacit or express consent of the attorneys. Appellant does not raise any point as to jurisdiction or error in this respect. But this court cannot let pass unnoticed the impropriety involved in this irregular procedure. (8) The sessions of the superior court of a given county, under the law, must be



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held in that county (Gov. Code, §§ 69741, 68099; 13
Cal.Jur.2d, 6Courts,ö § 41).

The judgment is reversed, with instructions upon the going down of the remittitur to amend the findings of fact and conclusions *457 of law in accordance with the views expressed in this opinion, and to enter a judgment granting a peremptory writ of mandate directed to the board of supervisors of Riverside County and the members thereof requiring them forthwith to cancel and annul their order denying appellant's petition and to proceed without delay to carry on and complete a hearing in the manner indicated and set forth in this opinion.

Barnard, P. J., and Griffin, J., concurred.

Cal.App.4.Dist.
Desert Turf Club v. Board of Sup'rs of Riverside
County
141 Cal.App.2d 446, 296 P.2d 882

END OF DOCUMENT

C
BOARD OF TRUSTEES OF THE WOODLAND
UNION HIGH SCHOOL DISTRICT OF YOLO
COUNTY, Respondent,

v.

RUSSELL S. MUNRO, as Director of the Department
of Alcoholic Beverage Control, et al., Defendants and
Appellants; THOMAS P. RALEY, Intervener and
Appellant.

Civ. No. 9372.

District Court of Appeal, Third District, California.
Sept. 11, 1958.

HEADNOTES

(1a, 1b) Administrative Law § 22--Judicial Re-
view--Trial De Novo.

In reviewing the decision of an administrative
body, given quasi-judicial powers by the Constitution,
the reviewing court is limited to a determination of
whether or not the decision is supported by substantial
evidence and the court may not substitute its view for
that of the administrative body, nor reweigh conflict-
ing evidence. There can be nothing in the nature of a
trial *de novo* in the reviewing court.

(2) Administrative Law § 22--Judicial Re-
view--Hearing.

The reviewing court, in its consideration of the
evidence in support of the decision of an
See **Cal.Jur.2d**, Administrative Law, § 219 et seq.;
Am.Jur., Public Administrative Law, § 206 et seq.
administrative body, must resolve conflicts, and in-
dulge legitimate and reasonable inferences, in favor of
that decision.

(3) Intoxicating Liquors §
9.4--Licenses--Issuance--Evidence.

A decision of the Department of Alcoholic Bev-
erage Control to issue a general off-sale liquor license
to a supermarket located in close proximity to a high
school, a church, a public swimming pool, a proposed
children's playground and a location on which a
Y.M.C.A. building was to be erected, and that such
action was not contrary to public welfare and morals,
was supported by substantial evidence, despite con-
flicting testimony by witnesses for the school, church

and Y.M.C.A., since the ultimate question was pecu-
liarly a question for departmental resolution and there
was no abuse of discretion in its determination.

(4a, 4b) Intoxicating Liquors §
9.4--Licenses--Issuance--Effect of Restrictive Cove-
nant.

In granting an off-sale liquor license to a super-
market located on a tract subject to a restrictive cov-
enant against the sale of intoxicating liquors, the De-
partment of Alcoholic Beverage Control properly
determined that the existence of the covenant did not
justify the board in a holding that its violation would
be a matter affecting public welfare and morals and
left the parties to the covenant to resort to the courts if
so advised, since the only legislative enactment re-
stricting the licensing power of the department forbids
the issuance of a license to premises located in terri-
tory where the exercise of rights thereunder would be
contrary to a valid zoning ordinance (**Bus. & Prof.
Code, § 23790**).

(5) Covenants § 1--Definitions.

Restrictive covenants are private contracts as
opposed to public zoning ordinances.

SUMMARY

APPEALS from a judgment of the Superior Court
of Yolo County. Ben R. Ragain, Judge. ^{FN*} Reversed.

FN* Assigned by Chairman of Judicial
Council.

Proceeding in mandamus to review a decision of
the Department of Alcoholic Beverage Control issuing
a liquor license. Judgment granting writ directing
reversal of department's decision, reversed.

COUNSEL

Edmund G. Brown, Attorney General, E. G. Funke,
Assistant Attorney General, William T. Chidlaw and
Robert W. Baker, Deputy Attorneys General, for De-
fendants and Appellants.

Downey, Brand, Seymour & Rohwer for Intervener
and Appellant.

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Anthony B. Avilla, District Attorney (Yolo), and Harry A. Ackley, Deputy District Attorney, for Respondent. *442

VAN DYKE, P. J.

This is an appeal from a judgment of the Superior Court for Yolo County, decreeing that a writ of mandate should issue against the appellant department and the appellant board, directing them to reverse their determination that a general off-sale liquor license should issue to Thomas P. Raley, the real party in interest. The basic question presented on this appeal is whether or not the Department of Alcoholic Beverage Control prejudicially abused its administrative discretion in granting the license.

The department made the following findings of fact: The proposed premises consist of a supermarket located in a neighborhood shopping center at the southeast corner of College Street and Granada Drive in the South Land Park area near the southerly outskirts of Woodland. The premises in question constitute one of a chain of eight Raley food markets, seven of which are located in Sacramento County, and all, or most of them, are licensed for off-sale general alcoholic beverages. There are presently no alcoholic beverage licenses in force in the vicinity of the premises. The applicant's store building is situated in the southerly part of the shopping center, and there is an adjacent main parking area immediately to the north of the applicant's building which is shared with patrons of a drive-in restaurant located at the corner of College Street and Granada Drive and with patrons of other retail stores in the shopping center. Immediately to the south of, and adjacent to, the proposed premises is another parking area reserved for the exclusive use of the applicant's customers. The main entrance to the applicant's store faces College Street, while a secondary entrance faces the general parking area to the north of the building. The nearest school to the proposed premises is the Woodland Union High School, located to the north of the premises and occupying land on both sides of College Street. The distance from the nearest point of the premises and the nearest point of the school property is approximately 365 feet. The evidence shows that the school board has under consideration the enlargement of the high school campus, which, although it occupies large areas of land on both sides of College Street lying to the north of the proposed premises, appears to be too small for

present or proposed enlarged school activities. The distance from the proposed premises to the nearest point on school property could, by the additional school facilities proposed, be reduced to approximately 300 feet. Present enrollment of Woodland Union High School is approximately 1,000 students, which include age *443 groups ranging from 13 to 19. The 19-year-old group would constitute but a small fraction of the enrollment. A considerable number of students frequent the area near the proposed premises by reason of their patronage of the drive-in restaurant and their purchases of ice cream and candy bars at applicant's store. Complaints of the neighboring residents have been directed toward the practice of these students discarding papers such as candy wrappers and other debris around the shopping center during the noon lunch period, after school hours and during evening when sports events are held at the school. There is insufficient evidence to show that the package sale of alcoholic beverages by applicant would aggravate this litter problem or that consumption in public of alcoholic beverages in the vicinity is, or would be of such proportions as to add appreciably to the litter. The evidence shows that by far the greatest number of sales of alcoholic beverages sold at other markets of similar type, operated by applicant, are made in conjunction with purchase of grocery items for consumption at the purchasers' homes. The applicant does not propose to sell alcoholic beverages from open shelves or refrigerators accessible to patrons on a self-service basis as is usual in his other and in most food stores of this kind, but he has submitted a revised floor plan whereby refrigerated beer, wines and so-called hard liquors will be sold only at a separate department located at the front of the store in the southwest corner and outside the check stands. Persons desiring to purchase alcoholic beverages will only be able to procure them at this portion of the store, which will be in charge of a clerk at all times that the liquor department is open for business. The proposed arrangement should effectively minimize the possibility of theft of alcoholic beverages by high school students or others, and will safeguard against inadvertent sale of alcoholic beverages to minors by clerks at the food-checking stands at times when they are busy with customers purchasing large lots of groceries. A children's public playground will, at some time in the future, occupy a park area proposed to be constructed across College Street and opposite the proposed premises. The evidence does not show what portion of this proposed public park will be used for playground purposes such as swings and other play

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equipment. The width of Conege Street intervening between the proposed premises and the proposed park area is approximately 60 feet from curb to curb. A municipal swimming pool, which is patronized by increasing numbers of adults, *444 students and other children to the extent of a total of 43,548 persons in 1955, is located to the northwest and across College Street from the premises in question, at a distance of about 400 feet airline measured from the nearest portion of the applicant's store building to the nearest point of the swimming pool enclosure. This pool is surrounded by a high wall and, with the exception of the upper portions of bleacher seats located against the south wall of the pool enclosure, the view of the proposed premises from the pool area is effectively blocked. The American Lutheran Church, with a total membership of about 530 persons, and holding the usual services on Sundays and meetings on most week nights is located on the west side of College Street and across the street from the proposed premises at a distance of about 171 feet from the nearest point of the applicant's building to the nearest corner of the church property. An additional distance of about 25 feet to the nearest church entrance makes the distance about 196 feet. It is proposed to construct a Y.M.C.A. building in about two to three years on the lot adjacent to and south of the church across the street from the proposed premises, at a distance of about 150 feet from the premises, measured by direct line between the respective buildings. There is no substantial evidence to show that the granting of a license for the off-sale of packaged alcoholic beverages would, under the method of operation proposed, constitute an undue moral hazard to the students of the high school, the church activities of the persons attending the church, or juveniles using the facilities of the proposed playground or the proposed Y.M.C.A. The premises in question are located on Lot 16 of Block 4 in the tract known as South Land Park. By a "Declaration of Restrictions" signed by Anton Paulsen, his wife, and others, the then owners of the South Land Park Tract executed August 31, 1946, and which was recorded on September 7, 1946, certain restrictions were imposed on this tract, providing that all lots, with the exception of Lot 16 of Block 4 on which the shopping center and the proposed premises are located shall be restricted to residential use. As to Lot 16 of Block 4 it is provided that said lot is "restricted to retail commercial purposes provided that no liquor or beverages shall be sold on said premises containing more than one-half of one per cent alcohol by volume." There is no evidence to show that issuance of the license in question would

violate any valid zoning ordinance. It is stipulated, and it is found to be true, that the proposed premises are located in a shopping center, which, in turn, is located in a *445 general residential area. A search of the record discloses substantial support for the findings of fact.

The conclusions of the department from the foregoing findings were as follows: Issuance of the license would not be contrary to public welfare and morals for the reason that although the proposed premises are located within the immediate vicinity of (1) a portion of the high school grounds, (2) a proposed children's public playground, (3) a church and (4) a proposed Y.M.C.A., an off-sale license would not expose the persons or juveniles involved to any undue moral hazard. Issuance of the license would violate a deed restriction, which appears to be valid and enforceable as to all parties in privity therewith, but public welfare and morals would not, in view of the findings on all other issues herein, be adversely affected by the issuance of an off-sale general license to this applicant and premises. The proposed premises are located in a residential area, but issuance of the license would not be contrary to public welfare and morals.

The scope of review of a decision of the Department of Alcoholic Beverage Control, like that of the review of a decision of any administrative body given quasi-judicial powers by the Constitution, is well established. The Constitution declares that the department "shall have the exclusive power ... to license the manufacture, importation and sale of alcoholic beverages in this State, The department shall have the power, in its discretion, to deny, suspend or revoke any specific alcoholic beverages license if it shall determine for good cause that the granting or continuance of such license would be contrary to public welfare or morals. ..." (1a) In reviewing the decision of such an administrative body, the reviewing court is limited to the determination of whether or not the decision is supported by substantial evidence and the court may not substitute its view for that of the administrative body, nor reweigh conflicting evidence. (*Dethlefsen v. Board of Equalization*, 145 Cal.App.2d 561, 563 [303 P.2d 7]; *Molina v. Munro*, 145 Cal.App.2d 601 [302 P.2d 818].) (2) The reviewing court, in its consideration of the evidence in support of the decision, must resolve conflicts, and indulge legitimate and reasonable inferences, in favor

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of that decision. (*Thompson v. City of Long Beach*, 41 Cal.2d 235, 241 [259 P.2d 649]; *Oxman v. Department of Alcoholic Beverage Control*, 153 Cal.App.2d 740, 744 [315 P.2d 484]; *Marcucci v. Board of Equalization*, 138 Cal.App.2d 605 [292 P.2d 264].) (1b) There *446 can be nothing in the nature of a trial de novo in the reviewing court.

(3) Tested by the foregoing rules, there is substantial evidence in the record which supports the decision of the department and, therefore, its decision must be upheld and the judgment appealed from must be reversed.

Witnesses for the protestants testified that if liquors were sold in Raley's market, minors would find a way of getting it, either by pilfering it from the store or inducing adults to purchase it, take it out of the store and give it to the minors; that this would happen generally when students were attending various athletic games and contests during evenings such as football and basketball games; that the pilfering and illegal obtaining through intervention of adults would be increased by the propinquity of the market to the school grounds; that handy access to the liquor supply would increase use of intoxicants by adult attendants at the games; that minors would obtain liquor more readily at that market than they would at other markets through misrepresentation of their ages and having obtained it would permit its use by themselves and other students. Representatives of the nearby church testified that they opposed granting the license on the same grounds urged by the school authorities, but admitted that so far as the church congregation was concerned they did not expect any bad effects upon their membership. Representatives of the Y.M.C.A., which proposed to build in the future a building in the general vicinity of the market, testified that their membership would be more apt to indulge in the use of alcoholic beverages than if the same were not so handy to their headquarters. Many of these witnesses claiming to be well versed with juvenile problems, particularly those encouraged by the use of alcoholic beverages, gave it as their opinion that transfer of the license would adversely affect public welfare and morals, thus testifying directly to the very issue to be passed on by the board.

Assuming the admissibility of such opinion evidence, we think it apparent that the evidence given by protestants' witnesses did not, as a matter of law, prove

that the granting of the transfer of the license by the board would be contrary to public welfare or morals.

The ultimate question whether or not under all the circumstances the granting of the off-sale license would adversely affect public welfare and morals was on this record peculiarly an issue for departmental resolution. It is lawful to sell, *447 possess and use intoxicating liquor in this state. Surely the board, which passes on the issuance of thousands of licenses under all conceivable conditions, can better determine the effect upon public welfare and morals of the granting of a license than can those who are not constantly so engaged. Undoubtedly, the protestants were completely and conscientiously serious in their objections and their witnesses were honestly apprehensive, as they said they were, that public welfare and morals would be adversely affected if Raley's application were granted, but the question was for resolution by the board and it cannot be said from this record that the board in anywise abused its discretion in granting the license.

(4a) With respect to the contentions of respondent that the license could not be validly issued during the existence of a valid covenant against the sale of intoxicating liquors, the research of counsel and of the court has disclosed little authority, and apparently the question is novel in California. The Constitution, which vests in the department the exclusive power to license the sale of intoxicating liquor, makes the power subordinate to laws enacted by the Legislature. The Legislature, by [section 23790](#) of the Alcoholic Beverage Control Act, has provided that retail licenses shall not be issued for any premises located in territory where the exercise of the rights conferred would be contrary to a valid zoning ordinance of any county or city unless the premises had been used in the exercise of such rights at a time prior to the effective date of the zoning ordinance. We find no other legislative enactment restricting the licensing power of the board. (5) Restrictive covenants are private contracts as opposed to public zoning ordinances. In *Barnegat City Beach Assn. v. Busby*, 44 N.J. Law 627, the court said:

õ... The question of jurisdiction is not affected by the existence of covenants and conditions against open bars for the sale of intoxicating drinks, contained in the deeds for lands in this locality. However binding this may be upon the parties to such instruments, they are in no wise obligatory upon the court in the exercise

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of its statutory discretion to grant licenses for the public convenience, nor can such provisions render licenses granted invalid.ö

Apparently a contrary position has been taken by the courts in Pennsylvania. (See [Appeal of Cheris, 127 Pa. Super. 355 \[193 A. 162\].](#))

(4b) In this case the board received in evidence a certified copy of a deed imposing the restriction. From the record it *448 appears that the board considered the covenant to be valid and, further considering the covenant as one of the facts before it, specifically determined that its existence did not justify the board in a holding that its violation would be a matter affecting public welfare and morals. We think this conclusion of the board to have been warranted by the record before it. Apparently the board concluded that the covenant presented no insurmountable barrier to the granting of the license and left the parties to the covenant to resort to the courts if so advised. On this record this was a justifiable and proper disposition of the issue.

For the reasons given, the judgment appealed from is reversed.

Peek, J., and Schottky, J., concurred.

Respondent's petition for a hearing by the Supreme Court was denied November 5, 1958.

Cal.App.3.Dist.
Board of Trustees of Woodland Union High School
Dist. of Yolo County v. Munro
163 Cal.App.2d 440, 329 P.2d 765

END OF DOCUMENT

H^{FN*} CALIFORNIA TEACHERS ASSOCIATION et al., Plaintiffs and Respondents,

v.

THOMAS W. HAYES, as Director of the Department of Finance, etc., Defendant and Respondent, BILL HONIG, as Superintendent of Public Instruction, etc., Defendant and Appellant; CALIFORNIA CHILDREN'S LOBBY et al., Real Parties in Interest and Appellants.

No. C009444.

Court of Appeal, Third District, California.
Apr 30, 1992.

FN* Reporter's Note: This case was previously entitled "California Teachers Association v. Huff."

SUMMARY

A teacher's association and three of its officers filed a petition for a writ of mandate against the Superintendent of Public Instruction and other state officials to prohibit the inclusion of funding for the Child Care and Development Services Act ([Ed. Code, § 8200](#) et seq.) within the education funding guarantee of Prop. 98 (Classroom Instructional Improvement and Accountability Act). The trial court concluded that Prop. 98 was not intrinsically ambiguous, and that its plain meaning required that only appropriations allocated to, and administered by, school districts satisfied its minimum funding requirement. Accordingly, the trial court issued a writ of mandate prohibiting defendants from including any funds allocated to or administered by any entity or agency, other than a school district as defined in [Ed. Code, § 41302.5](#), within the Prop. 98 education funding guarantees. The trial court also declared that [Ed. Code, §§ 8203.5](#), subd. (c), 41202, subd. (f), which include funding for the Child Care and Development Services Act within the Prop. 98 guarantees, were unconstitutional. (Superior Court of Sacramento County, No. 363630, Michael T. Garcia, Judge.)

The Court of Appeal reversed. The court held that education and operation of the public schools are

matters of statewide rather than local or municipal concern. Likewise, the court held that school moneys belong to the state, and the apportionment of funds to a school district does not give that district a proprietary right therein. Although the inclusion of funding for the act deprived school districts of absolute control over the funds the state is required to devote to education under Prop. 98, the court held that the measure did not expressly restrict the Legislature's plenary authority for education in the state, nor did it grant to school districts exclusive control over education funds. Accordingly, it held that the Legislature's inclusion of funding for the Child Care and Development Services Act within the Prop. 98 education funding guaranty was not facially unconstitutional. (Opinion by Sparks, Acting P. J., with Marler and Nicholson, JJ., concurring.)

HEADNOTES

Classified to California Digest of Official Reports

(1) Universities and Colleges § 2--Organization and Affiliation--University of California.

The University of California is a public trust that finds its roots in the Constitution of 1849. The University of California has full powers of organization and government, subject only to limited legislative control. As such, it is not part of the public school system, and is subject to entirely different legal standards.

(2) Schools § 4--School Districts--Control and Operation--State Interest.

Although it is the legislative policy to strengthen and encourage local responsibility for control of public education through local school districts ([Ed. Code, § 14000](#)), education and operation of the public schools remain matters of statewide rather than local or municipal concern. Thus, local school districts are deemed agencies of the state for the administration of the school system, they are not a distinct and independent body politic, and they are not free and independent of legislative control.

(3) Schools § 4--School Districts--Control and Operation--Legislature's Powers.

The Legislature's power over the public school system has been variously described as exclusive, plenary, absolute, entire, and comprehensive, subject

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only to constitutional constraints. Consequently, regulation of the education system by the Legislature is controlling over any inconsistent local attempts at regulation or administration of the schools. No one may obtain rights vested against state control by virtue of local provisions, ordinances or regulations. The Legislature has the power to create, abolish, divide, merge, or alter the boundaries of school districts. Indeed, the state is the beneficial owner of school property and local districts hold title as trustee for the state. School moneys belong to the state, and the apportionment of funds to a school district does not give that district a proprietary right therein. Thus, the Legislature can transfer property and apportion debts between school districts as it sees fit.

(4) Schools § 11--School Funds--Determination of Educational Purpose--Legislative Discretion.

In including the Child Care and Development Services Act ([Ed. Code, § 8200](#) et seq.) within the funding guarantee of Prop. 98 (Classroom Instructional Improvement and Accountability Act), the Legislature was not arbitrary and unreasonable in its determination that the act advanced the purposes of public education. Although the Legislature is given broad authority over education, it cannot divert education funds for other purposes. However, education is a broad and comprehensive matter, and the state Constitution places a broad meaning upon education. Moreover, the Legislature is given broad discretion in determining the types of programs and services which further the purposes of education.

(5) Constitutional Law § 23--Constitutionality of Legislation--Raising Question of Constitutionality--Burden of Proof--Facial Challenge to Statute.

When a challenge is made to the facial validity of a statute, a reviewing court's task is to determine whether the statute can constitutionally be applied. To support a determination of facial unconstitutionality, voiding the statute as a whole, petitioners cannot prevail by suggesting that in some future hypothetical situation constitutional problems may possibly arise as to the particular application of the statute. Rather, petitioners must demonstrate that the act's provisions inevitably pose a present total and fatal conflict with applicable constitutional prohibitions.

[See 7 **Witkin**, Summary of Cal. Law (9th ed. 1988) Constitutional Law, § 58.]

(6) Constitutional Law § 27--Constitutionality of Legislation--Rules of Interpretation--Purpose, Wis-

dom, and Motives of Legislature.

The authority to make policy is vested in the Legislature, and neither arguments as to the wisdom of an enactment, nor questions as to the motivation of the Legislature, can serve to invalidate particular legislation. Where a petitioner makes a facial challenge to an enactment, a reviewing court's role is limited to determining whether the Legislature's choice is constitutionally prohibited.

(7a, 7b) Schools § 11--School Funds--Proposition 98 Funding Guarantee--Legislative Control.

The Legislature's inclusion of funding for the Child Care and Development Services Act ([Ed. Code, § 8200](#) et seq.) within the Prop. 98 (Classroom Instructional Improvement and Accountability Act) education funding guarantee was not facially unconstitutional. Although the inclusion of funding for the act deprived school districts of absolute control over the funds the state is required to devote to education under Prop. 98, the measure did not expressly restrict the Legislature's plenary authority for education in the state, nor did it grant to school districts exclusive control over education funds. The Constitution makes education and the operation of the public schools a matter of statewide rather than local or municipal concern. School districts do not have a proprietary interest in moneys which are apportioned to them. Accordingly, even though child care and development programs are not included within the definition of school districts, legislative programs which advance the educational mission of school districts and community college districts may constitutionally be included within the funding guaranty of Prop. 98.

(8) Constitutional Law § 39--Distribution of Governmental Powers--Between Branches of Government--Legislative Power.

Unlike the federal Constitution, which is a grant of power to Congress, the California Constitution is a limitation or restriction on the powers of the Legislature. Accordingly, the entire lawmaking authority of the state, except the people's right of initiative and referendum, is vested in the Legislature, and that body may exercise any and all legislative powers which are not expressly or by necessary implication denied to it by the Constitution. In addition, all intendment favor the exercise of the Legislature's plenary authority. If there is any doubt as to the Legislature's power to act in any given case, the doubt should be resolved in favor of the Legislature's action. Such restrictions and

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limitations imposed by the Constitution are to be construed strictly, and are not to be extended to include matters not covered by the language used.

(9) Constitutional Law § 10--Construction of Constitutions--Initiative Amendments--Conformation of Parts.

In an action challenging the propriety of including the Child Care and Development Services Act ([Ed. Code, § 8200](#) et seq.) within the funding guarantee of Prop. 98 (Classroom Instructional Improvement and Accountability Act), construction of the constitutional provisions added by Prop. 98 had to be considered in light of all other relevant provisions of the Constitution. These provisions include those that contain, define, and limit the status of school districts and their relationship to the state. An initiative amendment to the Constitution must be interpreted in harmony with the other provisions of the organic law of this state of which it has become a part. To construe it otherwise would be to break down and destroy the barriers and limitations that the Constitution, read as a whole, has cast about legislation, both state and local.

[See [Cal.Jur.3d \(Rev\), Constitutional Law, § 28.](#)]

COUNSEL

Joseph R. Symkowick, Roger D. Wolfertz and Allan H. Keown for Defendant and Appellant.

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Remcho, Johansen & Purcell, Joseph Remcho, Barbara A. Brenner and Julie M. Randolph for Plaintiffs and Respondents.

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Daniel E. Lungren, Attorney General, N. Eugene Hill, Assistant Attorney General, Cathy Christian and

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SPARKS, Acting P. J.

At the November 1988 General Election, the electorate adopted Proposition 98, an initiative measure entitled "The Classroom Instructional Improvement and Accountability Act"^{FN1} In general, Proposition 98 seeks to improve public education in California by establishing a minimum funding guarantee for public schools and by changing the way our state government treats its excess revenues. As the Legislative Analyst noted in her analysis of the initiative, Proposition 98 establishes a minimum level of funding for public schools and community colleges; requires the state to spend any excess revenues, up to a specified maximum, for public schools and community colleges; requires the Legislature to establish a state reserve fund; and requires the school districts to prepare and distribute "School *1518 Accountability Report Cards" each year. (Ballot Pamp. analysis of Prop. 98 by Legislative Analyst as presented to the voters, Gen. Elec. (Nov. 8, 1988), p. 78, some capitalization and all paraphrasing omitted.)

FN1 Proposition 98 (Stats. 1988, p. A-264 et seq.) added two sections to the California Constitution, amended two other constitutional provisions and added six sections to the Education Code. It added [section 5.5 to article XIII B of the California Constitution](#), amended [section 2 of article XIII B](#), amended section 8 of article XVI, added section 8.5 to article XVI, and added [sections 33126, 35256, 41300.1, 14020.1, 14022 and 41302.5 to the Education Code](#).

The full text of Proposition 98 is set out in the appendix to this opinion.

To these ends, Proposition 98 sets a minimum funding level for "the monies to be applied by the state for the support of school districts and community college districts. ..." ([Cal. Const., art. XVI, § 8](#), subd. (b).) It is around this phrase that the present controversy swirls. At issue in this case is the validity of the Legislature's decision to include funding for the Child Care and Development Services Act ([Ed. Code, § 8200](#) et seq.) within the educational funding guarantees of Proposition 98. This decision was implemented by the enactment of [Education Code section 41202](#),

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subdivision (f), which declares that 'monies to be applied by the state for the support of school districts and community college districts,' as used in [Section 8 of Article XVI of the California Constitution](#), shall include funds appropriated for the Child Care and Development Services Actö

The California Teachers Association and three of its officers filed a petition for writ of mandate against the Director of Finance, the state Treasurer and the state Superintendent of Public Instruction to prohibit the inclusion of funding for the Child Care and Development Services Act within the Proposition 98 education funding guarantee. By stipulation, the California Children's Lobby, the Professional Association of Childhood Educators, the California Association for the Education of Young Children, and the Child Development Administrators Association, intervened in the action as real parties in interest. The trial court issued a writ of mandate prohibiting defendants from including any funds allocated to or administered by any entity or agency other than a school district as defined in [Education Code section 41302.5](#), within the Proposition 98 educational funding guarantees, and declaring that [Education Code sections 8203.5](#), subdivision (c), and 41202, subdivision (f), which include funding for the Child Care and Development Services Act within the Proposition 98 guarantees, are unconstitutional. Bill Honig, the State Superintendent of Public Instruction, and the real parties in interest appeal. We shall reverse.

I Procedural Background

Proposition 98 provides for the improvement of public education in two basic ways. The first, which is not implicated in this appeal, involves the allocation of state revenues in excess of the state appropriations limitation to elementary, high school and community college districts on a per-enrollment *1519 basis for use solely for the purposes of instructional improvement and accountability. ([Cal. Const., art. XIII B, § 2; art. XVI, § 8.5.](#)) The second way, and the one involved here, establishes a minimum guaranteed state education funding level for 'the moneys to be applied by the State for the support of school districts and community college districtsö ([Cal. Const., art. XVI, § 8, subd. \(b\).](#))^{FN2}

FN2 Under Proposition 98 the minimum funding level is set as the greater of (1) the same percentage of general fund revenues as

was set aside for school districts and community colleges in the 1986-1987 school year, or (2) the amount necessary to ensure that total state and local allocations be equal to the prior year's allocations, adjusted for cost of living and enrollment changes. ([Cal. Const., art. XVI, § 8, subd. \(b\).](#)) A third test was added at the June 1990 Primary Election by the passage of Proposition III. That measure is not involved here.

After its passage, the Legislature acted to implement Proposition 98. ([Ed. Code, § 41200](#) et seq. [unless otherwise specified, all further statutory references will be to the Education Code].) One aspect of the Legislature's implementation is at issue in this appeal. As we have noted, in [section 41202](#), subdivision (f), the Legislature provided, among other things: 'State General Fund revenues appropriated for school districts and community college districts, respectively' and 'monies to be applied by the state for the support of school districts and community college districts,' as used in [Section 8 of Article XVI of the California Constitution](#), shall include funds appropriated for the Child Care and Development Services Act pursuant to Chapter 2 (commencing with [Section 8200](#)) of Part 6ö

In order to ensure that the Child Care and Development Services Act serves the purposes of public education, the Legislature enacted [section 8203.5](#), which provides: '(a) The Superintendent of Public Instruction shall ensure that each contract entered into under this chapter to provide child care and development services, or to facilitate the provision of those services, provides support to the public school system of this state through the delivery of appropriate educational services to the children served pursuant to the contract. [(¶)] (b) The Superintendent of Public Instruction shall ensure that all contracts for child care and development programs include a requirement that each public or private provider maintain a developmental profile to appropriately identify the emotional, social, physical, and cognitive growth of each child served in order to promote the child's success in the public schools. To the extent possible, the State Department of Education shall provide a developmental profile to all public and private providers using existing profile instruments that are most cost efficient. The provider of any program operated pursuant to a contract under Section 8262 shall be responsible for

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maintaining developmental promises upon entry through exit from a child developmental program. [¶] Notwithstanding any other provision of law, 'moneys to be applied by the [s]tate,' as used in subdivision (b) of ***1520 Section 8 of Article XVI of the California Constitution**, includes funds appropriated for the Child Care and Development Services Act pursuant to Chapter 2 (commencing with Section 8200) of Part 6, whether or not those funds are allocated to school districts, as defined in [Section 41302.5](#), or community college districts. [¶] (d) This section is not subject to Part 34 (commencing with Section 62000).^{FN3} ***1521**

FN3 In an uncodified provision the Legislature explained its purpose for including child care and development funds in the Proposition 98 funding guarantee: "The Legislature finds and declares as follows: [¶] (a) Since 1932, early childhood education and child development programs have been operated as part of the school programs that are conducted under the authority of the Superintendent of Public Instruction. In the 1988-89 fiscal year, 110,000 children in California were served in the state program of early childhood education and child development administered by the Superintendent of Public Instruction, as set forth in Chapter 2 (commencing with section 8200) of Part 6 of the Education Code. [¶] (b) Participation and enrollment in an early childhood education or child development program provides an opportunity for many children to hear their first English words (one in three speaks another language), to be introduced to the idea of numbers, to develop basic language concepts, to learn how to get along with other children and adults, and to begin to develop a positive self-image. [¶] (c) The Legislature has stated its intent that early childhood education and child development programs be a 'concomitant part of the educational system' by providing young children an equal opportunity for later school success. Those programs are considered by the general public to be an integral and essential part of the state's public education system. [¶] (d) Early childhood education programs for children of low-income families have been shown to increase high school graduation rates and college entry rates, to reduce the need for special education and grade level retention, and to

reduce high school dropout rates. [¶] (e) In the state's early childhood education and development programs, each child is to receive an education program which is appropriate to his or her developmental, cultural, and linguistic needs. Each child is to receive a developmental profile, updated at regular intervals, which will be passed on to his or her elementary school. [¶] (f) In view of the unique function of early childhood education and child development programs, in supporting school districts by directly preparing children for participation in the public schools and by assisting those children in resolving special school-related problems, these programs constitute an essential and integral component of the overall system to carry out the mission of the public schools. Accordingly, in order to fully implement subdivision (b) of [Section 8 of Article XVI of the California Constitution](#), which requires, in its introductory paragraph, a minimum level of funding 'for the support of' school districts, as defined, and community college districts, it is necessary to include, within the calculation of that funding, the funding provided by the Legislature for all early childhood education and development programs. Moreover, in accordance with the educational role of those programs, it is the responsibility of the Superintendent of Public Instruction to continue to ensure that all contracts for early childhood education and child development programs provide support to the public school system of this state through the delivery of appropriate educational services to the children served by the program. In addition, Section 8262.1 of the Education Code, as added by this act [in fact there is no section 8262.1], constitutes a necessary statutory implementation of that determination, which is consistent with the legislative history of the statutes that provide for the operation of early childhood education and child development programs. [¶] (g) For the period from the 1986-87 fiscal year to the present, the state's early childhood education and development programs have received funding adjustments for cost-of-living and enrollment increases that have been lower, overall, than the comparable adjustments for base revenue limits for school dis-

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ucts. [¶] However, it is the intent of the Legislature that the inclusion of early childhood education and child development programs within the calculation of the state's education funding obligation pursuant to Proposition 98 is not to result in requiring in that calculation the use of the lower level of funding received by these programs in the 1986- 87 fiscal year. (Stats. 1989, ch. 1394, § 1.)

The Child Care and Development Services Act is contained in sections 8200 through 8498. It is a comprehensive statewide master plan for child care and development services for children to age 14 and their parents. (§ 8201, subd. (a).) Among other things it includes such items as resource and referral programs (§§ 8210-8215), campus child care and development programs (§ 8225), migrant child care and development programs (§§ 8230-8233), preschool programs (§ 8235), general child care and development programs (§§ 8240-8242), and programs for children with special needs (§§ 8250-8252). Services under this statutory scheme may be provided directly by school districts or local education agencies or by contracts through such agencies, or services may be provided by private parties contracting with the state Department of Education. (See rep., Child Development, Program Facts, prepared by the Dept. of Ed., Child Development Div., Field Services Branch (1989) pp. 12-13.) Programs under the Child Care and Development Services Act are under the general supervision of the Superintendent of Public Instruction. (§ 8203.) In some instances federal funding is available and the Legislature has declared that federal reimbursement shall be claimed where available and that the Department of Education is designated as "the single state agency" responsible for the programs under federal requirements. (§§ 8205-8207.)

Plaintiffs filed this action to prohibit the inclusion of funding for the Child Care and Development Services Act within the Proposition 98 education funding guarantee. ^{FN4} They maintain that funds which are not allocated directly to and administered by school districts cannot be included within the provisions of Proposition 98. ^{FN5} The trial court agreed with plaintiffs. It concluded that Proposition 98 is not intrinsically ambiguous and that its *1522 plain meaning requires that only appropriations allocated to, and administered by, school districts satisfy its minimum

funding requirement. As the trial court saw it, "[t]he phrase 'monies to be applied by the state for the support of school districts,' taken as a whole, clearly refers to financial allocations for the financial support of school districts, and not the financial support of private child care and development programs which incidentally benefit school districts." Judgment was entered accordingly and this appeal followed.

FN4 Plaintiffs also contested the inclusion of funding for certain other types of programs within the Proposition 98 guarantee. In his answer defendant Bill Honig, as Superintendent of Public Instruction, conceded that plaintiffs are correct with respect to these other programs and no other party contests this concession. This appeal concerns only funding for the Child Care and Development Services Act.

FN5 The Director of the Department of Finance, filed an answer in which he agreed with plaintiffs and he is a respondent in this appeal. The former state Treasurer successfully demurred on the ground that his function in this regard is purely ministerial and the Treasurer is not a party on appeal. Defendant Honig contested the petition with respect to child care and development programs and he is an appellant herein. As we have noted, the parties stipulated that the Children's Lobby et alia be permitted to intervene as real parties in interest and they are also appellants in this appeal. Amici curiae briefs in support of appellants have been filed by the state Legislature, the California Congress of Parents, Teachers and Students, Inc., and certain child advocacy and care provider organizations.

II Historical Background

There can be no doubt that education has historically been accorded an ascendant position in this state. Indeed, at the very start, article IX of our 1849 Constitution created the office of Superintendent of Public Instruction; required the Legislature to encourage by all suitable means the promotion of intellectual, scientific, moral and agricultural improvement; required the Legislature to establish a system of common schools; and established a fund for the support of the common schools. (See Stats. 1849, p. 32.)

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As this recitation will demonstrate, the preeminent position of education in California has been a constant in a world of governmental flux. [Section 1 of article IX of the Constitution](#) now provides, as it has since 1879: “A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.” [Section 5 of article IX](#) presently mandates, as it has since 1879: “The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year in which a school has been established.” Since 1933, our Constitution has provided that from state revenues there shall first be set apart the moneys to be applied by the state for the support of the public school system and institutions of higher education. ([Cal. Const., art. XVI, § 8](#), subd. (a); see former art. XIII, § 15, Stats. 1935, p. IXIX.)

[Section 6 of article IX of our Constitution](#) establishes a State School Fund. That section provides, in relevant part: “The Legislature shall add to the State School Fund such other means from the revenues of the State as shall provide in said fund for apportionment in each fiscal year, an amount not less than one hundred eighty dollars (\$180) per pupil in average daily attendance in the kindergarten schools, elementary schools, secondary schools, and technical schools in the Public School System during the next *1523 preceding fiscal year. [¶] The entire State School Fund shall be apportioned in each fiscal year in such manner as the Legislature may provide, through the school districts and other agencies maintaining such schools, for the support of, and aid to, kindergarten schools, elementary schools, secondary schools, and technical schools except that there shall be apportioned to each school district in each fiscal year not less than one hundred twenty dollars (\$120) per pupil in average daily attendance in the district during the next preceding fiscal year and except that the amount apportioned to each school district in each fiscal year shall be not less than twenty-four hundred dollars (\$2,400).”

[Article IX, section 6, of the Constitution](#) also provides in part: “The Public School System shall include all kindergarten schools, elementary schools, secondary schools, technical schools, and State col-

leges, established in accordance with law and, in addition, the school districts and other agencies authorized to maintain them. (1)(See **fn. 6.**) No school or college or any other part of the Public School System shall be, directly or indirectly, transferred from the Public School System or placed under the jurisdiction of any authority other than one included within the Public School System.”^{FN6}

FN6 The University of California is a public trust which finds its roots in the Constitution of 1849. (See Stats. 1849, p. 32; and see [Cal. Const., art. IX, § 9.](#)) The University of California has “full powers of organization and government” subject only to limited legislative control. (*Ibid.*) As such, it is not part of the Public School System and is subject to entirely different legal standards. The University of California is beyond the scope of the issues presented in this appeal.

For the administration of this public school system, the Constitution creates the office of Superintendent of Public Education and establishes a State Board of Education. ([Cal. Const., art. IX, §§ 2, 2.1.](#)) It provides for county boards of education and superintendents of schools. ([Cal. Const., art. IX, §§ 3-3.3.](#)) It permits city charters to provide for the election or appointment of boards of education. ([Cal. Const., art. IX, § 16.](#)) [Section 14 of article IX](#) provides: “The Legislature shall have power, by general law, to provide for the incorporation and organization of school districts, high school districts, and community college districts, of every kind and class, and may classify such districts. [¶] The Legislature may authorize the governing boards of all school districts to initiate and carry on any programs, activities, or to otherwise act in any manner which is not in conflict with the laws and purposes for which school districts are established.”

(2) It has been and continues to be the legislative policy of this state to strengthen and encourage local responsibility for control of public education *1524 through local school districts. ([§ 14000.](#))^{FN7} Nevertheless, education and the operation of the public schools remain matters of statewide rather than local or municipal concern. ([Hall v. City of Taft \(1956\) 47 Cal.2d 177, 179 \[302 P.2d 574\]; Esberg v. Badaracco \(1927\) 202 Cal. 110, 115- 116 \[259 P. 730\]; Kennedy v. Miller \(1893\) 97 Cal. 429, 431 \[32 P. 558\];](#)

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Whisman v. San Francisco Unified Sch. Dist. (1978) 86 Cal.App.3d 782, 789 [150 Cal.Rptr. 548].) Hence, local school districts are deemed to be agencies of the state for the administration of the school system and have been described as quasi-municipal corporations. (*Hall v. City of Taft, supra*, 47 Cal.2d at p. 181; *Pass School Dist. v. Hollywood Dist.* (1909) 156 Cal. 416, 418 [105 P. 122]; *Hughes v. Ewing* (1892) 93 Cal. 414, 417; *Town of Atherton v. Superior Court* (1958) 159 Cal.App.2d 417, 421 [324 P.2d 328].) Thus, a school district is not a distinct and independent body politic and is not free and independent of legislative control. (*Allen v. Board of Trustees* (1910) 157 Cal. 720, 725-726 [109 P. 486].)

FN7 Although state funding for education is designed to enhance local responsibility for education, the Legislature has found it undesirable to yield total monetary authority to school districts. In the Statutes of 1981, chapter 100, section 1, at page 653, it is said: "The Legislature finds and declares that as a matter of policy the setting aside of categorical support for school districts is necessary to ensure the adequate funding for programs such as the provision of textbooks, pupil transportation, teacher retirement, special education for individuals with exceptional needs, and for educationally disadvantaged youths. The Legislature supports this policy of appropriating separately funds for special purposes because it provides funds for the intended purposes of the programs and because the substantial variation from district to district in terms of financial need for the programs cannot be accommodated adequately in general school support formulas. Although this act does not appropriate funds for inflation for categorical programs, it is the intent of the Legislature that, because categorical programs provide essential educational services, these programs should receive general inflation funds as provided in the Budget Act for other state programs." Our Supreme Court has determined that under our Constitution education is uniquely important and cannot be left totally under local monetary control. (*Serrano v. Priest* (1971) 5 Cal.3d 584, 614 [96 Cal.Rptr. 601, 487 P.2d 1241].)

(3) The Legislature's power over the public school system has been variously described as exclusive, plenary, absolute, entire, and comprehensive, subject only to constitutional constraints. (*Hall v. City of Taft, supra*, 47 Cal.2d at p. 181; *Pass School Dist. v. Hollywood Dist., supra*, 156 Cal. at p. 419; *San Carlos Sch. Dist. v. State Bd. of Education* (1968) 258 Cal.App.2d 317, 324 [65 Cal.Rptr. 711]; *Town of Atherton v. Superior Court, supra*, 159 Cal.App.2d 417, 421.) Indeed, it is said that the Legislature cannot delegate ultimate responsibility over education to other public or private entities. (*Hall v. City of Taft, supra*, 47 Cal.2d at p. 181; *Piper v. Big Pine School Dist.* (1924) 193 Cal. 664, 669 [226 P. 926].) Consequently, regulation of the education system by the Legislature will be held to be controlling over any inconsistent local attempts at regulation or administration of the schools. (*Hall v. City of Taft, supra*, 47 Cal.2d at p. 181; *1525 *Esberg v. Badaracco, supra*, 202 Cal. at pp. 115- 116; *Whisman v. San Francisco Unified Sch. Dist., supra*, 86 Cal.App.3d at p. 789.) And no one may obtain rights vested against state control by virtue of local provisions, ordinances or regulations. (*Whisman v. San Francisco Unified Sch. Dist., supra*, 86 Cal.App.3d at p. 789.)

The Legislature, in the exercise of its sweeping authority over education and the school system, has the power to create, abolish, divide, merge, or alter the boundaries of school districts. (*Allen v. Board of Trustees, supra*, 157 Cal. at pp. 725-726; *Pass School Dist. v. Hollywood Dist., supra*, 156 Cal. at p. 418; *Hughes v. Ewing, supra*, 93 Cal. at p. 417.) Indeed, the state is the beneficial owner of school property and local districts hold title as trustee for the state. (*Hall v. City of Taft, supra*, 47 Cal.2d at pp. 181-182; *Chico Unified Sch. Dist. v. Board of Supervisors* (1970) 3 Cal.App.3d 852, 855 [84 Cal.Rptr. 198]; *Town of Atherton v. Superior Court, supra*, 159 Cal.App.2d at p. 421.) "School moneys belong to the state, and the apportionment of funds to a school district does not give that district a proprietary right therein." (*Butler v. Compton Junior College Dist.* (1947) 77 Cal.App.2d 719, 729 [176 P.2d 417]; see also *Gridley School District v. Stout* (1901) 134 Cal. 592, 593 [66 P. 785].) It follows that the Legislature can transfer property and apportion debts between school districts as it sees fit. (*Pass School Dist. v. Hollywood Dist., supra*, 156 Cal. at pp. 418-419; *Hughes v. Ewing, supra*, 93 Cal. at p. 417; *San Carlos Sch. Dist. v. State Bd. of Education, supra*, 258 Cal.App.2d at p. 324.)

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While few will deny the critical importance of education, the needs of the public education system often conflict with other desires of the electorate, especially that of minimizing the tax burden imposed upon the populace. Fewer still would deny that financing the public educational system in this state is Byzantine in its intricacy and complexity. Public education financing involves two basic, broad, and interrelated problems: public school resource production (how the funds are raised), and public school resource deployment (how the funds are spent). (See Andrews, *Serrano II: Equal Access to School Resources and Fiscal Neutrality-A View From Washington State* (1977) 4 Hast. Const.L.Q. 425, 429, fn. 18 [hereafter *Equal Access to School Resources*].) Public school financing is complicated by such matters as whether revenue should be raised through state or local taxation or some combination of both (see *Serrano v. Priest* (1976) 18 Cal.3d 728, 747 [135 Cal.Rptr. 345, 557 P.2d 929] [hereafter *Serrano II*]; and see *Equal Access to School Resources*, *supra*, 4 Hast. Const.L.Q. at pp. 445-446); disparate tax base to units of average daily attendance (ADA) ratios among various districts (see *Serrano v. Priest*, *supra*, 5 Cal.3d at p. 592 [hereafter *Serrano I*]); the willingness (or ability) of local voters to authorize increased taxes or expenditures for education (see *Serrano II*, *supra*, 18 Cal.3d at p. 769); the *1526 availability of federal funding for educational programs and the sometimes inflexible qualification criteria for such funding (see Stats. 1981, ch. 100, § 1.3, pp. 653-654); the differing needs of schools and their students (see Stats. 1981, ch. 100, § 1, p. 653); and the difficulty of determining what types of services or programs should or should not be included within the educational budget (see *Equal Access to School Resources*, *supra*, 4 Hast. Const.L.Q. at pp. 441-442.) Although these matters are by no means exhaustive, they do illustrate the inherent complexity involved in developing an adequate formula for school support.

In the past 20 years state funding for education has been significantly influenced by several legal and political events. The changes began in 1971, a time when the major source of school revenue was derived from local real property taxes. (*Serrano I*, *supra*, 5 Cal.3d at p. 592.) The state then contributed aid to school districts in two forms: basic state aid, which was a flat financial grant per pupil per year; and equalization aid, which was based upon the assessed

valuation of property per pupil within the district. (*Id.* at p. 593.) This educational status quo was challenged in *Serrano I*, a class action in which the plaintiffs maintained that the public school financing system created disparate educational opportunities based upon wealth. It was asserted that due to a substantial dependence upon local property taxes children from wealthy districts received greater educational opportunities than children from poorer districts.^{FN8} In 1971, the California Supreme Court held that wealth is a suspect classification and that education constitutes a fundamental interest and thus the state plan should be subjected to strict scrutiny under equal protection principles. (*Id.* at pp. 614-615.) The high court concluded that an educational system which produces disparities of opportunity based upon district wealth would fail to meet constitutional requirements and the action was remanded for trial of the factual allegations of the complaint. (*Id.* at p. 619.)

FN8 It has been pointed out that the wealth of a school district will not necessarily reflect the wealth of families it serves. For example, a district might have a high assessed valuation to ADA ratio because it includes areas which are heavily developed for commercial or industrial purposes, yet serve families who live near such areas because they cannot afford to move to more affluent areas. Conversely, a suburban or rural district may serve relatively affluent students yet lack a high assessed valuation to ADA ratio because it lacks any commercially developed areas within its boundaries. In *Serrano I* the Court disregarded this possibility because it was reviewing a demurrer to a complaint which alleged that there was a correlation between the wealth of a district and its residents and for the more basic reason that it did not believe that disparities in educational opportunities could be permitted simply because they reflected the wealth of the district rather than the individual. (*Id.* at pp. 600-601.)

After *Serrano I*, the Legislature modified the formula for state education aid in an effort to eliminate its objectionable features. The parties stipulated that the modified formula should be considered at trial. (*1527 *Serrano II*, *supra*, 18 Cal.3d at pp. 736-737.) Also during the pendency of the trial court proceedings, the United States Supreme Court rendered its

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Opinion in *San Antonio School District v. Rodriguez* (1973) 411 U.S. 1 [36 L.Ed.2d 16, 93 S.Ct. 1278]. There, the Texas public school financing system, which was substantially similar to ours, was upheld by the federal high court. The court concluded that the Texas system did not result in a suspect classification based upon wealth and did not affect a fundamental interest and thus needed only to meet the rational relationship test under equal protection principles. (*Id.* at pp. 33-34, 48-55, 61-62 [36 L.Ed.2d at pp. 42-43, 51-56, 59-60].) Thereafter the *Serrano* trial court held that California's public education financing scheme violated independent state equal protection guarantees. In *Serrano II*, the California Supreme Court affirmed the judgment of the trial court which gave the state six years for bringing the public school financing system into constitutional compliance. (18 Cal.3d at pp. 749, 777.)

Meanwhile, at the June 1978 Primary Election the voters enacted Proposition 13, which added article XIII A to the California Constitution. That measure changed California's real property tax system from a current value system to an acquisition value system and limited the tax rates which could be imposed upon real property. (See *Amador Valley Joint Union High Sch. Dist. v. State Bd. of Equalization* (1978) 22 Cal.3d 208, 220, 238 [149 Cal.Rptr. 239, 583 P.2d 1281].) In an effort to mitigate the effects of article XIII A upon local governments and schools, the Legislature enacted a bailout bill to distribute surplus state funds to local agencies. (See *Sonoma County Organization of Public Employees v. County of Sonoma* (1979) 23 Cal.3d 296, 297 [152 Cal.Rptr. 903, 591 P.2d 1].) Article XIII A also forced the state to assume a greater responsibility for financing the public school system. (§ 41060.)

In the November 1979 Special Statewide Election the voters enacted Proposition 4 to add article XIII B to the California Constitution. [Article XIII B](#) imposes limitations upon the power of all California governmental entities to appropriate funds for expenditures. ([Cal. Const., art. XIII B, §§ 1, 8](#), subds. (a), (b).) Revenues received by any governmental entity in excess of its appropriations limit must be returned by a revision of tax rates or fee schedules within the next two fiscal years. ([Cal. Const., art. XIII B, § 2](#).) The measure also provides that whenever the state mandates a new program or higher level of service upon local governments, it must provide a subvention of

funds to reimburse local government for the added costs. ([Cal. Const., art. XIII B, § 6](#).)

It can be seen that as a result of the events of the 1970's the already difficult task of financing public education was made even more formidable. *1528 As a result of article XIII A, the state was forced to assume a greater share of the responsibility for funding education. Any formula for funding education would be required to meet equal protection principles as set forth in the *Serrano* decisions. And as a result of [article XIII B](#), there was certain to be greater competition for the state revenues within the appropriations limit. It was against this background that the voters enacted Proposition 98 at the November 1988 General Election.

III Matters Not in Issue

The question presented in this appeal can best be addressed when it is narrowed to its appropriate scope by elimination of what is not involved. We are not here concerned with whether the Child Care and Development Services Act in fact completely entails an educationally related program. (4) While the Legislature is given broad authority over education, it cannot divert education funds for other purposes. (*Crosby v. Lyon* (1869) 37 Cal. 242, 245.) But plaintiffs did not and cannot reasonably contend that the child care program under attack does not at least in part serve an educational purpose. Education is a broad and comprehensive matter. (*Board of Trustees v. County of Santa Clara* (1978) 86 Cal.App.3d 79, 84 [150 Cal.Rptr. 109].) It encompasses not merely the instruction received at school or college, but the whole course of training; moral, religious, vocational, intellectual, and physical. Education may be particularly directed to either the mental, moral, or physical powers and faculties, but in its broadest and best sense it relates to them all. [It includes the] [a]cquisition of all knowledge tending to train and develop the individual. (Black's Law Dict. (5th ed. 1979) p. 461, col. 2.) Our Constitution places a similarly broad meaning upon education when it requires the Legislature to encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement. ([Cal. Const., art. IX, § 1](#).)^{FN9} Moreover, under our Constitution the Legislature is given broad discretion in determining the types of programs and services which further the purposes of education. (*Veterans' Welfare Board v. Riley* (1922) 189 Cal. 159, 164-166 [208 P. 678, 22 A.L.R. 1531]; *University of*

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30. California v. Robbins (1954) 1 Cal.App.2d 523, 528 [37 P.2d 163].) It cannot be said that the Legislature has been arbitrary and unreasonable in its determination that the Child Care and Development Services Act furthers the purposes of public education.

FN9 While "education" is sufficiently broad to include religious training, specific provisions of the state and federal Constitutions exclude religious training from governmental education programs. (U.S. Const., Amend. I; Cal. Const., art. I, § 4, art. IX, § 8.)

We are not here concerned with the question whether the Legislature's implementation of Proposition 98 is partially invalid or invalid as applied. *1529 Plaintiffs claim that the inclusion of funding for the Child Care and Development Services Act within the Proposition 98 funding requirement is invalid in toto and on its face. They argue that Proposition 98 funds must be transferred to school districts which then have total discretion to determine how those funds should be spent. They did not present evidence or argument to establish that portions of the Child Care and Development Act lack a sufficient nexus to education to be included in education funding or that the manner in which it is carried out by the Superintendent of Public Instruction does not support and further the purpose of education. (5) "Because this is a challenge to the facial validity of the [the statute], our task is to determine whether the statute can constitutionally be applied. To support a determination of facial unconstitutionality, voiding the statute as a whole, petitioners cannot prevail by suggesting that in some future hypothetical situation constitutional problems may possibly arise as to the particular *application* of the statute. ... Rather, petitioners must demonstrate that the act's provisions inevitably pose a present total and fatal conflict with applicable constitutional prohibitions." (Arcadia Unified School Dist. v. State Dept. of Education (1992) 2 Cal.4th 251, 267 [5 Cal.Rptr.2d 545, 825 P.2d 438], italics in original.)

We are not here concerned with the advisability or wisdom of the Legislature's decision. ^{FN10} (6) Under our form of government, policymaking authority is vested in the Legislature and neither arguments as to the wisdom of an enactment nor questions as to the motivation of the Legislature can serve to invalidate particular legislation. (City and County of San Francisco v. Cooper (1975) 13 Cal.3d 898, 913 [120

Cal.Rptr. 707, 534 P.2d 403]; County of Los Angeles v. Superior Court (1975) 13 Cal.3d 721, 727 [119 Cal.Rptr. 631, 532 P.2d 495]; Galvan v. Superior Court (1969) 70 Cal.2d 851, 869 [76 Cal.Rptr. 642, 452 P.2d 930]; Wilke & Holzheiser, Inc. v. Dept. of Alcoholic Bev. Control (1966) 65 Cal.2d 349, 359 [55 Cal.Rptr. 23, 420 P.2d 735].) As a court of review our role is limited to determining whether the Legislature's choice is constitutionally prohibited. (*Ibid.*)

FN10 For this reason we deny the request of amici curiae that we take judicial notice of certain legislative materials. The submitted documents tend to establish the value of, and the need for, funding for child care and development programs. Those are matters within the Legislature's prerogative and we may not superintend its determination.

Furthermore, we are not concerned here with statutory inconsistency. Instead, the issue relates solely to the construction of constitutional provisions. Proposition 98 added certain statutory provisions to the Education Code, Section 13 of Proposition 98 provides: "No provision of this Act may be changed except to further its purposes by a bill passed by a vote of two-thirds of the membership of both houses of the Legislature and signed *1530 by the Governor." The legislation challenged by plaintiffs was enacted by the requisite two-thirds majorities and signed by the Governor. Accordingly, it is the constitutional provisions of Proposition 98 which are at issue in this case.

Finally, we are not here concerned with article XVI, section 8.5 of the Constitution, also added by Proposition 98. In that provision the voters determined that, within certain limits, state revenues in excess of the state appropriations limit should be used to improve education in the elementary and secondary schools and community colleges rather than be returned to the populace. The measure is self-executing; it requires no legislative action. Each year the Controller must transfer and allocate such excess revenues to the state school fund restricted for school districts and community colleges, and then must allocate those funds to the districts and community colleges on a per-enrollment basis. (Cal. Const., art. XVI, § 8.5, subs. (a), (c).) Those sums may be expended solely for purposes of instructional improvement and accountability. (Cal. Const., art. XVI, § 8.5, subd. (d).)

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[Article XVI, section 8.5](#) is an entirely different matter than [article XVI, section 8](#). [Section 8.5](#) deals with revenues which are constitutionally beyond the Legislature's spending prerogatives under [article XIII B](#). [Section 8.5](#) does not extend the Legislature's spending power to excess revenues; rather it imposes a self-executing, ministerial duty upon the Controller to transfer such excess revenues to a restricted portion of the school fund and thence to allocate such revenues to school districts and community college districts on a per-enrollment basis. [Section 8.5](#) specifically restricts the purposes for which those funds may be expended. The specific provisions of [section 8.5](#) would prohibit the Legislature from retaining and utilizing those funds for purposes of the Child Care and Development Services Act.

IV Issue on Appeal

In this case we are concerned with whether funding for the Child Care and Development Services Act is on its face beyond the educational funding requirements of [article XVI, section 8, of the Constitution](#) as enacted by Proposition 98.

Defendant Honig contends that the Legislature has plenary power to define how California's public school system operates as well as what entities constitute that system. Given that absolute authority, which remains undiminished by the enactment of Proposition 98, the Legislature was empowered to include funds for early childhood education and child development within the minimum funding guarantee established by that initiative. *1531 He argues that the trial court, contrary to the settled and fundamental principles of constitutional adjudication, misconstrued the critical phrase "monies to be applied by the State for the support of school districts" to be limited to funds directly allocated to school districts. In his view, "the definition of 'school districts' set forth in Proposition 98 is far from precise. Its uncertainty in fact made it necessary for the Legislature to refine and clarify which entities in the public school system were to be counted as falling within its minimum funding guarantee. This the Legislature did, three times. [¶] More importantly, nothing in Proposition 98 or any other provision of law either expressly or implicitly restricted the Legislature from including [the California Department of Education's] direct provision of child development services through contracts with private agencies within that guarantee. Since 1972, the Legislature has determined that private agencies, as

well as public agencies, have been integral to the statewide provision of such services under the Child Development Act, and thereby to California's public school system. Accordingly, the Legislature's implementation of Proposition 98 in [Sections 41202\(f\)](#) and [8203.5\(c\)](#) was not only possible and reasonable, it was consistent with its prior acts which made private agency child development services a recognized part of the public school system.

(7a) Plaintiffs counter that the plain language of Proposition 98 demonstrates that the funds must go directly to school districts and not to private entities contracting with the Department of Education. As they read the key phrase of the initiative, "monies to be applied by the State for the support of school districts" means funds "allocated to" or "appropriated for" school districts. Consequently, so their argument goes, the inclusion of non-school-district programs within the initiative's guarantee nullifies the central purpose of Proposition 98.

Real parties in interest argue alternatively that child development programs funded directly by the Department of Education are included within the phrase "school districts" but even if they are not, the Legislature has the power to amend the statutory definition of "school districts" contained in Proposition 98.

In analyzing these constitutional contentions we are bound by several fundamental principles of constitutional adjudication. (8) "Unlike the federal Constitution, which is a grant of power to Congress, the California Constitution is a limitation or restriction on the powers of the Legislature. Two important consequences flow from this fact. First, the entire lawmaking authority of the state, except the people's right of initiative and referendum, is vested in the Legislature, and that body may exercise any and all legislative powers *which are not expressly, or by necessary implication *1532 denied to it by the Constitution.* ... [¶] Secondly, all intendments favor the exercise of the Legislature's plenary authority: "If there is any doubt as to the Legislature's power to act in any given case, the doubt should be resolved in favor of the Legislature's action. *Such restrictions and limitations [imposed by the Constitution] are to be construed strictly, and are not to be extended to include matters not covered by the language used.*" (Italics added.) ([Pacific Legal Foundation v. Brown \(1981\) 29 Cal.3d](#)

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108, 160 [172 Cal.Rptr. 487, 624 P.2d 1215], citing *Methodist Hosp. of Sacramento v. Saylor* (1971) 5 Cal.3d 685, 691 [97 Cal.Rptr. 1, 488 P.2d 161], citations omitted.)

(9) Another principle of constitutional adjudication requires that the constitutional provisions added by Proposition 98 be considered in light of all other relevant provisions of the Constitution, including those that contain, define, and limit the status of school districts and their relationship to the state. The initiative amendment to the [C]onstitution itself must be interpreted in harmony with the other provisions of the organic law of this state of which it has become a part. To construe it otherwise would be to break down and destroy the barriers and limitations which the [C]onstitution, read as a whole, has cast about legislation, both state and local. (*Galvin v. Board of Supervisors* (1925) 195 Cal. 686, 692 [235 P. 450]. See also *Edler v. Hollopetter* (1931) 214 Cal. 427, 430 [6 P.2d 245].) In *Galvin v. Board of Supervisors, supra*, 195 Cal. 686, the petitioners sought to compel a county board of supervisors to submit an initiative ordinance to the local voters. The Supreme Court held that the provisions of the Constitution which reserve the initiative power to local voters must be construed in light of other provisions which contain, define, and limit the scope of permissible local legislation. (*Id.* at p. 692.) This precluded local voters from accomplishing by initiative that which was beyond the powers of the local board of supervisors. (*Id.* at p. 693. See also *Giddings v. Board of Trustees* (1913) 165 Cal. 695, 698 [133 P. 479].) That principle of construction applies here.

(7b) When we consider Proposition 98 in light of other provisions of our Constitution, specifically [article IX](#), which is devoted to education, and the long, unbroken line of authorities interpreting such provisions, we must reject an underlying premise of plaintiffs' argument. According to plaintiffs, the challenged legislation is invalid because it divests school districts of complete and total control over the funds the state is required to devote to education under Proposition 98. As plaintiffs put it: "Of course, if a school district decides to use part of its funding for child care and development programs, it is entitled to do so. It is also entitled to ignore child care and development altogether, and use its funding for other programs that it considers to be a higher priority." Nothing in Proposition 98 states or implies *1533 that school districts

are to have the autonomy claimed by plaintiffs. [Article IX, section 5, of our Constitution](#) still provides for one system of common schools, which implies a unity of purpose as well as an entirety of operation, and the direction to the [L]egislature to provide 'a' system of common schools means *one* system which shall be applicable to all the common schools within the state. (*Kennedy v. Miller* (1893) 97 Cal. 429, 432 [32 P. 558], italics original; see also *Serrano I, supra*, 5 Cal.3d at p. 595.)

Since Proposition 98 did not alter the state's role in education, the Constitution continues to make education and the operation of the public schools a matter of statewide rather than local or municipal concern. (*Hall v. City of Taft, supra*, 47 Cal.2d at p. 179; *Esberg v. Badaracco, supra*, 202 Cal. at pp. 115-116; *Kennedy v. Miller, supra*, 97 Cal. at p. 431; *Whisman v. San Francisco Unified School Dist., supra*, 86 Cal.App.3d at p. 789.) Local school districts remain agencies of the state rather than independent, autonomous political bodies. (*Allen v. Board of Trustees, supra*, 157 Cal. at pp. 725-726.) The Legislature's control over the public education system is still plenary. (*Hall v. City of Taft, supra*, 47 Cal.2d at pp. 180-181; *Pass School Dist. v. Hollywood Dist., supra*, 156 Cal. at p. 419; *San Carlos Sch. Dist. v. State Bd. of Education, supra*, 258 Cal.App.2d at p. 324; *Town of Atherton v. Superior Court, supra*, 159 Cal.App.2d at p. 421.) The Legislature still has ultimate and nondelegable responsibility for education in this state. (*Hall v. City of Taft, supra*, 47 Cal.2d at p. 181; *Piper v. Big Pine School Dist., supra*, 193 Cal. at p. 669.) All school properties are still held in trust with the state as the beneficial owner. (*Hall v. City of Taft, supra*, 47 Cal.2d at p. 182; *Chico Unified Sch. Dist. v. Board of Supervisors, supra*, 3 Cal.App.3d at p. 855; *Town of Atherton v. Superior Court, supra*, 159 Cal.App.2d at p. 421.) And school districts still do not have a proprietary interest in moneys which are apportioned to them. (*Gridley School District v. Stout, supra*, 134 Cal. at p. 593; *Butler v. Compton Junior College Dist., supra*, 77 Cal.App.2d at p. 729.) Of course, if the electorate chose to alter our constitutional scheme for education it could do so. Education could be made a matter of local concern and school districts could be given greater autonomy. But we cannot conclude that such a major governmental restructuring was accomplished by implication in a measure dealing with public finance which spoke not at all on such matters.

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In light of the Legislature's plenary authority over education and its legal relationship with school districts, we do not find Proposition 98 to be clear and unambiguous as asserted by plaintiffs. The measure establishes a minimum sum for the monies to be applied by the state for the support of school districts and community college districtsö Rather than expressly divesting the state of its traditional authority over education funds, *1534 this provision would appear to retain state control since the moneys are to be applied by the state.ö The measure does not expressly restrict the Legislature's plenary authority nor does it grant to school districts exclusive control over education funds. Had such a result been intended there are any number of linguistic formulations which could have so specified with adequate clarity. As a court, we cannot impose limitations or restrictions upon the Legislature's prerogatives in the absence of language reasonably calculated to require such a result when subjected to strict construction. (*Pacific Legal Foundation v. Brown, supra, 29 Cal.3d at p. 180.*)

Given plaintiffs' facial attack, it is enough to hold, as we do, that legislative programs which advance, and hence support, the educational mission of school districts and community college districts may constitutionally be included within the funding guarantee of Proposition 98. It cannot be said that the Child Care and Development Services Act totally and on its face fails to meet this test.^{FN11} This is as far as we need go in this case. The plaintiffs asserted, and the judgment holds, that only funds allocated to and administered by school districts satisfy the requirements of Proposition 98. Such a conclusion improperly grants school districts a proprietary interest in school funds and gives them a degree of political autonomy in contravention to the Legislature's long-standing and well-established plenary authority over education in this state. Since we do not find such a fundamental governmental restructuring in Proposition 98, we must reject the reasoning of the trial court and reverse its judgment.

FN11 In reaching this conclusion we reject real parties' contention that the Legislature has impliedly defined programs under the Child Care and Development Services Act as being within the definition of "school districts." [Section 41302.5](#) defines the agencies which are included within the phrase "school district" as used in Proposition 98. In im-

plementing Proposition 98 the Legislature referred to that section but did not see fit to amend it to include child care and development programs. ([§ 41202](#), subd. (f).) And in [section 8203.5](#), subdivision (c), the Legislature included Child Care and Development Services Act funding within the Proposition 98 guarantee whether or not those funds are allocated to school districtsö By so providing the Legislature clearly chose not to include child care and development programs within the definition of school districts.

Summary and Conclusion

In this state, education is a matter of statewide rather than local or municipal concern. Local school districts are agencies of the state subject to the Legislature's plenary authority over education. Local school districts do not have political autonomy and have no proprietary interest in the properties or moneys they hold in trust for the state. Proposition 98 set forth minimum sums to be applied by the state for the support of school districts and community colleges. This measure does not deprive the Legislature of *1535 its plenary authority over education and does not grant school districts political autonomy or a proprietary interest in the minimum funding to be applied by the state for support of school districts and community colleges. Accordingly, we reject the assertion that all funds within the minimum funding requirements of Proposition 98 must be allocated to, and administered by, school districts. Our opinion goes no further. While the Legislature's authority over education and education funding is broad, it is not unlimited. Our conclusion that Proposition 98 did not divest the Legislature of its traditional authority over education should not be construed to foreclose specific challenges to the Legislature's decisions based upon appropriate factual and legal showings. We hold only that the decision to include funding for the Child Care and Development Services Act within the Proposition 98 minimum funding guarantees is not in toto and on its face beyond the Legislature's constitutional authority.

Disposition

The judgment is reversed. Appellant Honig shall recover his costs on appeal.

Marler, J., and Nicholson, J., concurred.

A petition for a rehearing was denied May 27,

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1992, and the petition of plaintiffs and respondents for review by the Supreme Court was denied July 30, 1992. Mosk, J., was of the opinion that the petition should be granted. *1536

Appendix
Proposition 98 provides in full:

[Section 1.](#) This Act shall be known as "The Classroom Instructional and Accountability Act."

[Section 2.](#) Purpose and Intent. The People of the State of California find and declare that:

(a) California schools are the fastest growing in the nation. Our schools must make room for an additional 130,000 students every year.

(b) Classes in California's schools have become so seriously overcrowded that California now has the largest classes of any state in the nation.

(c) This act will enable Californians to once again have one of the best public school systems in the nation.

(d) This act will not raise taxes.

(e) It is the intent of the People of California to ensure that our schools spend money where it is most needed. Therefore, this Act will require every local school board to prepare a School Accountability Report Card to guarantee accountability for the dollars spent.

(f) This Act will require that excess state funds be used directly for classroom instructional improvement by providing for additional instructional materials and reducing class sizes.

(g) This Act will establish a prudent state reserve to enable California to set aside funds when the economy is strong and prevent cutbacks or tax increases in times of severe need or emergency.

[Section 3.](#) [Section 5.5](#) is hereby added to [Article XIII B](#) as follows:

[Section 5.5](#) Prudent State Reserve. The Legisla-

ture shall establish a prudent state reserve fund in such amount as it shall deem reasonable and necessary. Contributions to, and withdrawals from, the fund shall be subject to the provisions of [Section 5](#) of this Article.

[Section 4.](#) [Section 2 of Article XIII B](#) is hereby amended to read as follows:

[Section 2.](#) Revenues in Excess of Limitation. *1537

(a) All revenues received by the state in excess of that amount which is appropriated by the state in compliance with this Article, and which would otherwise be required, pursuant to subdivision (b) of this Section, to be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years, shall be transferred and allocated pursuant to [Section 8.5 of Article XVI](#) up to the maximum amount permitted by that section.

(b) Except as provided in subdivision (a) of this Section, revenues received by any entity of government in excess of that amount which is appropriated by such entity in compliance with this Article during the fiscal year shall be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.

[Section 5.](#) [Section 8 of Article XVI](#) is hereby amended to read as follows:

[Section 8.](#) School Funding Priority

(a) From all state revenues there shall first be set apart the monies to be applied by the state for support of the public school system and public institutions of higher education.

(b) Commencing with the 1988-89 fiscal year, the monies to be applied by the state for the support of school districts and community college districts shall not be less than the greater of:

(1) The amount which, as a percentage of the State General Fund revenues which may be appropriated pursuant to [Article XIII B](#), equals the percentage of such State General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986-87; or

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(2) The amount required to ensure that the total allocations to school districts and community college districts from the State General Fund proceeds of taxes appropriated pursuant to [Article XIII B](#) and allocated local proceeds of taxes shall not be less than the total amount from these sources in the prior year, adjusted for increases in enrollment, and adjusted for changes in the cost of living pursuant to the provisions of [Article XIII B](#).

(c) The provisions of subdivision (b) of this Section may be suspended for one year by the enactment of an urgency statute pursuant to [Section 8 of Article IV](#), provided that no urgency statute enacted under this subdivision may be made part of or included within any bill enacted pursuant to [Section 12 of Article IV](#).
***1538**

[Section 6](#), [Section 8.5 of Article XVI](#) is hereby added as follows:

[Section 8.5](#). Allocations to State School Fund

(a) In addition to the amount required to be applied for the support of school districts and community colleges pursuant to [Section 8\(b\)](#), the Controller shall during each fiscal year transfer and allocate all revenues available pursuant to subdivision (a) of [Section 2 of Article XIII B](#), up to a maximum of four percent (4%) of the total amount required pursuant to [Section 8\(b\)](#) of this Article, to that portion of the State School Fund restricted for elementary and high school purposes, and to that portion of the State School Fund restricted for community college purposes, respectively, in proportion to the enrollment in school districts and community college districts respectively.

(1) With respect to funds allocated to that portion of the State School Fund restricted for elementary and high school purposes, no transfer or allocation of funds pursuant to this section shall be required at any time that the Director of Finance and the Superintendent of Public Instruction mutually determine that current annual expenditures per student equal or exceed the average annual expenditure per student of the ten states with the highest annual expenditures per student for elementary and high schools, and that average clas [*sic*] size equals or is less than the average class size of the ten states with the lowest clas [*sic*] size for elementary and high schools.

(2) With respect to funds allocated to that portion of the State School Fund restricted for community college purposes, no transfer or allocation of funds pursuant to this section shall be required at any time that the Director of Finance and the Chancellor of Community Colleges mutually determine that current annual expenditures per student for community colleges in this state equal or exceed the average annual expenditure per student of the ten states with the highest annual expenditures per student for community colleges.

(b) Notwithstanding the provisions of [Article XIII B](#), funds allocated pursuant to this section shall not constitute appropriations subject to limitation, but appropriation limits established in [Article XIII B](#) shall be annually increased for any such allocations made in the prior year.

(c) From any funds transferred to the State School Fund pursuant to paragraph (a) of this Section, the Controller shall each year allocate to each school district and community college district an equal amount per enrollment in school districts from the amount in that portion of the State ***1539** School Fund restricted for elementary and high school purposes and an equal amount per enrollment in community college districts from that portion of the State School Fund restricted for community college purposes.

(d) All revenues allocated pursuant to subdivision (a) of this section, together with an amount equal to the total amount of revenues allocated pursuant to subdivision (a) of this section in all prior years, as adjusted if required by [Section 8\(b\)\(2\) of Article XVI](#), shall be expended solely for the purposes of instructional improvement and accountability as required by law.

(e) Any school district maintaining an elementary or secondary school shall develop and cause to be prepared an annual audit accounting for such funds and shall adopt a School Accountability Report Card for each school.

Section 7. [Section 33126](#) is hereby added to Article 2 of Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code to read as follows:

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33120. School Accountability Report Card

In order to promote a model statewide standard of instructional accountability and conditions for teaching and learning, the Superintendent of Public Instruction shall by March 1, 1989, develop and present to the Board of Education for adoption a statewide model School Accountability Report Card.

(a) The model School Accountability Report Card shall include, but is not limited to, assessment of the following school conditions:

(1) Student achievement in and progress toward meeting reading, writing, arithmetic and other academic goals.

(2) Progress toward reducing drop-out rates.

(3) Estimated expenditures per student, and types of services funded.

(4) Progress toward reducing class sizes and teaching loads.

(5) Any assignment of teachers outside their subject areas of competence.

(6) Quality and currency of textbooks and other instructional materials.

(7) The availability of qualified personnel to provide counseling and other student support services.
***1540**

(8) Availability of qualified substitute teachers.

(9) Safety, cleanliness, and adequacy of school facilities.

(10) Adequacy of teacher evaluations and opportunities for professional improvement.

(11) Classroom discipline and climate for learning.

(12) Teacher and staff training, and curriculum improvement programs.

(13) Quality of school instruction and leadership.

(b) in developing the statewide model School Accountability Report, the Superintendent of Public Instruction shall consult with a Task Force on Instructional Improvement, to be appointed by the Superintendent, composed of practicing classroom teachers, school administrators, parents, school board members, classified employees, and educational research specialists, provided that the majority of the task force shall consist of practicing classroom teachers.

[Section 8. Section 35256](#) is hereby added to Article 8 of Chapter 2 of Part 20 of Division 3 of Title 2 of the Education Code to read as follows:

35256. School Accountability Report Card

The governing board of each school district maintaining an elementary or secondary school shall by September 30, 1989, or the beginning of the school year develop and cause to be implemented for each school in the school district a School Accountability Report Card.

(a) The School Accountability Report Card shall include, but is not limited to, the conditions listed in [Education Code Section 33126](#).

(b) Not less than triennially, the governing board of each school district shall compare the content of the school district's School Accountability Report Card to the model School Accountability Report Card adopted by the State Board of Education. Variances among school districts shall be permitted where necessary to account for local needs.

(c) The Governing Board of each school district shall annually issue a School Accountability Report Card for each school in the school district, publicize such reports, and notify parents or guardians of students that a copy will be provided upon request. ***1541**

[Section 9. Section 41300.1](#) is hereby added to Article 1 of Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code to read as follows:

41300.1 Instructional Improvement and Accountability.

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The amount transferred to Section A of the State School Fund pursuant to [Section 8.5 of Article XVI of the State Constitution](#) shall to the maximum extent feasible be expended or encumbered during the fiscal year received and solely for the purpose of instructional improvement and accountability.

(a) For the purpose of this section, "instructional improvement and accountability" shall mean expenditures for instructional activities for school sites which directly benefit the instruction of students, and shall be limited to expenditures for the following:

(1) Lower pupil-teacher ratios until a ratio is attained of not more than 20 students per teacher providing direct instruction in any class, and until a goal is attained of total teacher loads of less than 100 total students per teacher in all secondary school classes in academic subjects as defined by the Superintendent of Public Instruction.

(2) Instructional supplies, instructional equipment, instructional materials and support services necessary to improve school conditions.

(3) Direct student services needed to ensure that each student makes academic progress necessary to be promoted to the next appropriate grade level.

(4) Staff development which improves services to students or increases the quality and effectiveness of instructional staff, designed and implemented by classroom teachers and other participating school district personnel, including the school principal, with the aid of outside personnel as necessary. Classroom teachers shall comprise the majority of any group designated to design such staff development programs for instructional personnel.

(5) Compensation of teachers.

(b) Funds transferred to each school district, pursuant to this section shall be deposited in a separate account and shall be maintained and appropriated separately from funds from all other sources. Funds appropriated pursuant to this section shall supplement other resources of each school district and shall not supplant any other funds. *1542

Section 10. [Section 14020.1](#) is hereby added to Article 1 Chapter 1 of Part 9 of Division 1 of Title 1 of the Education Code to read as follows:

14020.1. Instructional Improvement and Accountability.

The amount transferred to Section B of the State School Fund pursuant to [Section 8.5 of Article XVI of the State Constitution](#) shall to the maximum extent feasible be expended or encumbered during the year received solely for the purposes of instructional improvement and accountability.

(a) For the purposes of this section, "instructional improvement and accountability" shall mean expenditures for instructional activities for college sites which directly benefit the instruction of students and shall be limited to expenditures for the following:

(1) Programs which require individual assessment and counseling of students for the purpose of designing a curriculum for each student and establishing a period of time within which to achieve the goals of that curriculum and the support services needed to achieve these goals, provided that any such program shall first have been approved by the Board of Governors of Community Colleges.

(2) Instructional supplies, instructional equipment, and instructional materials and support services necessary to improve campus conditions.

(3) Faculty development which improves instruction and increases the quality and effectiveness of instructional staff, as mutually determined by faculty and the community college district governing board.

(4) Compensation of faculty.

(b) Funds transferred to each community college district pursuant to this section shall be deposited in a separate account and shall be maintained and appropriated separately from funds from all other sources. Funds appropriated pursuant to this section shall supplement other resources of each community college district and shall not supplant funds appropriated from any other source.

Section 11. [Section 14022](#) is added to the Educa-

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tion Code to read as follows.

14022. (a) For the purposes of [Section 8](#) and [Section 8.5 of Article XVI of the California Constitution](#), "enrollment" shall mean: *1543

(1) In community college districts, full-time equivalent students receiving services, and

(2) In school districts, average daily attendance when students are counted as average daily attendance and average daily attendance equivalents for services not counted in average daily attendance.

(b) Determination of enrollment shall be based upon actual data from prior years and for the next succeeding year such enrollments shall be estimated enrollments adjusted for actual data as actual data becomes available.

[Section 12. Section 41302.5](#) is added to the Education Code to read as follows:

41302.5. For the purposes of [Section 8](#) and [Section 8.5 of Article XVI of the California Constitution](#), "school districts" shall include county boards of education, county superintendents of schools and direct elementary and secondary level instructional services provided by the State of California.

Section 13. No provision of this Act may be changed except to further its purposes by a bill passed by a vote of two-thirds of the membership of both houses of the Legislature and signed by the Governor.

[Section 14. Severability](#)

If any provision of this Act, or the application of any provision of this Act to any person or circumstance, shall be held invalid, the remainder of this Act, to the extent that it can be given effect, shall not be affected thereby, and to this end the provisions of this Act are severable.

Cal.App.3.Dist.

California Teachers Assn. v. Hayes

5 Cal.App.4th 1513, 7 Cal.Rptr.2d 699, 74 Ed. Law Rep. 165

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(Cite as: 155 Cal.App.4th 20, 54 Cal.Rptr.3d 520)

I. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938



Court of Appeal, Third District, California.
KAUFMAN & BROAD COMMUNITIES, INC. et
al., CrossóComplainants and Respondents,
v.
PERFORMANCE PLASTERING, INC.,
CrossóDefendant and Appellant.

No. C049391.
Oct. 3, 2005.

Background: On appeal from decision of the Superior Court, No. 03AS03133, appellant moved for the Court of Appeal to take judicial notice of legislative history of amendment to ambiguous statute.

Holdings: The Court of Appeal, [Sims, J.](#), held that:
(1) Court would deny judicial notice of personal view of member of assembly;
(2) Court would grant judicial notice of Assembly Judiciary Committee Report and Senate Judiciary Committee Report; and
(3) Court would grant judicial notice of three enrolled bill reports.

Motion granted in part, denied in part.

Opinion, [33 Cal. Rptr.3d 362](#), vacated.

West Headnotes

[\[1\]](#) Statutes 361  217.4

[361](#) Statutes
[361VI](#) Construction and Operation
[361VI\(A\)](#) General Rules of Construction
[361k213](#) Extrinsic Aids to Construction
[361k217.4](#) k. Legislative History in
General. [Most Cited Cases](#)

Resort to legislative history to aid in construction of a statute is appropriate only where statutory language is ambiguous.

[\[2\]](#) Statutes 361  217.4

[361](#) Statutes
[361VI](#) Construction and Operation
[361VI\(A\)](#) General Rules of Construction
[361k213](#) Extrinsic Aids to Construction
[361k217.4](#) k. Legislative History in
General. [Most Cited Cases](#)

Even where statutory language is ambiguous, and resort to legislative history is appropriate, as a general rule in order to be cognizable, legislative history must shed light on the collegial view of the Legislature as a whole.

[\[3\]](#) Evidence 157  33

[157](#) Evidence
[157I](#) Judicial Notice
[157k27](#) Laws of the State
[157k33](#) k. Legislative Proceedings and
Journals. [Most Cited Cases](#)

Evidence 157  51

[157](#) Evidence
[157I](#) Judicial Notice
[157k51](#) k. Mode of Ascertaining Facts Required to Be Noticed; Motions and Notice of Reliance.
[Most Cited Cases](#)

In order to help the Court of Appeal determine what constitutes properly cognizable legislative history, and what does not, motions for judicial notice of legislative history materials should be in the following form: (1) the motion shall identify each separate document for which judicial notice is sought as a separate exhibit; and (2) the moving party shall submit a memorandum of points and authorities citing authority why each such exhibit constitutes cognizable legislative history. [Cal.Rules of Court, Rule 22\(a\)](#). See [Cal. Jur. 3d, Statutes, § 118](#).

[\[4\]](#) Evidence 157  33

[157](#) Evidence
[157I](#) Judicial Notice
[157k27](#) Laws of the State
[157k33](#) k. Legislative Proceedings and

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Journals. [Most Cited Cases](#)

Court of Appeal, in order to construe ambiguous statute, would not take judicial notice of document reflecting the personal views of a member of the assembly, which was apparently not made available to the Legislature as a whole, despite fact that document was found in committee files. [West's Ann.Cal.Rev. & T.Code § 19719](#).

151 Evidence 157  33

[157 Evidence](#)

[157I Judicial Notice](#)

[157k27 Laws of the State](#)

[157k33](#) k. Legislative Proceedings and

Journals. [Most Cited Cases](#)

Court of Appeal, in order to construe ambiguous statute, would take judicial notice of Assembly Judiciary Committee Report pertaining to assembly bill. [West's Ann.Cal.Rev. & T.Code § 19719](#).

161 Evidence 157  33

[157 Evidence](#)

[157I Judicial Notice](#)

[157k27 Laws of the State](#)

[157k33](#) k. Legislative Proceedings and

Journals. [Most Cited Cases](#)

Court of Appeal, in order to construe ambiguous statute, would take judicial notice of Senate Judiciary Committee Report pertaining to assembly bill. [West's Ann.Cal.Rev. & T.Code § 19719](#).

171 Evidence 157  33

[157 Evidence](#)

[157I Judicial Notice](#)

[157k27 Laws of the State](#)

[157k33](#) k. Legislative Proceedings and

Journals. [Most Cited Cases](#)

Court of Appeal, in order to construe ambiguous statute, would not take judicial notice of three enrolled bill reports on assembly bill, prepared by the Office of Insurance Advisor, the Department of Real Estate, and the Franchise Tax Board. [West's Ann.Cal.Rev. & T.Code § 19719](#).

l. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938 (520)

See [1 Witkin, Cal. Evidence \(4th ed. 2000\) Judicial Notice, § 6](#).

181 Statutes 361  219(1)

[361 Statutes](#)

[361VI Construction and Operation](#)

[361VI\(A\) General Rules of Construction](#)

[361k213 Extrinsic Aids to Construction](#)

[361k219 Executive Construction](#)

[361k219\(1\) k. In General. Most Cited](#)

[Cases](#)

Enrolled bill reports, prepared by a responsible agency contemporaneous with passage and before signing, are generally instructive on matters of legislative intent.

191 Statutes 361  176

[361 Statutes](#)

[361VI Construction and Operation](#)

[361VI\(A\) General Rules of Construction](#)

[361k176](#) k. Judicial Authority and Duty.

[Most Cited Cases](#)

The determination of the meaning of statutes is a judicial function.

**522 [Dee Anne Ware](#), Cooper White & Cooper LLP, Walnut Creek, CA, for CrossóComplainant and Respondent.

[George E. Murphy](#), Farmer Murphy Smith & Alliston, [Melissa B. Aliotti](#), Read & Aliotti, Sacramento, CA, for CrossóDefendant and Appellant.

OPINION ON REHEARING OF RULING ON MOTION FOR JUDICIAL NOTICE OF LEGISLATIVE HISTORY DOCUMENTS

[SIMS, J.](#)

*29 Pursuant to [rule 22\(a\) of the California Rules of Court](#), appellant Performance Plastering, Inc., has moved this court to take judicial notice of various documents that, in the view of appellant, constitute cognizable legislative history of a 1998 amendment to [Revenue and Taxation Code section 19719](#) (Assembly Bill 1950 (AB 1950)). (Stats.1998, ch. 856, § 2.)

I

Legislative History Generally

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l. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938
520)

Before turning to the specifics of appellant's request for judicial notice, we have some general comments about requests for judicial notice of legislative history received by this court.

Many attorneys apparently believe that every scrap of paper that is generated in the legislative process constitutes the proper subject of judicial notice. They are aided in this view by some professional legislative intent services. Consequently, it is not uncommon for this court to receive motions for judicial notice of documents that are tendered to the court in a form resembling a telephone book.^{FN1} The various documents are not segregated and no attempt is made in a memorandum of points and authorities to justify each request for judicial notice. This must stop. And the purpose of this opinion is to help attorneys to better understand the role of legislative history and to encourage them to request judicial notice only of documents that constitute cognizable legislative history.

^{FN1}. Appellant's motion was not one of these; rather, each document was separately tabbed.

[1] Preliminarily, we note that resort to legislative history is appropriate only where statutory language is ambiguous. As the California Supreme Court has said, "Our role in construing a statute is to ascertain the Legislature's intent so as to effectuate the purpose of the law. [Citation.] In determining intent, we look first to the words of the statute, giving the language its usual, ordinary meaning. If there is no ambiguity in the language, we presume the Legislature meant what it said, and the plain meaning of the statute governs. [Citation.]" (*Hunt v. Superior Court* (1999) 21 Cal.4th 984, 1000, 90 Cal.Rptr.2d 236, 987 P.2d 705, followed in *Curle v. Superior Court* (2001) 24 Cal.4th 1057, 1063, 103 Cal.Rptr.2d 751, 16 P.3d 166; accord: *Hoechst Celanese Corp. v. Franchise Tax Bd.* (2001) 25 Cal.4th 508, 519, 106 Cal.Rptr.2d 548, 22 P.3d 324.) Thus, "[o]nly when the language of a statute is susceptible to more than one reasonable construction *30 is it appropriate to turn to extrinsic aids, including the legislative history of the measure, to ascertain its meaning." (*Diamond Multimedia Systems, Inc. v. Superior Court* (1999) 19 Cal.4th 1036, 1055, 80 Cal.Rptr.2d 828, 968 P.2d 539; followed in *People v. Farell* (2002) 28 Cal.4th 381, 394, 121 Cal.Rptr.2d 603, 48 P.3d 1155; accord: *Esberg v. Union Oil Co.*

(2002) 28 Cal.4th 262, 269, 121 Cal.Rptr.2d 203, 47 P.3d 1069; **523 *Briggs v. Eden Council for Hope & Opportunity* (1999) 19 Cal.4th 1106, 111961120, 81 Cal.Rptr.2d 471, 969 P.2d 564, and authorities cited therein; *Professional Engineers in Cal. Government v. State Personnel Bd.* (2001) 90 Cal.App.4th 678, 6886689, 109 Cal.Rptr.2d 375, but see *Kulshrestha v. First Union Commercial Corp.* (2004) 33 Cal.4th 601, 613, fn. 7, 15 Cal.Rptr.3d 793, 93 P.3d 386.)

Nonetheless, we will not require a party moving for judicial notice of legislative history materials to demonstrate the ambiguity of the subject statute at this juncture. This is so for two reasons. First, the ambiguity *vel non* of a statute will often be the central issue in a case, and parties would incur needless expense briefing the issue twice—once in a motion for judicial notice and again in a party's brief on the merits. Second, motions for judicial notice of legislative history materials are decided by writ panels of three justices who may not be the justices later adjudicating the case on the merits. The panel adjudicating the case on the merits should not be stuck with an earlier determination, by a different panel, as to the ambiguity *vel non* of a statute.

Even though we will grant motions for judicial notice of legislative history materials without a showing of statutory ambiguity, we do so with the understanding that the panel ultimately adjudicating the case may determine that the subject statute is unambiguous, so that resort to legislative history is inappropriate.

[2] Even where statutory language is ambiguous, and resort to legislative history is appropriate, as a general rule in order to be cognizable, legislative history must shed light on the collegial view of the Legislature as a whole. (See *California Teachers Assn. v. San Diego Community College Dist.* (1981) 28 Cal.3d 692, 701, 170 Cal.Rptr. 817, 621 P.2d 856.) Thus, to pick but one example, our Supreme Court has said, "We have frequently stated ... that the statements of an individual legislator, including the author of a bill, are generally not considered in construing a statute, as the court's task is to ascertain the intent of the Legislature as a whole in adopting a piece of legislation. [Citations.]" (*Quintano v. Mercury Casualty Co.* (1995) 11 Cal.4th 1049, 1062, 48 Cal.Rptr.2d 1, 906 P.2d 1057.)

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I. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938
520)

§ 51 in order to help this court determine what constitutes properly cognizable legislative history, and what does not, in the future motions for judicial notice of legislative history materials in this court should be in the following form: ^{FN2}

FN2. The correct way to request judicial notice of a document is by motion. (Cal. Rules of Court, rule 22(a).)

1. The motion shall identify each separate document for which judicial notice is sought as a separate exhibit;

2. The moving party shall submit a memorandum of points and authorities citing authority why each such exhibit constitutes cognizable legislative history.

To aid counsel in this respect, we shall now set forth a list of legislative history documents that have been recognized by the California Supreme Court or this court as constituting cognizable legislative history together with a second list of documents that do *not* constitute cognizable legislative history in this court.

DOCUMENTS CONSTITUTING COGNIZABLE LEGISLATIVE HISTORY IN THE COURT OF APPEAL FOR THE THIRD APPELLATE DISTRICT

A. Ballot Pamphlets: Summaries and Arguments/Statement of Vote **524(Robert L. v. Superior Court (2003) 30 Cal.4th 894, 903, 135 Cal.Rptr.2d 30, 69 P.3d 951; Jahr v. Casebeer (1999) 70 Cal.App.4th 1250, 1255-1256, 1259, 83 Cal.Rptr.2d 172; Aguimatang v. California State Lottery (1991) 234 Cal.App.3d 769, 790-791, 286 Cal.Rptr. 57.)

B. Conference Committee Reports (Crowl v. Commission on Professional Competence (1990) 225 Cal.App.3d 334, 347, 275 Cal.Rptr. 86.)

C. Different Versions of the Bill (Quintano v. Mercury Casualty Co., supra, 11 Cal.4th at p. 1062, fn. 5, 48 Cal.Rptr.2d 1, 906 P.2d 1057; People v. Watie (2002) 100 Cal.App.4th 866, 884, 124 Cal.Rptr.2d 258; San Rafael Elementary School Dist. v. State Bd. of Education (1999) 73 Cal.App.4th 1018, 1025, fn. 8, 87 Cal.Rptr.2d 67; People v. Patterson (1999) 72 Cal.App.4th 438, 442-443, 84 Cal.Rptr.2d 870.)

D. Floor Statements (Dowhal v. SmithKline Beecham Consumer Healthcare (2004) 32 Cal.4th 910, 926, fn. 6, 12 Cal.Rptr.3d 262, 88 P.3d 1;

*32People v. Drennan (2000) 84 Cal.App.4th 1349, 1357-1358, 101 Cal.Rptr.2d 584; In re Marriage of Siller (1986) 187 Cal.App.3d 36, 46, fn. 6, 231 Cal.Rptr. 757.)

E. House Journals and Final Histories (People v. Patterson, supra, 72 Cal.App.4th at pp. 442-443, 84 Cal.Rptr.2d 870 [procedural history of bill from Assembly final history]; Joyce G. v. Superior Court (1995) 38 Cal.App.4th 1501, 1509, 45 Cal.Rptr.2d 805; Natural Resources Defense Council v. Fish & Game Com. (1994) 28 Cal.App.4th 1104, 1117, 33 Cal.Rptr.2d 904, fn. 11 [House Conference Report]; Rosenthal v. Hansen (1973) 34 Cal.App.3d 754, 760, 110 Cal.Rptr. 257 [appendix to Journal of the Assembly]; Rollins v. State of California (1971) 14 Cal.App.3d 160, 165, fn. 8, 92 Cal.Rptr. 251 [appendix to Journal of the Senate].)

F. Reports of the Legislative Analyst (Heavenly Valley v. El Dorado County Bd. of Equalization (2000) 84 Cal.App.4th 1323, 1339-1340, 101 Cal.Rptr.2d 591; People v. Patterson, supra, 72 Cal.App.4th at p. 443, 84 Cal.Rptr.2d 870; Board of Administration v. Wilson (1997) 52 Cal.App.4th 1109, 1133, 61 Cal.Rptr.2d 207; Aguimatang v. California State Lottery, supra, 234 Cal.App.3d at p. 788, 286 Cal.Rptr. 57; People v. Gulbrandsen (1989) 209 Cal.App.3d 1547, 1562, 258 Cal.Rptr. 75.)

G. Legislative Committee Reports and Analyses (Hutnick v. United States Fidelity & Guaranty Co. (1988) 47 Cal.3d 456, 465, fn. 7, 253 Cal.Rptr. 236, 763 P.2d 1326.)

Assembly Committee on Criminal Law and Public Safety (People v. Baniqued (2000) 85 Cal.App.4th 13, 27, fn. 13, 101 Cal.Rptr.2d 835.)

Assembly Committee on Finance, Insurance and Commerce (Martin v. Wells Fargo Bank (2001) 91 Cal.App.4th 489, 496, 110 Cal.Rptr.2d 653.)

Assembly Committee on Governmental Organization (Aguimatang v. California State Lottery, supra, 234 Cal.App.3d at p. 788, 286 Cal.Rptr. 57.)

Assembly Committee on Health (Kaiser Foundation Health Plan, Inc. v. Zingale (2002) 99 Cal.App.4th 1018, 1025, 121 Cal.Rptr.2d 741; Khajavi v. Feather River Anesthesia Medical Group (2000) 84 Cal.App.4th 32, 50, 100 Cal.Rptr.2d 627; Zabetian v. Medical Board (2000) 80 Cal.App.4th 462, 468, 94 Cal.Rptr.2d 917; Clemente v. Amundson

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[\(1998\) 60 Cal.App.4th 1094, 1100, 70 Cal.Rptr.2d 645.\)](#)

Assembly Committee on Human Services (*Golden Day Schools, Inc. v. Department of Education* (1999) 69 Cal.App.4th 681, 692, 81 Cal.Rptr.2d 758.)

****525 *33 Assembly Committee on Insurance** (*Santangelo v. Allstate Ins. Co.* (1998) 65 Cal.App.4th 804, 814, fn. 8, 76 Cal.Rptr.2d 735.)

Assembly Committee on Judiciary (*Guillemin v. Stein* (2002) 104 Cal.App.4th 156, 166, 128 Cal.Rptr.2d 65; *CalFarm Ins. Co. v. Wolf* (2001) 86 Cal.App.4th 811, 816, fn. 8, 820, 103 Cal.Rptr.2d 584, fns. 27628; *In re Marriage of Perry* (1998) 61 Cal.App.4th 295, 309, fn. 3, 71 Cal.Rptr.2d 499; *Peltier v. McCloud River R.R. Co.* (1995) 34 Cal.App.4th 1809, 1819, fn. 5, 41 Cal.Rptr.2d 182.)

Assembly Committee on Labor, Employment and Consumer Affairs (*Jensen v. BMW of North America, Inc.* (1995) 35 Cal.App.4th 112, 138, 41 Cal.Rptr.2d 295.)

Assembly Committee on Public Employees and Retirement (*Board of Administration v. Wilson, supra*, 52 Cal.App.4th at p. 1133, 61 Cal.Rptr.2d 207.)

Assembly Committee on Public Safety (*People v. Blue Chevrolet Astro* (2000) 83 Cal.App.4th 322, 329, 99 Cal.Rptr.2d 609; *People v. Johnson* (2000) 77 Cal.App.4th 410, 419, 91 Cal.Rptr.2d 596; *People v. Sewell* (2000) 80 Cal.App.4th 690, 695, 95 Cal.Rptr.2d 600; *People v. Patterson, supra*, 72 Cal.App.4th at pp. 4426443, 84 Cal.Rptr.2d 870; *Sommerfield v. Helmick* (1997) 57 Cal.App.4th 315, 319, 67 Cal.Rptr.2d 51; *Ream v. Superior Court* (1996) 48 Cal.App.4th 1812, 1819, fn. 5, 182061821, 56 Cal.Rptr.2d 550 [interim hearing report and analysis of assembly bill]; *People v. Frye* (1994) 21 Cal.App.4th 1483, 1486, 27 Cal.Rptr.2d 52.)

Assembly Committee on Retirement (*Praiser v. Biggs Unified School Dist.* (2001) 87 Cal.App.4th 398, 407, fn. 16, 104 Cal.Rptr.2d 551.)

Assembly Committee on Revenue and Tax (*Sunrise Retirement Villa v. Dear* (1997) 58 Cal.App.4th 948, 959, 68 Cal.Rptr.2d 416.)

l. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938
520)

Assembly Committee on Water, Parks and Wildlife (*Natural Resources Defense Council v. Fish & Game Com., supra*, 28 Cal.App.4th at p. 1118, 33 Cal.Rptr.2d 904 [bill analysis work sheet].)

Assembly Committee on Ways and Means (*People v. Patterson, supra*, 72 Cal.App.4th at pp. 4426443, 84 Cal.Rptr.2d 870; *Clemente v. Amundson, supra*, 60 Cal.App.4th at p. 1106, 70 Cal.Rptr.2d 645.)

Assembly Interim Committee on Municipal and County Government (*Board of Trustees v. Leach* (1968) 258 Cal.App.2d 281, 286, 65 Cal.Rptr. 588.)

***34 Assembly Office of Research** (*Forty-Niner Truck Plaza, Inc. v. Union Oil Co.* (1997) 58 Cal.App.4th 1261, 1273, 68 Cal.Rptr.2d 532.)

Assembly Staff Analysis (*Clemente v. Amundson, supra*, 60 Cal.App.4th at p. 1107, 70 Cal.Rptr.2d 645.)

Assembly Subcommittee on Health, Education and Welfare Services (*A.H. Robins Co. v. Department of Health* (1976) 59 Cal.App.3d 903, 9086909, 130 Cal.Rptr. 901.)

Senate Committee on Appropriations Fiscal Summary of Bill (*People v. Patterson, supra*, 72 Cal.App.4th at p. 443, 84 Cal.Rptr.2d 870.)

Senate Committee on Business and Professions (*Hassan v. Mercy American River Hospital* (2003) 31 Cal.4th 709, 722, 3 Cal.Rptr.3d 623, 74 P.3d 726 [Senate committee staff analysis]; *Khajavi v. Feather River Anesthesia Medical Group, supra*, 84 Cal.App.4th at p. 50, 100 Cal.Rptr.2d 627; *Forty-Niner Truck Plaza, Inc. v. Union Oil Co., supra*, 58 Cal.App.4th at p. 1273, 68 Cal.Rptr.2d 532 [bill analysis work sheet].)

****526 Senate Committee on Criminal Procedure** (*People v. Blue Chevrolet Astro, supra*, 83 Cal.App.4th at p. 329, 99 Cal.Rptr.2d 609.)

Senate Committee on Education (*Praiser v. Biggs Unified School Dist., supra*, 87 Cal.App.4th at p. 407, fn. 15, 104 Cal.Rptr.2d 551; *Golden Day*

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Schools, Inc. v. Department of Education, supra, 69 Cal.App.4th at p. 692, 81 Cal.Rptr.2d 758.)

Senate Committee on Health and Human Services (*In re Raymond E.* (2002) 97 Cal.App.4th 613, 617, 118 Cal.Rptr.2d 376.)

Senate Committee on Health and Welfare (*Zabetian v. Medical Board, supra*, 80 Cal.App.4th at p. 468, 94 Cal.Rptr.2d 917; *Clemente v. Amundson, supra*, 60 Cal.App.4th at p. 1105, 70 Cal.Rptr.2d 645 [request for approval of Senate bill].)

Senate Committee on Judiciary (*Martin v. Szeto* (2004) 32 Cal.4th 445, 450, 9 Cal.Rptr.3d 687, 84 P.3d 374 [background information]; *Boehm & Associates v. Workers' Comp. Appeals Bd.* (2003) 108 Cal.App.4th 137, 146, 133 Cal.Rptr.2d 396; *Westly v. U.S. Bancorp* (2003) 114 Cal.App.4th 577, 583, 7 Cal.Rptr.3d 838; *Wood v. County of San Joaquin* (2003) 111 Cal.App.4th 960, 970, 4 Cal.Rptr.3d 340; *People v. Robinson* (2002) 104 Cal.App.4th 902, 905, 128 Cal.Rptr.2d 619; *Guillemín v. Stein, supra*, 104 Cal.App.4th at p. 167, 128 Cal.Rptr.2d 65; *In re Michael D.* (2002) 100 Cal.App.4th 115, 1226123, 121 Cal.Rptr.2d 909; *35*In re Raymond E., supra*, 97 Cal.App.4th at p. 617, 118 Cal.Rptr.2d 376; *People v. Patterson, supra*, 72 Cal.App.4th at p. 443, 84 Cal.Rptr.2d 870; *In re Marriage of Perry, supra*, 61 Cal.App.4th at p. 309, fn. 3, 71 Cal.Rptr.2d 499.)

Senate Committee on Revenue and Taxation (*Heavenly Valley v. El Dorado County Bd. of Equalization, supra*, 84 Cal.App.4th at p. 1340, 101 Cal.Rptr.2d 591; *Sacramento County Fire Protection Dist. v. Sacramento County Assessment Appeals Bd.* (1999) 75 Cal.App.4th 327, 335, 89 Cal.Rptr.2d 215; *Sunrise Retirement Villa v. Dear, supra*, 58 Cal.App.4th at p. 959, 68 Cal.Rptr.2d 416.)

Senate Rules Committee (*Guillemín v. Stein, supra*, 104 Cal.App.4th at p. 166, 128 Cal.Rptr.2d 65.)

Senate Conference Committee (*Golden Day Schools, Inc. v. Department of Education, supra*, 69 Cal.App.4th at p. 692, 81 Cal.Rptr.2d 758.)

Senate Interim Committee on Fish and Game (*California Trout, Inc. v. State Water Resources Control Bd.* (1989) 207 Cal.App.3d 585, 597, 255

l. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938 520)

[Cal.Rptr. 184.\)](#)

Senate Subcommittee on Mental Health (*Clemente v. Amundson, supra*, 60 Cal.App.4th at p. 1104, fn. 10, 70 Cal.Rptr.2d 645.)

H. Legislative Counsel's Digest (*Pacific Gas & Electric Co. v. Department of Water Resources* (2003) 112 Cal.App.4th 477, 4826483, 5 Cal.Rptr.3d 283; *People v. Allen* (2001) 88 Cal.App.4th 986, 995, 106 Cal.Rptr.2d 253; *Heavenly Valley v. El Dorado County Bd. of Equalization, supra*, 84 Cal.App.4th at p. 1339, 101 Cal.Rptr.2d 591; *People v. Harper* (2000) 82 Cal.App.4th 1413, 1418, 98 Cal.Rptr.2d 894; *Alt v. Superior Court* (1999) 74 Cal.App.4th 950, 959, fn. 4, 88 Cal.Rptr.2d 530; *Construction Industry Force Account Council v. Amador Water Agency* (1999) 71 Cal.App.4th 810, 813, 84 Cal.Rptr.2d 139; *People v. Prothero* (1997) 57 Cal.App.4th 126, 133, fn. 7, 66 Cal.Rptr.2d 779; *Peltier v. McCloud River R.R. Co., supra*, 34 Cal.App.4th at p. 1819, fn. 5, 41 Cal.Rptr.2d 182.)

I. Legislative Counsel's Opinions/Supplementary Reports **527(*Trinkle v. California State Lottery* (2003) 105 Cal.App.4th 1401, 1410, fn. 7, 129 Cal.Rptr.2d 904; *Trinkle v. Stroh* (1997) 60 Cal.App.4th 771, 778, fn. 4, 70 Cal.Rptr.2d 661; *People v. \$31,500 United States Currency* (1995) 32 Cal.App.4th 1442, 146061461, 38 Cal.Rptr.2d 836.)

J. Legislative Party Floor Commentaries

Senate Republican Floor Commentaries (*Pacific Gas & Electric Co. v. Department of Water Resources, supra*, 112 Cal.App.4th at p. 498, 5 Cal.Rptr.3d 283.)

*36 **K. Official Commission Reports and Comments**

California Constitution Revision Commission (*Katzberg v. Regents of University of California* (2002) 29 Cal.4th 300, 319, fn. 18, 127 Cal.Rptr.2d 482, 58 P.3d 339 [proposed revision].)

California State Government Organization and Economy Commission (*Department of Personnel Administration v. Superior Court* (1992) 5 Cal.App.4th 155, 183, 6 Cal.Rptr.2d 714.)

California Law Revision Commission (*Estate of Dye* (2001) 92 Cal.App.4th 966, 985, 112 Cal.Rptr.2d 362; *Estate of Della Sala* (1999) 73

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[Cal.App.4th 463, 469, 86 Cal.Rptr.2d 369, Estate of Reeves \(1991\) 233 Cal.App.3d 651, 656, 284 Cal.Rptr. 650; In re Marriage of Schenck \(1991\) 228 Cal.App.3d 1474, 1480, fn. 2, 279 Cal.Rptr. 651.](#)

L. Predecessor Bills (*City of Richmond v. Commission on State Mandates* (1998) 64 Cal.App.4th 1190, 1199, 75 Cal.Rptr.2d 754.)

M. Statements by Sponsors, Proponents and Opponents Communicated to the Legislature as a Whole

Assembly Bill Digest by Assembly Speaker (*People v. Drennan, supra*, 84 Cal.App.4th at p. 1357, 101 Cal.Rptr.2d 584.)

Floor Statement by Sponsoring Legislator (*In re Marriage of Siller, supra*, 187 Cal.App.3d at p. 46, fn. 6, 231 Cal.Rptr. 757.)

N. Transcripts of Committee Hearings *Lantzy v. Centex Homes* (2003) 31 Cal.4th 363, 376, 2 Cal.Rptr.3d 655, 73 P.3d 517; *Hoechst Celanese Corp. v. Franchise Tax Bd.* (2001) 25 Cal.4th 508, 519, fn. 5, 106 Cal.Rptr.2d 548, 22 P.3d 324.)

O. Analyses by Legislative Party Caucuses (e.g. Senate Democratic and Republican) (*People v. Allen, supra*, 88 Cal.App.4th at p. 995, fn. 16, 106 Cal.Rptr.2d 253; *Golden Day Schools, Inc. v. Department of Education, supra*, 69 Cal.App.4th at p. 6916692, 81 Cal.Rptr.2d 758; *Forty-Niner Truck Plaza, Inc. v. Union Oil Co., supra*, 58 Cal.App.4th at p. 1273, 68 Cal.Rptr.2d 532.)

Assembly Office of Research Report (*Crowl v. Commission on Professional Competence, supra*, 225 Cal.App.3d at pp. 3466347, 275 Cal.Rptr. 86 [staff report].)

Assembly Committee on Judiciary (*Wood v. County of San Joaquin, supra*, 111 Cal.App.4th at p. 969, 4 Cal.Rptr.3d 340; *Rieger v. Arnold* (2002) 104 Cal.App.4th 451, 463, 128 Cal.Rptr.2d 295; *Guillemín v. Stein, supra*, 104 Cal.App.4th at p. 167, 128 Cal.Rptr.2d 65.)

***37 Office of Assembly Floor Analyses** (*People v. Patterson, supra*, 72 Cal.App.4th at p. 443, 84 Cal.Rptr.2d 870.)

Office of Senate Floor Analyses (*Pacific Gas & Electric Co. v. Department of Water Resources, supra*, 112 Cal.App.4th at p. 497, 5 Cal.Rptr.3d 283; *People*

v. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938 (520)

v. Robinson, supra, 104 Cal.App.4th at p. 905, 128 Cal.Rptr.2d 619; *In re Raymond E., supra*, 97 Cal.App.4th at pp. 6166617, 118 Cal.Rptr.2d 376; *Khajavi v. Feather River Anesthesia Medical Group, supra*, 84 Cal.App.4th at p. 50, 100 Cal.Rptr.2d 627; *People v. Chavez* (1996) 44 Cal.App.4th 1144, 115561156, 52 Cal.Rptr.2d 347.)

****528 P. Enrolled Bill Reports** (*Elsner v. Uveges* (2004) 34 Cal.4th 915, 934, fn. 19, 22 Cal.Rptr.3d 530, 102 P.3d 915.)

DOCUMENTS NOT CONSTITUTING LEGISLATIVE HISTORY IN THE COURT OF APPEAL FOR THE THIRD APPELLATE DISTRICT

A. Authoring Legislator's Files, Letters, Press Releases and Statements Not Communicated to the Legislature as a Whole

Files (*People v. Patterson, supra*, 72 Cal.App.4th at p. 444, 84 Cal.Rptr.2d 870.)

General (*People v. Garcia* (2002) 28 Cal.4th 1166, 1176, fn. 5, 124 Cal.Rptr.2d 464, 52 P.3d 648.)

Letters from Bill's Author to Governor Without An Indication the Author's Views Were Made Known to the Legislature as a Whole (*Heavenly Valley v. El Dorado County Bd. of Equalization, supra*, 84 Cal.App.4th at p. 134061341, 101 Cal.Rptr.2d 591; *People v. Patterson, supra*, 72 Cal.App.4th at pp. 4436444, 84 Cal.Rptr.2d 870.)

Statements By Bill's Author About Bill's Intended Purpose (*People v. Patterson, supra*, 72 Cal.App.4th at p. 443, 84 Cal.Rptr.2d 870.)

B. Documents with Unknown Author and Purpose (*State Compensation Ins. Fund v. Workers' Comp. Appeals Bd.* (1985) 40 Cal.3d 5, 10, fn. 3, 219 Cal.Rptr. 13, 706 P.2d 1146.)

C. Handwritten Document Copies, Without Author, Contained in Assemblymember's Files (*Amwest Surety Ins. Co. v. Wilson* (1995) 11 Cal.4th 1243, 1263, fn. 13, 48 Cal.Rptr.2d 12, 906 P.2d 1112.)

D. Letter from Consultant to the State Bar Taxation Section to Governor (*Heavenly Valley v. El Dorado County Bd. of Equalization, supra*, 84 Cal.App.4th at pp. 134061341, 101 Cal.Rptr.2d 591.)

***38 E. Letter from the Family Law Section of the State Bar of California to Assemblymember or Senator** (*In re Marriage of Pendleton & Fireman*

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l. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938
520)

(2000) 24 Cal.4th 59, 47, 99 Cal.Rptr.2d 278, 5 P.3d 839.)

F. Letters to Governor Urging Signing of Bill (*California Teachers Assn. v. San Diego Community College Dist.*, *supra*, 28 Cal.3d at p. 701, 170 Cal.Rptr. 817, 621 P.2d 856; *Heavenly Valley v. El Dorado County Bd. of Equalization*, *supra*, 84 Cal.App.4th at p. 1327, fn. 2, 101 Cal.Rptr.2d 591.)

G. Letters to Particular Legislators, Including Bill's Author (*Quintano v. Mercury Casualty Co.*, *supra*, 11 Cal.4th at p. 1062, fn. 5, 48 Cal.Rptr.2d 1, 906 P.2d 1057; *Heavenly Valley v. El Dorado County Bd. of Equalization*, *supra*, 84 Cal.App.4th at p. 1327, fn. 2, 101 Cal.Rptr.2d 591.)

H. Magazine Articles (*Cortez v. Purolator Air Filtration Products Co.* (2000) 23 Cal.4th 163, 168, 96 Cal.Rptr.2d 518, 999 P.2d 706.)

I. Memorandum from a Deputy District Attorney to Proponents of Assembly Bill (*People v. Garcia*, *supra*, 28 Cal.4th at p. 1176, fn. 5, 124 Cal.Rptr.2d 464, 52 P.3d 648.)

J. Proposed Assembly Bill Which Was Withdrawn by Author (*Heavenly Valley v. El Dorado County Bd. of Equalization*, *supra*, 84 Cal.App.4th at p. 1342, 101 Cal.Rptr.2d 591.)

K. State Bar's View of the Meaning of Proposed Legislation (*Peltier v. McCloud River R.R. Co.*, *supra*, 34 Cal.App.4th at p. 1820, 41 Cal.Rptr.2d 182.)

L. Subjective Intent Reflected by Statements of Interested Parties and Individual Legislators, Including Bill's Author, Not Communicated to Legislature as a Whole **529 (*Quintano v. Mercury Casualty Co.*, *supra*, 11 Cal.4th at p. 1062, 48 Cal.Rptr.2d 1, 906 P.2d 1057; *Collins v. Department of Transportation* (2003) 114 Cal.App.4th 859, 870, fn. 11, 8 Cal.Rptr.3d 132.)

M. Views of Individual Legislators, Staffers, and Other Interested Persons

Document Related to Bill from File of Assembly Committee on Ways and Means

Material on Bill from File of Assembly Committee on Public Safety

Material on Bill from File of Assembly Republican Caucus

Material on Bill from File of Author

***39 Material on Bill from File of Office of**

Senate Floor Analyses

Material on Bill from File of Senate Committee on Appropriations

Material on Bill from File of Senate Committee on the Judiciary

Postenrollment Documents Regarding Bill (*People v. Patterson*, *supra*, 72 Cal.App.4th at pp. 442-443, 84 Cal.Rptr.2d 870.)

II

Appellant's Specific Requests

We now turn to the documents for which judicial notice is sought.

[4] A. The first document is entitled ðAB 1950 (Torlakson) Construction Defect Litigation Reform [¶] Fact Sheet.ö Nothing in appellant's motion suggests this document was made available to the Legislature as a whole. Rather, it appears to reflect the personal view of Assemblymember Tom Torlakson. Appellant argues that judicial notice is appropriate because the document was located in the file of a legislative committee. We acknowledge that in *James v. St. Elizabeth Community Hospital* (1994) 30 Cal.App.4th 73 at page 81, 35 Cal.Rptr.2d 372, this court considered the contents of a document simply because it was found in the files of a committee. But, upon reflection, we now conclude that this practice should not be further condoned. Many pieces of paper that are never seen by members of the committee, let alone by the Legislature as a whole, find their way into committee files. Unlike committee reports, which are routinely available to the Legislature as a whole, these random documents are not reliable indicia of legislative intent. Because there is no showing that Assemblymember Torlakson's ðFact Sheetö was communicated to the Legislature as a whole, it does not constitute cognizable legislative history, and the request for judicial notice of this document is denied. (See *Quintano v. Mercury Casualty Co.*, *supra*, 11 Cal.4th at p. 1062, 48 Cal.Rptr.2d 1, 906 P.2d 1057; *People v. Patterson*, *supra*, 72 Cal.App.4th at p. 444, 84 Cal.Rptr.2d 870.)

[5] B. Next is the Assembly Judiciary Committee Report dated April 21, 1998, pertaining to AB 1950. The request for judicial notice is granted with respect to this document. (*Guillemin v. Stein*, *supra*, 104

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l. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938
520)

[Cal.App.4th at p. 100, 128 Cal.Rptr.2d 65](#), and authorities cited at p. 525, *ante*.)

[6] C. Next is the Senate Judiciary Committee Report pertaining to AB 1950. The request for judicial notice is granted with respect to this document. (*Martin v. Szeto, supra*, 32 Cal.4th at p. 450, 9 Cal.Rptr.3d 687, 84 P.3d 374, and authorities cited at p. 526, *ante*.)

[7] *40 D. Next, and finally, are three enrolled bill reports on AB 1950, prepared respectively by the Office of Insurance Advisor, the Department of Real Estate, and the Franchise Tax Board.

**530 Generally, enrolled bill refers to a bill that has passed both houses of the Legislature and that has been signed by the presiding officers of the two houses. (1 Sutherland, Statutes and Statutory Construction (6th ed.2002) § 15:1, p. 814.) In some states, enrollment also includes signature by the Governor (*ibid.*), but not in California.

California law provides that bills ordered enrolled by the Senate or Assembly are delivered to the clerk of the house ordering the enrollment. ([Gov.Code, § 9502](#).) ^{FN3} The clerk delivers the bills to the State Printer. (§ 9503.) The State Printer shall engross ^{FN4} or enroll (print) them and return them to the clerk. (§§ 9504-9505.) If the enrolled copy of a bill or other document is found to be correct, [it shall be presented] to the proper officers for their signatures. When the officers sign their names thereon, as required by law, *it is enrolled*. (§ 9507, italics added.) Enrolled bills are then transmitted to the Governor for his approval. (§ 9508.) If the Governor approves it and deposits it with the Secretary of State, it becomes the official record and is given a chapter number. (§ 9510.)

[FN3](#). Further statutory references are to the Government Code.

[FN4](#). Traditionally, engrossing meant the process of final authentication in a single house. (Sutherland, *supra*, § 15:1, p. 814.)

Thus, an enrolled bill is one that has been passed by the Senate and Assembly but has not yet been signed by the Governor.

An enrolled bill report is prepared by a department or agency in the executive branch that would be affected by the legislation. Enrolled bill reports are typically forwarded to the Governor's office before the Governor decides whether to sign the enrolled bill.

In *McDowell v. Watson* (1997) 59 Cal.App.4th 1155 at pages 1161 through 1162, footnote 3 [69 Cal.Rptr.2d 692] (*McDowell*), the Fourth Appellate District opined that enrolled bill reports should not be considered for legislative intent: “[I]t is not reasonable to infer that enrolled bill reports prepared by the executive branch for the Governor were ever read by the Legislature.

We recognize that courts have sometimes cited the latter materials as indicia of legislative intent. [Numerous citations.] However, none of those opinions address[es] the propriety of doing so. Accordingly, we decline to follow their example. Such a departure from past rules of statutory construction, we believe, should be effected only after full discussion and exposure of the issue. ([California Teachers Assn. v. San Diego Community College Dist.](#) [(1981)] 28 Cal.3d [692] 701 [170 Cal.Rptr. 817, 621 P.2d 856].)

We also note that *Commodore Home Systems, Inc. v. Superior Court* (1982) 32 Cal.3d 211 at pages 218 through 219 [185 Cal.Rptr. 270, 649 P.2d 912], has been relied upon as authority for considering enrolled bill reports to determine legislative intent. [Citations.] However, that reliance is misplaced, because the Supreme Court in *Commodore* specifically noted that it had been requested to take notice of those reports and that the opposing party had not objected. [Citation.] Moreover, while *Commodore* cites authority for taking judicial notice of such executive acts, it does not address the relevance of that evidence to determining legislative intent. (*McDowell, supra*, 59 Cal.App.4th at p. 1162, fn. 3, 69 Cal.Rptr.2d 692; see also **531 *Whaley v. Sony Computer Entertainment America, Inc.* (2004) 121 Cal.App.4th 479, 487, fn. 4, 17 Cal.Rptr.3d 88 [following *McDowell*].)

This court has twice followed *McDowell, supra*, 59 Cal.App.4th 1155, 69 Cal.Rptr.2d 692, in declining judicial notice of enrolled bill reports. (See *Lewis v. County of Sacramento* (2001) 93 Cal.App.4th 107, 121, fn. 4, 113 Cal.Rptr.2d 90; *People v. Patterson, supra*, 72 Cal.App.4th at p. 444, 84 Cal.Rptr.2d 870.)

On the other hand, in [People v. Allen \(2001\) 88 Cal.App.4th 986, 106 Cal.Rptr.2d 253](#), this court said, "While enrolled bill reports prepared by the executive branch for the Governor do not necessarily demonstrate the Legislature's intent [citation], they can corroborate the Legislature's intent, as reflected in legislative reports, by reflecting a contemporaneous common understanding shared by participants in the legislative process from both the executive and legislative branches." ([Id. at p. 995, fn. 19, 106 Cal.Rptr.2d 253.](#))

And in [People v. Carmony \(2005\) 127 Cal.App.4th 1066, 26 Cal.Rptr.3d 365](#), this court recently took judicial notice of an enrolled bill report without discussion. ([Id. at p. 1078, 26 Cal.Rptr.3d 365.](#))

[8] For practical purposes, these inconsistencies have been resolved by a 2004 decision of our Supreme Court in [Elsner v. Uveges, supra, 34 Cal.4th 915, 22 Cal.Rptr.3d 530, 102 P.3d 915](#). There, the court took judicial notice of an enrolled bill report prepared by the Department of Industrial Relations. ([Id. at p. 934, 22 Cal.Rptr.3d 530, 102 P.3d 915.](#)) The court said, "Uveges challenges Elsner's reliance on the enrolled bill report, arguing that it is irrelevant because it was prepared after passage. However, we have routinely found enrolled bill reports, prepared by a responsible agency contemporaneous with passage and before signing, instructive on matters of legislative intent." [Citations.] ([Id. at p. 934, fn. 19, 22 Cal.Rptr.3d 530, 102 P.3d 915.](#))

We are obligated to follow [Elsner, \(Auto Equity Sales, Inc. v. Superior Court \(1962\) 57 Cal.2d 450, 455, 20 Cal.Rptr. 321, 369 P.2d 937.](#)) We *42 hereby grant appellant's motion for judicial notice of the enrolled bill reports, and we leave it to the panel deciding this case to determine the extent to which these reports may be "instructive."

[9] Nonetheless, we respectfully add that we continue to find the logic of [McDowell, supra, 59 Cal.App.4th 1155, 69 Cal.Rptr.2d 692](#), unassailable. In fact, enrolled bill reports cannot reflect the intent of the Legislature because they are prepared by the executive branch, and then not until after the bill has passed the Legislature and has become "enrolled." Moreover, to permit consideration of enrolled bill

reports as cognizable legislative history gives the executive branch an unwarranted opportunity to determine the meaning of statutes. That is the proper and exclusive duty of the judicial branch of government. "The determination of the meaning of statutes is a judicial function...." [Citation.] ([People v. Franklin \(1999\) 20 Cal.4th 249, 256, 84 Cal.Rptr.2d 241, 975 P.2d 30.](#))

But we do not write on a clean slate.

We concur: [SCOTLAND](#), P.J., and [DAVIS](#), J.

Cal.App. 3 Dist., 2005.

Kaufman & Broad Communities, Inc. v. Performance Plastering, Inc.

133 Cal.App.4th 26, 34 Cal.Rptr.3d 520, 05 Cal. Daily Op. Serv. 8754, 2005 Daily Journal D.A.R. 11,938

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(Cite as: 134 Cal.App.4th 323, 65 Cal.Rptr.3d 205)

al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930



Court of Appeal, Second District, Division 4, California.
 WRI OPPORTUNITY LOANS II LLC, Plaintiff and Respondent,
 v.
 Ronald COOPER et al., Defendants and Appellants.

No. B191590.
 Aug. 23, 2007.

Background: Secured lender on condominium development project brought breach-of-contract action against the loan's guarantors, seeking payment of the principal and interest owed under the loan. The Superior Court, Los Angeles County, No. BC330218, [Andria K. Richey, J.](#), granted summary judgment in favor of lender. Guarantors appealed.

Holdings: The Court of Appeal, Manella, J., held that: (1) the loan did not entitle lender to contingent deferred interest and, thus, was not a shared appreciation loan exempt from usury law, and (2) as a matter of first impression, guarantors' written waiver of defenses was ineffective regarding their usury defense.

Reversed.

West Headnotes

[1] Appeal and Error 30 ↪893(1)

[30](#) Appeal and Error
[30XVI](#) Review
[30XVI\(F\)](#) Trial De Novo
[30k892](#) Trial De Novo
[30k893](#) Cases Triable in Appellate Court
[30k893\(1\)](#) k. In general. [Most Cited Cases](#)

On appeal after a motion for summary judgment has been granted, the Court of Appeal reviews the record de novo, considering all the evidence set forth

in the moving and opposition papers except that to which objections have been made and sustained.

[2] Appeal and Error 30 ↪863

[30](#) Appeal and Error
[30XVI](#) Review
[30XVI\(A\)](#) Scope, Standards, and Extent, in General
[30k862](#) Extent of Review Dependent on Nature of Decision Appealed from
[30k863](#) k. In general. [Most Cited Cases](#)

On appeal after a motion for summary judgment has been granted, the Court of Appeal applies the same three-step process required of the trial court, which consists of (1) identifying the issues framed by the complaint, (2) determining whether the moving party has made an adequate showing that negates the opponent's claim, and (3) determining whether the opposing party has raised a triable issue of fact.

[3] Judgment 228 ↪185(2)

[228](#) Judgment
[228V](#) On Motion or Summary Proceeding
[228k182](#) Motion or Other Application
[228k185](#) Evidence in General
[228k185\(2\)](#) k. Presumptions and burden of proof. [Most Cited Cases](#)

A plaintiff moving for summary judgment does not need to disprove any defense asserted by the defendant as well as prove each element of his own cause of action; all that the plaintiff need do is to prove each element of the cause of action.

[4] Appeal and Error 30 ↪893(1)

[30](#) Appeal and Error
[30XVI](#) Review
[30XVI\(F\)](#) Trial De Novo
[30k892](#) Trial De Novo
[30k893](#) Cases Triable in Appellate Court
[30k893\(1\)](#) k. In general. [Most Cited Cases](#)

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

Interpretation of loan's provisions and its status as a shared appreciation loan exempt from usury law were questions of law that the Court of Appeal would resolve de novo, on appeal from summary judgment granted to secured lender in its breach-of-contract action against the loan's guarantors seeking payment of the loan, where neither party submitted extrinsic evidence bearing on the meaning of the loan documents, and the pertinent historical facts regarding the loan were undisputed. [West's Ann.Cal. Const. Art. 15, § 1](#); [West's Ann.Cal.Civ. Code § 1917 et seq.](#)

[5] Judgment 228 185.3(2)

[228](#) Judgment

[228V](#) On Motion or Summary Proceeding

[228k182](#) Motion or Other Application

[228k185.3](#) Evidence and Affidavits in Particular Cases

[228k185.3\(2\)](#) k. Particular defenses.

[Most Cited Cases](#)

Whether loan on condominium project was a shared appreciation loan exempt from the usury law was a legal question that was not subject to expert opinion, in lender's breach-of-contract action against the loan's guarantors to recover payment of the loan, and thus experts' summary judgment declarations that offered opinions on the undisputed facts as to whether the loan was a shared appreciation loan did not raise triable issues as to the proper characterization of the loan. [West's Ann.Cal. Const. Art. 15, § 1](#); [West's Ann.Cal.Evid.Code § 805](#).

[6] Evidence 157 506

[157](#) Evidence

[157XII](#) Opinion Evidence

[157XII\(B\)](#) Subjects of Expert Testimony

[157k506](#) k. Matters directly in issue. [Most Cited Cases](#)

While the Evidence Code permits expert testimony on the ultimate issue to be decided by the factfinder, this rule does not authorize an expert to testify to legal conclusions in the guise of expert opinion. [West's Ann.Cal.Evid.Code § 805](#).

[7] Evidence 157 506

[157](#) Evidence

[157XII](#) Opinion Evidence

[157XII\(B\)](#) Subjects of Expert Testimony

[157k506](#) k. Matters directly in issue. [Most Cited Cases](#)

The manner in which the law should apply to particular facts is a legal question and is not subject to expert opinion. [West's Ann.Cal.Evid.Code § 805](#).

[8] Usury 398 77

[398](#) Usury

[398I](#) Usurious Contracts and Transactions

[398I\(A\)](#) Nature and Validity

[398k74](#) Effect of Usury

[398k77](#) k. Contract or debt originally valid. [Most Cited Cases](#)

To be usurious, a contract must in its inception require a payment of usury; subsequent events do not render a legal contract usurious.

[9] Usury 398 11

[398](#) Usury

[398I](#) Usurious Contracts and Transactions

[398I\(A\)](#) Nature and Validity

[398k10](#) Elements of Usury

[398k11](#) k. In general. [Most Cited Cases](#)

The essential elements of a claim of usury are: (1) the transaction must be a loan or forbearance, (2) the interest to be paid must exceed the statutory maximum, (3) the loan and interest must be absolutely repayable by the borrower, and (4) the lender must have a willful intent to enter into a usurious transaction. [West's Ann.Cal. Const. Art. 15, § 1](#).

[10] Usury 398 12

[398](#) Usury

[398I](#) Usurious Contracts and Transactions

[398I\(A\)](#) Nature and Validity

[398k10](#) Elements of Usury

[398k12](#) k. Intent, knowledge, and mutual assent of parties. [Most Cited Cases](#)

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930 d 205)

The intent sufficient to support a judgment of usury does not require a conscious attempt, with knowledge of the law, to evade it.

[\[11\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k10 Elements of Usury](#)

[398k12](#) k. Intent, knowledge, and mutual assent of parties. [Most Cited Cases](#)

The conscious and voluntary taking of more than the legal rate of interest constitutes usury, and the only intent necessary on the part of the lender is to take the amount of interest which he receives; if that amount is more than the law allows, the offense is complete. [West's Ann.Cal. Const. Art. 15, § 1.](#)

[\[12\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k10 Elements of Usury](#)

[398k12](#) k. Intent, knowledge, and mutual assent of parties. [Most Cited Cases](#)

[Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k16](#) k. Nature and subject-matter of transaction in general. [Most Cited Cases](#)

Intent is relevant, for purposes of usury claim, in determining the true purpose of the transaction in question because the trier of fact must look to the substance of the transaction rather than to its form.

[\[13\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(B\) Rights and Remedies of Parties](#)

[398k119](#) k. Questions for jury. [Most Cited Cases](#)

When evaluating a claim of usury, it is for the trier of the fact to determine whether the intent of the contracting parties was that disclosed by the form adopted, or whether such form was a mere sham and subterfuge to cover up a usurious transaction.

[\[14\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36](#) Contracts and Transactions Involving Hazard or Contingency

[398k41](#) k. Interest subject to condition.

[Most Cited Cases](#)

Interest is usurious only when it is absolutely repayable by the borrower. [West's Ann.Cal. Const. Art. 15, § 1.](#)

[\[15\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36](#) Contracts and Transactions Involving Hazard or Contingency

[398k41](#) k. Interest subject to condition.

[Most Cited Cases](#)

Under the "interest contingency rule," a loan that will give the creditor a greater profit than the highest permissible rate of interest upon the occurrence of a condition is not usurious if the repayment promised on failure of the condition to occur is materially less than the amount of the loan with the highest permissible interest, unless a transaction is given this form as a colorable device to obtain a greater profit than is permissible. [West's Ann.Cal. Const. Art. 15, § 1.](#)

[\[16\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36](#) Contracts and Transactions Involving Hazard or Contingency

[398k41](#) k. Interest subject to condition.

[Most Cited Cases](#)

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Under the "interest contingency rule," interest that exceeds the legal maximum is not usurious when its payment is subject to a contingency so that the lender's profit is wholly or partially put in hazard, provided the parties are contracting in good faith and without the intent to avoid the statute against usury; the hazard in question must be something over and above the risk which exists with all loans that the borrower will be unable to pay. [West's Ann.Cal. Const. Art. 15, § 1.](#)

[\[17\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36 Contracts and Transactions Involving Hazard or Contingency](#)

[398k41 k. Interest subject to condition.](#)

[Most Cited Cases](#)

Under the interest contingency rule, under which interest that exceeds the legal maximum is not usurious when its payment is subject to a contingency so that the lender's profit is wholly or partially put in hazard, courts look to the substance rather than to the form of the transaction to determine whether the lender's profits are exposed to the requisite risk.

[\[18\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36 Contracts and Transactions Involving Hazard or Contingency](#)

[398k41 k. Interest subject to condition.](#)

[Most Cited Cases](#)

Loan on condominium development project did not entitle the secured lender to "contingent deferred interest" and, thus, was not a "shared appreciation loan" exempt from usury law, though loan's interest schedule awarded additional interest based on the actual gross sales price of condominium units, where loan's interest schedule guaranteed lender additional interest regardless of whether the underlying property appreciated in value, or whether the project generated rents or profits. [West's Ann.Cal. Const. Art. 15, § 1;](#)

al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

[West's Ann.Cal.Civ. Code §§ 1917, 1917.005.](#)

[\[19\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36 Contracts and Transactions Involving Hazard or Contingency](#)

[398k41 k. Interest subject to condition.](#)

[Most Cited Cases](#)

The statutory definition of a "shared appreciation loan," which is exempt from usury law, must be understood to permit a lender to obtain guaranteed interest payments up to the maximum rate permitted under the usury law, and additionally, payments of contingent deferred interest that are subject to risk. [West's Ann.Cal. Const. Art. 15, § 1;](#) [West's Ann.Cal.Civ. Code §§ 1917, 1917.005.](#)

[\[20\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36 Contracts and Transactions Involving Hazard or Contingency](#)

[398k41 k. Interest subject to condition.](#)

[Most Cited Cases](#)

Under the "interest contingency rule," a lender may obtain payments on a loan that exceed the maximum interest rate set by the usury law, provided that these payments are subject to risk. [West's Ann.Cal. Const. Art. 15, § 1.](#)

[\[21\] Usury 398](#) 

[398 Usury](#)

[398I Usurious Contracts and Transactions](#)

[398I\(A\) Nature and Validity](#)

[398k36 Contracts and Transactions Involving Hazard or Contingency](#)

[398k41 k. Interest subject to condition.](#)

[Most Cited Cases](#)

Legislature's intent in enacting the "shared appreciation loan" exemption from the usury law was to establish that if (1) a loan permits the lender to obtain

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payments over and above the maximum permitted by the usury law, and (2) the loan documents disclose on their face that these payments constitute a share of appreciation, rents, or profits in a secured property, the statutory exemption will apply. [West's Ann.Cal. Const. Art. 15, § 1](#); [West's Ann.Cal.Civ. Code §§ 1917, 1917.005](#).

[22] Statutes 361 ↪ 228

361 Statutes

361VI Construction and Operation

361VI(A) General Rules of Construction

361k228 k. Provisos, exceptions, and saving clauses. [Most Cited Cases](#)

Generally, exceptions to a statute are construed narrowly to cover only situations that are within the words and reason of the exception.

[23] Contracts 95 ↪ 129(1)

95 Contracts

95I Requisites and Validity

95I(F) Legality of Object and of Consideration

95k129 Obstructing or Perverting Administration of Justice

95k129(1) k. Agreements relating to actions and other proceedings in general. [Most Cited Cases](#)

Under written guaranty executed by guarantors of loan secured by real property, the guarantors' waiver of their defenses arising under statutes concerning guarantors' obligations or by operation of law is ineffective regarding their usury defense; if the loan was usurious, then it was void on the grounds of illegality or unlawfulness, and, under the rule against the enforcement of unlawful transactions, any usurious provisions of the loan could not be enforced against the guarantors. [West's Ann.Cal. Const. Art. 15, § 1](#); [West's Ann.Cal.Civ. Code §§ 2809, 2810, 2856\(a\)\(1\)](#). See *1 Witkin, Summary of Cal. Law (10th ed. 2005) Contracts, § 468*; *Greenwald & Asimov, Cal. Practice Guide: Real Property Transactions (The Rutter Group 2006) ¶ 6:282 et seq. (CAPROP Ch. 6-F)*; [Cal. Jur. 3d, Consumer and Borrower Protection Laws, § 667 et seq.](#)

[24] Appeal and Error 30 ↪ 852

al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930 d 205)

30 Appeal and Error

30XVI Review

30XVI(A) Scope, Standards, and Extent, in General

30k851 Theory and Grounds of Decision of Lower Court

30k852 k. Scope and theory of case. [Most Cited Cases](#)

Court of Appeal may affirm a grant of summary judgment if it is correct on any theory of law applicable to the case, including but not limited to the theory adopted by the trial court.

[25] Usury 398 ↪ 76

398 Usury

398I Usurious Contracts and Transactions

398I(A) Nature and Validity

398k74 Effect of Usury

398k76 k. Validity of contract or indebtedness. [Most Cited Cases](#)

The usurious provisions of a loan are void on the grounds of illegality or unlawfulness because they violate express provisions of law. [West's Ann.Cal.Civ.Code § 1667](#).

[26] Contracts 95 ↪ 134

95 Contracts

95I Requisites and Validity

95I(F) Legality of Object and of Consideration

95k134 k. Ratification. [Most Cited Cases](#)

Contracts 95 ↪ 138(4)

95 Contracts

95I Requisites and Validity

95I(F) Legality of Object and of Consideration

95k135 Effect of Illegality

95k138 Relief of Parties

95k138(4) k. Estoppel to urge illegality. [Most Cited Cases](#)

As a general rule, because an illegal contract is void, it cannot be ratified by any subsequent act, and no person can be estopped to deny its validity.

[27] Contracts 95 ↪ 138(4)

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[95](#) Contracts

[95I](#) Requisites and Validity

[95I\(F\)](#) Legality of Object and of Consideration

[95k135](#) Effect of Illegality

[95k138](#) Relief of Parties

[95k138\(4\)](#) k. Estoppel to urge illegality. [Most Cited Cases](#)

The defense of illegality of a contract cannot be waived by stipulation in the contract.

[128I](#) Contracts [95](#) [129\(1\)](#)

[95](#) Contracts

[95I](#) Requisites and Validity

[95I\(F\)](#) Legality of Object and of Consideration

[95k129](#) Obstructing or Perverting Administration of Justice

[95k129\(1\)](#) k. Agreements relating to actions and other proceedings in general. [Most Cited Cases](#)

Guaranty [195](#) [72](#)

[195](#) Guaranty

[195III](#) Discharge of Guarantor

[195k72](#) k. Waiver or estoppel of guarantor.

[Most Cited Cases](#)

Usury [398](#) [104](#)

[398](#) Usury

[398I](#) Usurious Contracts and Transactions

[398I\(B\)](#) Rights and Remedies of Parties

[398k104](#) k. Waiver or release of usury in general. [Most Cited Cases](#)

Provision of statute governing waiver of suretyship rights and defenses, stating that any guarantor may waive "any other rights and defenses that are or may become available" to the guarantor by reasons of statutory sections concerning suretyship, does not authorize guarantors to waive a usury defense to a loan; the statute is not intended to abrogate or modify the rule against the enforcement of unlawful transactions. [West's Ann.Cal.Civ. Code § 2856\(a\)\(1\)](#).

****209** [Robert A. Lisnow](#), Los Angeles, and [Randi R. Geffner](#) for Defendants and Appellants.

al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

Blue & Schoor and [Charles D. Schoor](#), Los Angeles, for Plaintiff and Respondent.

MANELLA, J.

***530** Appellants Ronald I. Cooper and Ellen M. Cooper challenge summary judgment in favor of respondent WRI Opportunity Loans II, LLC. (WRIO) in its action for payment of a loan guaranteed by appellants. We reverse.

FACTUAL AND PROCEDURAL BACKGROUND

There are no material disputes about the following facts: In 1999, the Coopers were the sole principals in Cooper Commons, LLC. (CC), which planned to build residential townhouses and condominiums on a property in West Hollywood. [FN1](#) According to the budget for the project, the property was purchased for \$5,979,066, and CC expected that the units, when completed, would sell for a total of \$25,762,005. The senior and junior secured lenders on the project were, respectively, Comerica Bank California (Comerica) and WRIO.

[FN1](#). CC initially intended to build 63 units, but later decided to build 62 units.

In November 1999, WRIO loaned \$2,490,000 to CC. Under the loan documents, the loan matured in March 2002, and interest on the principal balance accrued at a rate equal to 2.0 percent above a reference rate set by the Bank of America (reference rate). The loan documents also contained provisions that accorded WRIO "additional interest." These provisions entitled WRIO to 4.0 percent of the gross sales price of each unit when it was sold to third parties not affiliated with CC; in addition, they awarded WRIO sums calculated according to a fixed schedule if other contingencies were to occur. By a written agreement, the Coopers personally guaranteed the performance of CC's obligations under the loan documents.

In June and December 2001, WRIO and CC amended the loan documents. The amendments increased the principal loan amount to \$3,178,000, raised the interest rate to the greater of (i) 2.0 percent above the reference rate or (ii) 10.0 percent, and set the maturity date of the loan as June 12, 2002. In addition, the amendments increased the additional interest owed to WRIO upon sale of the units to no-

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named parties. WRIO's share of the gross sales price of the first 15 units to be sold was raised to 5.0 percent, and its share of the gross sales price of the remaining units was raised to 4.5 percent. The Coopers expressly approved these amendments, **210 and agreed to guarantee CC's obligations, as amended.

On February 22, 2002, CC filed for bankruptcy under Chapter 11, and subsequently stated in that proceeding that WRIO held a secured claim for *531 \$3,178,000. No payment on WRIO's loan was made after the maturity date of June 12, 2002. In September 2002, the bankruptcy court authorized CC to obtain additional funding from Comerica to complete the construction of the project. The units in the project were completed and sold for a total of approximately \$31.8 million. On March 2, 2005, WRIO demanded that the Coopers, as CC's guarantors, pay the amounts owed under the loan, but they did not respond.

On March 14, 2005, WRIO filed a complaint for breach of a written guaranty against the Coopers, and subsequently sought summary judgment, asserting that the Coopers were obliged to pay the principal and interest including the so-called additional interest that CC owed under the loan. When the Coopers opposed summary judgment on the ground that the loan was usurious, WRIO contended in its reply that the Coopers had waived a usury defense, and that the loan otherwise fell within an exemption to California usury law for shared appreciation loans ([Civ.Code, § 1917 et seq.](#)).^{FN2} After the parties submitted additional briefing on the issues raised in WRIO's reply, the trial court granted summary judgment. On March 29, 2006, a judgment was entered awarding WRIO \$6,634,300.82 plus additional accrued interest and costs.

[FN2.](#) All further statutory citations are to the Civil Code, unless otherwise indicated.

DISCUSSION

The Coopers contend the trial court erred in granting summary judgment. We agree.

A. Standard of Review

[\[1\]\[2\]](#) On appeal after a motion for summary judgment has been granted, we review the record de novo, considering all the evidence set forth in the moving and opposition papers except that to which objections have been made and sustained. [Citation.]

al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

([Guz v. Bechtel National, Inc. \(2000\) 24 Cal.4th 317, 334, 100 Cal.Rptr.2d 352, 8 P.3d 1089.](#)) We thus apply the same three-step process required of the trial court. [Citation.] ([Bostrom v. County of San Bernardino \(1995\) 35 Cal.App.4th 1654, 1662, 42 Cal.Rptr.2d 669.](#)) The three steps are (1) identifying the issues framed by the complaint, (2) determining whether the moving party has made an adequate showing that negates the opponent's claim, and (3) determining whether the opposing party has raised a triable issue of fact. ([Ibid.](#))

[\[3\]](#) [S]ummary judgment law in this state no longer requires a plaintiff moving for summary judgment to disprove any defense asserted by the *532 defendant as well as prove each element of his own cause of action.... All that the plaintiff need do is to prove each element of the cause of action. [Citation.] ([Aguilar v. Atlantic Richfield Co. \(2001\) 25 Cal.4th 826, 853, 107 Cal.Rptr.2d 841, 24 P.3d 493.](#)) Once the plaintiff makes an adequate initial showing, the burden shifts to the defendant to show a triable issue of fact as to that cause of action or a defense thereto. ([Code.Civ.Proc., § 437c](#), subd. (p)(1).)

Aside from challenging one item of interest valued at \$19,014.45, the Coopers do not contend on appeal that WRIO failed to carry its initial burden on summary judgment. Their central contention is that there are triable issues as to their usury defense. Before the trial court, they pointed to WRIO's investment analysis for **211 the loan, as originally made, which projected that the loan would earn \$1,441,418 over its 23-month term including \$1,032,080 in so-called additional interest resulting in an interest rate of 38 percent, which exceeds the rate permitted by California usury law. In this connection, they submitted evidence that the maximum interest rate allowable under the usury law during the applicable period was 11.5 percent. WRIO did not dispute the Coopers' factual showing regarding the loan's interest rate, but asserted that the provisions for additional interest in the loan rendered it a shared appreciation loan exempt from the usury law. The trial court agreed with WRIO.

[\[4\]\[5\]\[6\]\[7\]](#) In view of the Coopers' factual showing regarding usury, we conclude they raised triable issues regarding the existence of a usury defense unless, as the trial court determined, the defense fails as a matter of law. Because neither party submitted extrinsic evidence bearing on the meaning

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of the loan documents and the pertinent historical facts regarding the loan are undisputed, the interpretation of the loan's provisions and its status as a shared appreciation loan are questions of law that we resolve de novo. (*Parsons v. Bristol Development Co.* (1965) 62 Cal.2d 861, 865-866, 44 Cal.Rptr. 767, 402 P.2d 839 [contract interpretation]; *Ghirardo v. Antonioli* (1994) 8 Cal.4th 791, 800-801, 35 Cal.Rptr.2d 418, 883 P.2d 960 [application of usury law to undisputed facts].) ^{FN3} We therefore begin our inquiry by examining the applicable legal principles.

^{FN3}. In response to the trial court's request for supplemental briefing, the Coopers and WRIO submitted declarations from experts who offered conflicting opinions on the undisputed facts as to whether the loan is a shared appreciation loan. These declarations do not raise triable issues as to the proper characterization of the loan. Generally, [Evidence Code section 805](#) permits expert testimony on the ultimate issue to be decided by the factfinder. However, this rule "does not ... authorize ... an expert to testify to legal conclusions in the guise of expert opinion. Such legal conclusions do not constitute substantial evidence. [Citation.] (*Downer v. Bramet* (1984) 152 Cal.App.3d 837, 841, 199 Cal.Rptr. 830; see also *Elder v. Pacific Tel. & Tel. Co.* (1977) 66 Cal.App.3d 650, 664, 136 Cal.Rptr. 203.) Thus, even lawyers may not testify as to legal conclusions, or "state interpretations of the law, whether it be of a statute, ordinance or safety regulation promulgated pursuant to a statute [citations]." (See *California Shoppers, Inc. v. Royal Globe Ins. Co.* (1985) 175 Cal.App.3d 1, 67, 221 Cal.Rptr. 171; *Downer v. Bramet, supra*, 152 Cal.App.3d at p. 842, 199 Cal.Rptr. 830.) As the court explained in *Downer v. Bramet, at pages 841-842*, 199 Cal.Rptr. 830: "The manner in which the law should apply to particular facts is a legal question and is not subject to expert opinion. [Citations.]"

*533 B. Usury

1. Elements

^{[8][9]} Generally, "the California Constitution sets a maximum annual interest rate of seven percent

al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

on loans and forbearances, but allows parties by written contract to set the interest rate at up to 10 percent, or at the level of the Federal Reserve's discount rate plus 5 percent, on loans or forbearances involving real property. ([Cal. Const., art. XV, § 1, subs. \(1\)-\(2\).](#)) ^{FN4} (*Jones v. Wells Fargo Bank* (2003) 112 Cal.App.4th 1527, 1534-1535, 5 Cal.Rptr.3d 835 (*Jones*)). To be usurious, a contract "must in its inception require a payment of usury; subsequent events do not render a legal contract usurious. (*Sharp v. Mortgage Security Corp.* (1932) 215 Cal. 287, 290, 9 P.2d 819; ****212** *Strike v. Trans-West Discount Corp.* (1979) 92 Cal.App.3d 735, 745, 155 Cal.Rptr. 132.) The essential elements of a claim of usury are: (1) The transaction must be a loan or forbearance; (2) the interest to be paid must exceed the statutory maximum; (3) the loan and interest must be absolutely repayable by the borrower; and (4) the lender must have a willful intent to enter into a usurious transaction. [Citations.] (*Ghirardo v. Antonioli, supra*, 8 Cal.4th at p. 798, 35 Cal.Rptr.2d 418, 883 P.2d 960.)

^{FN4}. California's prohibition on usury is also set forth in an uncodified statute added by an initiative. (Stats. 1919, p. lxxxiii, reprinted at Deering's Ann. Uncod. Initiative Measures 1919-61 (1973 ed.) p. 35.)

^{[10][11][12][13]} As our Supreme Court has explained, "the element of intent is narrow. "[T]he intent sufficient to support the judgment [of usury] does not require a conscious attempt, with knowledge of the law, to evade it. The conscious and voluntary taking of more than the legal rate of interest constitutes usury and the only intent necessary on the part of the lender is to take the amount of interest which he receives; if that amount is more than the law allows, the offense is complete." [Citation.] Intent is relevant, however, in determining the true purpose of the transaction in question because "... the trier of fact must look to the substance of the transaction rather than to its form.... "[I]t is for the trier of the fact to determine whether the intent of the contracting parties was that disclosed by the form adopted, or whether such form was a mere sham and subterfuge to cover up a usurious transaction." [Citations.] (*Ghirardo v. Antonioli, supra*, 8 Cal.4th at p. 798, 35 Cal.Rptr.2d 418, 883 P.2d 960.)

2. Interest Contingency Rule

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

[14] The usury law is subject to numerous exceptions and statutory exemptions. *534(*Southwest Concrete Products v. Gosh Construction Corp.* (1990) 51 Cal.3d 701, 7056706, 274 Cal.Rptr. 404, 798 P.2d 1247; *Jones, supra*, 112 Cal.App.4th at pp. 153461535, 5 Cal.Rptr.3d 835.) Because interest is usurious only when it is absolutely repayable by the borrower (*Ghirardo v. Antonioli, supra*, 8 Cal.4th at p. 798, 35 Cal.Rptr.2d 418, 883 P.2d 960), California courts have long accepted a common law doctrine known as the interest contingency rule. (*D-Beam Limited Partnership v. Roller Derby Skates, Inc.* (9th Cir.2004) 366 F.3d 972, 975; *Thomassen v. Carr* (1967) 250 Cal.App.2d 341, 3466349, 58 Cal.Rptr. 297 (*Thomassen*).)

[15][16] According to this rule, a loan that will give the creditor a greater profit than the highest permissible rate of interest upon the occurrence of a condition [] is not usurious if the repayment promised on failure of the condition to occur is materially less than the amount of the loan ... with the highest permissible interest, unless a transaction is given this form as a colorable device to obtain a greater profit than is permissible. (*Thomassen, supra*, 250 Cal.App.2d at p. 346, 58 Cal.Rptr. 297, quoting the *Restatement of Contracts, section 527*.) Thus, interest that exceeds the legal maximum is not usurious when its payment is subject to a contingency so that the lender's profit is wholly or partially put in hazard, provided the parties are contracting in good faith and without the intent to avoid the statute against usury. (*Lamb v. Herndon* (1929) 97 Cal.App. 193, 201, 275 P. 503.) Under the rule, the hazard in question must be something over and above the risk which exists with all loans ... that the borrower will be unable to pay. (*Thomassen, supra*, 250 Cal.App.2d at p. 347, 58 Cal.Rptr. 297.)

Instructive applications of the rule are found in *Schiff v. Pruitt* (1956) 144 Cal.App.2d 493, 301 P.2d 446 (*Schiff*) and *Thomassen, supra*, 250 Cal.App.2d 341, 58 Cal.Rptr. 297. In *Schiff*, a lender loaned \$20,000 to a developer to enable the developer to build homes on lots in a tract. (*Id.* at p. 496, 301 P.2d 446.) The loan agreement obliged the developer to repay the **213 principal with only nominal interest, but gave the lender the option to share the appreciation arising from the homes built and sold in the tract. (*Id.* at p. 498, 301 P.2d 446.) Under the agreement, the lender was entitled to purchase the sales contracts for

the homes from the developer up to a maximum based on the face value of the contracts by paying a sum equal to the costs that the developer had incurred in buying the underlying property and building the homes. (*Id.* at p. 496, 301 P.2d 446.) Because nothing ensured that the sales prices of the homes would exceed the price for the sales contracts fixed in the loan agreement, the court in *Schiff* concluded that the loan agreement was not usurious, reasoning that the lender's profit from the loan was contingent and wholly at hazard. (*Id.* at pp. 4986499, 301 P.2d 446.)

In *Thomassen*, the lender agreed to loan \$18,500 for an 18-month period to a developer to enable him to build an office building. (*Thomassen, supra*, 250 Cal.App.2d at pp. 3436344, 58 Cal.Rptr. 297.) In lieu of a fixed rate of interest on the principal, the developer agreed to pay the lender 30 percent of the net profit from the *535 sale of the building and 30 percent of the building's gross income from rentals prior to its sale. (*Id.* at p. 344, 58 Cal.Rptr. 297.) The Court of Appeal concluded that the loan was not usurious, pointing to the risks undertaken by the lender in connection with its profits under the loan. (*Id.* at pp. 3466349, 58 Cal.Rptr. 297.)

[17] Under the interest contingency rule, courts look to the substance rather than to the form of the transaction to determine whether the lender's profits are exposed to the requisite risk. (*Thomassen, supra*, 250 Cal.App.2d at p. 347, 58 Cal.Rptr. 297.) In some cases, the absence of risk may be apparent on the face of the agreement. Thus, in *Maze v. Sycamore Homes, Inc.* (1964) 230 Cal.App.2d 746, 7476748, 41 Cal.Rptr. 338, the lenders loaned a developer \$24,000 for a one-year period. Under the agreement, the developer was to repay the principal plus the sum of \$4,800; these obligations were ostensibly secured by an assignment that granted the lenders the sum of \$2,400 for each of 12 houses to be built by the developer, payable when the houses were sold. (*Ibid.*) Because the developer was unconditionally obliged to pay the sum of \$28,800 notwithstanding the assignment, the lenders were guaranteed their profit regardless of any profit or loss resulting from the [developer's] business or from the sale of the particular houses involved. (*Id.* at pp. 7526754, 41 Cal.Rptr. 338.) Accordingly, the court in *Maze* concluded the interest contingency rule was inapplicable, and the loan was usurious. (*Id.* at pp. 7536754, 41 Cal.Rptr. 338.)

Moreover, courts have looked beyond the face of the agreement to assess whether the lender's profits are subject to risk. In *Teichner v. Klassman* (1966) 240 Cal.App.2d 514, 5166518, 49 Cal.Rptr. 742, the lender entered into three agreements with a nightclub owner. Under the first agreement, the lender loaned \$6,500, and was to receive the principal plus an option to buy an ownership share in the club; under the remaining agreements, the lender loaned \$6,500, and was to receive monthly payments of \$130 as long as the club was in existence. (*Ibid.*) Although there was a possibility that the club would be permanently closed due to changes in the law, the trial court declined to apply the interest contingency rule. (*Id.* at pp. 5186519, 5226523, 49 Cal.Rptr. 742.) The Court of Appeal affirmed, reasoning that the lender's risk was not great enough to support the application of the rule. (*Id.* at pp. 5226523, 49 Cal.Rptr. 742.)

**214 3. Shared Appreciation Loans

Closely related to the interest contingency rule is the statutory exemption to the usury law for shared appreciation loans. (See *Jones, supra*, 112 Cal.App.4th at p. 1539, 5 Cal.Rptr.3d 835.) Absent qualifications not relevant here, a shared appreciation loan within the scope of this exemption is "any loan made upon the security of an interest in real property which additionally obligates the borrower to pay contingent deferred interest pursuant to the loan documentation," where "[c]ontingent deferred interest" is "the sum a *536 borrower is obligated to pay ... as a share of (1) the appreciation in the value of the security property, (2) rents and profits attributable to the subject property, or (3) both." (§ 1917.) In addition, the exemption requires any deed of trust that acts as security for the loan to "indicate on the document that [it] secures a shared appreciation loan." (§ 1917.004.) Section 1917.005 states: "Lenders shall be exempt from the usury provisions of Article XV of the California Constitution with respect to shared appreciation loan transactions. This section is declaratory of existing law."

In *Jones*, this court discussed the relationship between the exemption for shared appreciation loans and the interest contingency rule. There, a partnership obtained a loan for \$1.7 million to purchase real property. (*Jones, supra*, 112 Cal.App.4th at p. 1532, 5 Cal.Rptr.3d 835.) Under the terms of the loan, the partnership was obliged to repay the principal, to-

gether with 10 percent annual interest and "Excess Value Contingent Interest," that is, 50 percent of the appreciation in the value of the property upon resale or refinancing, within defined limits. (*Ibid.*) When a limited partner in the partnership brought an action against the bank, asserting the loan was usurious, the trial court sustained a demurrer to the partner's complaint without leave to amend. (*Id.* at pp. 153261533, 5 Cal.Rptr.3d 835.) We affirmed on the ground that the loan fell within an exemption to the usury law for specified bank loans (*Fin.Code*, § 1504).

In so concluding, we rejected the partner's contention that the transaction constituted a "sham" shared appreciation loan because the property's rapid appreciation ensured that "the lender's profits were never at risk." (*Jones, supra*, 112 Cal.App.4th at p. 1538, 5 Cal.Rptr.3d 835.) Noting that the transaction "involve[d] a classic shared appreciation loan arrangement," we concluded that the lender's contingent interest was at risk because the lender could not force a sale or "lock in" its profits. (*Id.* at pp. 1534, 153861539, 5 Cal.Rptr.3d 835.) Moreover, in discussing case authority on the interest contingency rule, we explained that when a loan meets the requirements for a statutory exemption to the usury law, courts will not look beyond those requirements to determine whether the underlying transaction exposes the lender's profits to significant risk or betrays an intent to evade the usury law. We stated: "The question of whether loaned money or interest [was] at risk figured into the determination of intent to evade the usury law, and the good faith shared appreciation loan was an early common law exception to the usury law. [Citation.] These cases do not apply to loans ... covered by modern statutory exemptions that remove the need for evasion." (*Id.* at p. 1539, 5 Cal.Rptr.3d 835.)

C. Additional Interest Provisions

[18] In view of *Jones*, the focus of our inquiry is whether WRIO's loan meets the statutory requirements for a shared appreciation loan. We therefore *537 examine its terms to determine the circumstances under which they accorded additional interest**215 to WRIO. Because there is no extrinsic evidence bearing on these terms, we look at the plain language of the agreement, viewed as a whole. (*Eltinge & Graziadio Dev. Co. v. Childs* (1975) 49 Cal.App.3d 294, 297, 122 Cal.Rptr. 369.)

The loan agreement obliged CC to pay additional

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930 d 205)

interest in connection with each proposed unit, payable upon the sale of the unit, or in any event upon the Maturity Date.^{FN5} The additional interest for each unit was calculated according to a schedule that contained provisions covering various contingencies. The schedule (as amended by the parties) assigned each unit a "Budgeted Gross Sales Price" falling in a range from \$420,000 to \$555,895, and addressed three key contingencies: (1) the unit, whether completed or under construction, was sold to a third party not affiliated with CC; (2) the unit, whether completed or under construction, was sold to an affiliate of CC or released due to payment of the loan; and (3) no construction of the unit had been undertaken when the loan matured or the underlying property was sold.^{FN6}

^{FN5}. Paragraph 1.6.4 of the loan agreement provides: "In addition to interest at the applicable rate, Borrower shall pay Lender additional interest (the "Additional Interest") in connection with the release of Lender's security interest in each Unit comprising the Project. Borrower shall not take any action or make any omission that will result in a reduction of the number of Units to be constructed. The Additional Interest payable with respect to each Unit shall become due upon and shall be paid from the escrow established for the closing of the sale of such Unit, or in any event upon the Maturity Date, a full prepayment of the Loan, or a partial prepayment with respect to which a release of such Unit from the Deed of Trust is requested. Such Additional Interest shall be calculated in accordance with the Unit Schedule...."

^{FN6}. The schedule also contains a provision concerning additional interest in connection with the sale of parking stalls and garage units.

In the case of the first contingency, WRIO was entitled to 5.0 percent of the gross sales price if the unit was among the first fifteen sold, and 4.5 percent of the gross sales price otherwise. In the case of the second contingency, WRIO was entitled to the greater of (i) 4.5 percent of the actual gross sales price or (ii) 4.5 percent of the unit's budgeted gross sales price.^{FN7} Finally, in *538 the case of the third contingency, WRIO was entitled to the difference between

\$1,376,290 and the sum of the additional interest WRIO received under the provisions for the other contingencies.^{FN8} In effect, the provision regarding **216 the third contingency is a "saving clause" that guaranteed WRIO additional interest even if no construction was undertaken on some or all of the units.

^{FN7}. Regarding the first two contingencies, the schedule provides: "A.1 Units Completed or Under Construction. In the case of individual Units with respect to which construction has been commenced (whether or not the improvements are complete), Borrower shall pay Additional Interest in the following amounts: [¶] (a) For the first 15 Units being released in connection with the closing of a sale of such Units to bona fide third parties who are not an Affiliate of Borrower, 5.0 % of the gross sales price of each Unit, including any and all lot premiums and buyer-choice options and upgrades; and [¶] (b) For the remaining Units, after 15 Units have closed, being released in connection with the closing of a sale of such Unit to a bona fide third party who is not an Affiliate of Borrower, 4.5 % of the gross sales price of the Unit, including any and all lot premiums and buyer-choice options and upgrades; and [¶] (c) For any Unit being released in connection with a Loan prepayment, payment of the Loan at maturity or upon acceleration, or sale to an Affiliate of Borrower with Lender's consent, the greater of (i) 4.5 % of the gross sales price of the Unit if such Unit is subject to a "Qualifying Sales Contract" ... on the date of such prepayment, maturity, or acceleration, or (ii) 4.5 % of the "Budgeted Gross Sales Price" for such Unit based upon the plan type of the Unit as identified in the Plans, as follows:...."

^{FN8}. Regarding the third contingency, the schedule provides: "Property other than Condominium or Townhouse Units or Parking Units. Additional interest shall be due with respect to any portion of the Land that is not constructed as a condominium or townhouse Unit upon the sale of such Land or upon the Maturity Date in an amount equal to the difference between \$1,376,290 and the sum of (i) the cumulative amount of Addi-

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

ditional interest that Lender has received prior to such time under [the other provisions for Additional Interest], plus (ii) the further amount of the Additional Interest that Lender expects to receive from closings of completed condominium or townhouse Units based on the budgeted sales prices shown in Section A.1 above.ö

The schedule thus ensured WRIO a significant amount of additional interest in a wide range of circumstances, regardless of the success of the project. If CC undertook *no* construction on the project, the provision for the third contingency entitled WRIO to \$1,376,290 in additional interest upon the loan's maturity date; if CC began construction but failed to complete the project, the provisions for the first and second contingencies entitled WRIO to at least 4.5 percent of the actual or budgeted gross sales price, depending upon whether the buyers of the partially completed units were affiliated with CC; finally, if CC completed the project as planned, the provision for the first contingency entitled WRIO to at least 4.5 percent of the total gross income from the sales of the units. It appears that the schedule denied additional interest to WRIO in only one circumstance of any consequence, namely, that CC began construction on the units and thereafter failed to sell them to anyone.

The remaining question is whether the schedule accords WRIO öcontingent deferred interestö within the meaning of the statutory scheme governing shared appreciation loans. In resolving this issue of statutory interpretation, our objective öis to ascertain and effectuate legislative intent. To accomplish that objective, courts must look first to the words of the statute, giving effect to their plain meaning. If those words are clear, we may not alter them to accomplish a purpose that does not appear on the face of the statute or from its legislative history. [Citation.]ö ([In re Jerry R. \(1994\) 29 Cal.App.4th 1432, 1437, 35 Cal.Rptr.2d 155.](#))

In our view, the schedule cannot be construed as entitling WRIO to öContingent Deferred Interest,ö that is, öa share of (1) the appreciation in the *539 value of the security property, (2) rents and profits attributable to the subject property, or (3) both.ö (§ [1917.](#)) The provisions in the schedule, on their face, guaranteed WRIO additional interest regardless of whether the underlying property appreciated in value,

or whether the project generated rents or profits. If the property did not appreciate in value from its original purchase price of approximately \$6,000,000ö for example, because the project collapsed during a downturn in the real estate market, or resulted in defective or otherwise unmarketable units that required demolitionö the schedule accorded WRIO additional interest ranging from 4.5 percent of the gross sales price of the property to \$1,376,290. For the same reasons, if the property's appreciation was modest, the additional interest to which WRIO was entitled under the schedule could exceed the appreciation. Moreover, the schedule awarded WRIO \$1,376,290 in additional interest even if *no* construction was undertaken on the project.

WRIO contends that additional interest pursuant to the schedule constitutes contingent deferred interest under the statutory scheme, even though the schedule **217 ensures payments of additional interest in the absence of appreciation. WRIO argues that öa loan provision that requires a payment not based on appreciation or that requires payment even if there is no appreciation, does not preclude [the loan] from satisfying the statutory definition of a[s]hared [a]ppreciation [l]oan, as long as the borrower is obligated to pay the lender a share of the appreciation, if there is any appreciation, as it is in the present case.ö WRIO thus contends that the loan in question is a shared appreciation loan because the provisions awarding additional interest based on the actual gross sales price of the units effectively provided for the sharing of appreciation. For the reasons explained below, WRIO is mistaken.

As interpreted by WRIO, the statutory definition of a shared appreciation loan encompasses *any* loan secured by real propertyö including a loan that *guarantees* the lender an otherwise usurious rate of interestö as long as the loan *also* contains a provision entitling the lender to a share of appreciation arising from the property. WRIO's interpretation would effectively abrogate the usury law with respect to loans secured by real property by sanctioning usurious rates of interest that were guaranteed, even in the absence of appreciation or risk.

[\[19\]\[20\]](#) WRIO's construction cannot be reconciled with the language of the statutory scheme and the Legislature's evident purpose in enacting it. The provision exempting shared appreciation loans from the

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

usury law states that the exemption is declaratory of existing law. (§ 1917.005.) In view of this statement, the Legislature's apparent intent in creating the exemption was to clarify the application of the interest contingency rule in a defined set of *540 circumstances, rather than to abrogate the rule.^{FN9} Under the rule, a lender may obtain payments on a loan that exceed the maximum interest rate set by the usury law, provided that these payments are subject to risk. (*Thomassen, supra*, 250 Cal.App.2d at pp. 3466349, 58 Cal.Rptr. 297.) Accordingly, the statutory definition of a shared appreciation loan must be understood to permit a lender to obtain guaranteed interest payments up to the maximum rate permitted under the usury law, and *additionally*, payments of contingent deferred interest that are *subject to risk*.

^{FN9} The provision containing this statement (§ 1917.005) is derived, in part, from an earlier statutory exemption for a narrowly defined class of shared appreciation loans (see former section 1917.167, added by Stats. 1982, ch. 466, § 12, pp. 1998-2006, repealed by Stats. 1987, ch. 652, § 1, pp. 2061-2062). The prior statutory scheme concerned loans to supply funds for the construction of owner-occupied dwelling units, and permitted lenders to obtain up to 50 percent of the net appreciate[ion] value of the units (that is, their fair market value less the sum of the borrower's cost of the property and the value of capital improvements). (Former §§ 1917.120, subs. (c), (f), (j), 1917.130, added by Stats. 1982, ch. 466, § 12, pp. 1998-2006, repealed by Stats. 1987, ch. 652, § 1, pp. 2061-2062). In view of the broad reach of the current exemption, we conclude the Legislature's statement that it is declaratory of existing law manifests an intent to refer beyond the prior statutory exemption to the common law interest contingency rule.

[21] As indicated above (see pt. B.2, *ante*), the interest contingency rule permits courts to look beyond the face of a transaction to determine whether the underlying transaction exposed the lender's ostensibly contingent profits to genuine risk; as we explained in *Jones*, the function of statutory exemptions generally is to curtail this kind of inquiry into the underlying transaction (*Jones, supra*, 112 Cal.App.4th at p. 1539, 5 Cal.Rptr.3d 835). We therefore conclude that the

Legislature's intent in enacting the exemption was to establish that if (1) a loan permits the lender to obtain payments over and above the maximum permitted by the usury law, and (2) the loan documents disclose on their face that these payments constitute a share of appreciation, rents, or profits in a secured property, the statutory exemption will apply.^{FN10} Accordingly, we reject WRIO's contrary construction of the statutory scheme.

^{FN10} We recognize that to the extent the statutory exemption obviates the need to look beyond the face of the transaction, it may be in tension with the Legislature's statement that the exemption is declaratory of existing law (§ 1917.005). However, such statements by the Legislature are properly assessed in light of other evidence bearing on the statute's meaning. (*Western Security Bank v. Superior Court* (1997) 15 Cal.4th 232, 244-245, 62 Cal.Rptr.2d 243, 933 P.2d 507.) Viewed in context, the statement manifests the Legislature's intent to preserve the central principles of the interest contingency rule.

We also reject WRIO's contention that the loan terms awarding additional interest based up the actual gross sales price of the units are provisions for the sharing of appreciation under the statutory scheme. WRIO argues that the project, realistically viewed, was likely to cause substantial appreciation in the property's value, and the appreciation was likely to exceed the payments *541 to WRIO under the terms in question. WRIO thus contends that the terms effectively allocated WRIO a share of the appreciation.

[22] We find this argument to be at odds with the legislative intent underlying the exemption. As we have explained, the statutory scheme authorizes an exception to the usury law founded on the interest contingency rule. Generally, exceptions to a statute are construed narrowly to cover only situations that are within the words and reason of the exception. (*Hayter Trucking, Inc. v. Shell Western E & P, Inc.* (1993) 18 Cal.App.4th 1, 20, 22 Cal.Rptr.2d 229.) Under WRIO's proposal, loan terms that facially entitle the lender to a payment of interest above the legal rate not based on appreciation, rents, or profits, and which otherwise manifest an intent to avoid risks to such payment, constitute provisions for sharing ap-

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preciation under the statutory definition of contingent deferred interest. Because this proposal conflicts with the language of the statutory definition and the principles governing the interest contingency rule, we decline to adopt it. In sum, WRIO's loan does not meet the statutory requirements for a shared appreciation loan, and thus the trial court erred in concluding the loan was exempt from the usury law on this basis.^{FN11}

FN11. In view of this conclusion, it is unnecessary to address the Coopers' contention that the trust deed provided insufficient notice that it secured a shared appreciation loan.

D. Waiver

[\[23\]\[24\]](#) WRIO contends that summary judgment in its favor is properly affirmed on an alternative ground, namely, that the Coopers expressly waived their entitlement to assert a usury defense.^{FN12} Pertinent to this contention are [sections 2809](#) and [2810](#), which fall within Title XIII of the [Civil Code \(§§ 2787-2856\)](#), which abolishes the distinction between sureties and guarantors ([§ 2787](#)), and otherwise defines [§ 219](#) their obligations and liabilities. [Section 2809](#) states that a guarantor's obligation "must be neither larger in amount nor in other respects more burdensome than that of the principal."^{FN13} [Section 2810](#) further provides that a guarantor "is not liable if ... there is no liability [§ 542](#) upon the part of the principal at the time of the execution of the contract ... unless the [guarantor] has assumed liability with knowledge of the existence of the defense."^{FN14}

FN12. Although WRIO raised this contention in its reply to the Coopers' opposition to summary judgment and the parties addressed it in their supplementary briefing, the trial court did not rule on it in granting summary judgment. Nonetheless, absent a triable issue of material fact, we may affirm the grant of summary judgment "if it is correct on any theory of law applicable to the case, including but not limited to the theory adopted by the trial court. [Citations.]" ([Western Mutual Ins. Co. v. Yamamoto](#) (1994) 29 Cal.App.4th 1474, 1481, 35 Cal.Rptr.2d 698.)

FN13. [Section 2809](#) provides in full: "The obligation of a surety must be neither larger in amount nor in other respects more burdensome than that of the principal; and if in

al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

its terms it exceeds it, it is reducible in proportion to the principal obligation."

FN14. [Section 2810](#) provides in full: "A surety is liable, notwithstanding any mere personal disability of the principal, though the disability be such as to make the contract void against the principal; but he is not liable if for any other reason there is no liability upon the part of the principal at the time of the execution of the contract, or the liability of the principal thereafter ceases, unless the surety has assumed liability with knowledge of the existence of the defense. Where the principal is not liable because of mere personal disability, recovery back by the creditor of any res which formed all or part of the consideration for the contract shall have the effect upon the liability of the surety which is attributed to the recovery back of such a res under the law of sales generally."

Here, the written guaranty executed by the Coopers states: "Guarantor ... waives any rights, claims, defense, abatements, or rights of setoff or recoupment based on or arising based on or arising out of: (1) any legal disability, discharge, or limitation of the liability of Borrower to Lender, whether consensual or arising by operation of law or any proceeding...." Moreover, it states: "Guarantor affirms its intention to waive all benefits that might otherwise be available to Guarantor or Borrower under ... [Civil Code Sections 2809, 2810](#), ..., among others." The Coopers do not dispute that the guaranty contains these provisions.

The issue thus presented is whether the Coopers' waiver encompassed their usury defense. In [Rochester Capital Leasing Corp. v. K & L Litho Corp.](#) (1970) 13 Cal.App.3d 697, 700-705, 91 Cal.Rptr. 827, the court concluded that an obligation to pay usurious interest undertaken by a corporation was unenforceable against the loan's guarantors, who were the corporation's principals. (See also [Martin v. Ajax Construction Co.](#) (1954) 124 Cal.App.2d 425, 431, 269 P.2d 132.) However, no published case has addressed whether the guarantors of a loan may expressly waive a usury defense. We therefore examine the legal authority applicable to this question.

[\[25\]\[26\]\[27\]](#) The usurious provisions of a loan are

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

void on the grounds of illegality or unenforceability because they violate express provisions of law. (*Martin v. Ajax Construction Co.*, *supra*, 124 Cal.App.2d at p. 431, 269 P.2d 132; see *Civ.Code*, § 1667; 1 Witkin, *Summary of Cal. Law* (10th ed. 2005) *Contracts*, § 455, pp. 497-498.) As Witkin explains, as a general rule, “[b]ecause an illegal contract is void, it cannot be ratified by any subsequent act, and no person can be estopped to deny its validity. [Citations.] [¶] Similarly, the defense of illegality cannot be waived by stipulation in the contract. [Citations.]” (1 Witkin, *supra*, *Contracts*, § 432, at pp. 473-474, italics omitted.)

*543 Thus, in *Hollywood State Bk. v. Wilde* (1945) 70 Cal.App.2d 103, 111-114, 160 P.2d 846, the court rejected the defendants' contention that a provision in their contracts to sell investments barred the plaintiff from introducing evidence that the contracts constituted illegal securities transactions. In so concluding, it relied on the rule that “[w]hen ... the relations of **220 the parties to a transaction are illegal and against public policy the court will deny relief based upon their contract, and remarked that under this rule, “a party may not by stipulation at the time of the execution thereof or afterward, waive his right to urge the illegality in any action thereon instituted by the other party thereto.” (*Id.* at p. 112, 160 P.2d 846, quoting *American National Bank v. A.G. Somerville* (1923) 191 Cal. 364, 371, 216 P. 376.) The court further stated: “The contracts being void by virtue of having been executed and assigned contrary to public policy and statute, all attempts to validate and vitalize them by inserting a waiver of such defense are likewise voidable for the same reason.” (*Id.* at p. 114, 160 P.2d 846.)

In *Wells v. Comstock* (1956) 46 Cal.2d 528, 297 P.2d 961, our Supreme Court applied the rule barring the enforcement of illegal contracts to a transaction involving a guarantor. There, the plaintiffs had entered into an unlawful contract to sell corporate stock; the defendants were the buyer of the stock and a party who had agreed to guarantee the buyer's performance. (*Id.* at pp. 529-530, 297 P.2d 961.) In concluding that the defendant buyer was not estopped to assert that the contract was illegal due to his knowing participation in the illegal transaction, the court stated: “[T]he rule of public policy that forbids an action for damages for breach of [an unlawful] agreement is not based on the impropriety of compelling the defendant to pay the damages. That in itself would generally be a desirable

thing. When relief is denied it is because the plaintiff is a wrongdoer, and to such a person the law denies relief.” (Quoting the *Restatement of Contracts*, section 598, com. a, p. 1110.)

The court in *Wells* further held that “[s]ince the principal obligation of the contract is unenforceable because of illegality, the guaranty too is unenforceable.” (*Wells v. Comstock*, *supra*, 46 Cal.2d at p. 533, 297 P.2d 961.) As support for this conclusion, the court relied on section 2810 and section 117 of the Restatement of Security, which addresses the availability of the defense of illegality to a surety. The comment to section 117 states: “Where the principal's promise is itself illegal in its inception, and the performance of the surety's contract is subject to the laws of the same jurisdiction as that of the principal, it is against public policy to give legal effect to the surety's obligation.” (*Rest., Security*, § 117, com. d, p. 313.)

[28] *544 In view of *Wells* and the other authority regarding rule against the enforcement of unlawful transactions, we conclude that the Coopers' waiver of their defenses arising under sections 2809 and 2810 or by operation of law was ineffective regarding their usury defense. WRIO nonetheless contends that the Legislature has authorized guarantors to waive a usury defense by enacting subdivision (a)(1) of section 2856 (subdivision (a)(1)), which provides: “(a) Any guarantor or other surety, including a guarantor of a note or other obligation secured by real property or an estate for years, may waive any or all of the following: [¶] (1) The guarantor or other surety's rights of subrogation, reimbursement, indemnification, and contribution and any other rights and defenses that are or may become available to the guarantor or other surety by reason of Sections 2787 to 2855, inclusive.” FN15 (Italics added.)

FN15. Subdivision (a) of section 2856 provides in full: “(a) Any guarantor or other surety, including a guarantor of a note or other obligation secured by real property or an estate for years, may waive any or all of the following: [¶] (1) The guarantor or other surety's rights of subrogation, reimbursement, indemnification, and contribution and any other rights and defenses that are or may become available to the guarantor or other surety by reason of Sections 2787 to 2855, inclusive. [¶] (2) Any rights or defenses the

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al. Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R. 12,930
d 205)

guarantor or other surety may have in respect of his or her obligations as a guarantor or other surety by reason of any election of remedies by the creditor. ¶ (3) Any rights or defenses the guarantor or other surety may have because the principal's note or other obligation is secured by real property or an estate for years. These rights or defenses include, but are not limited to, any rights or defenses that are based upon, directly or indirectly, the application of [Section 580a](#), [580b](#), [580d](#), or [726 of the Code of Civil Procedure](#) to the principal's note or other obligation.

****221** Pointing to the italicized portion of subdivision (a)(1), WRIO argues that the Coopers' usury defense is available to [them] by reason of [sections 2809](#) and [2810](#), and thus their waiver was effective regarding this defense. We disagree. As we have explained, the usury defense rests on the rule against the enforcement of illegal transactions, which is founded on considerations of public policy that are independent of [sections 2809](#) and [2810](#). Furthermore, an examination of the history of [section 2856](#) discloses that the Legislature did not intend subdivision (a)(1) to displace or modify this rule, insofar as it applies to the waiver of defenses by guarantors.

As originally enacted in 1995, [Civil Code section 2856](#) was the Legislature's response to [Cathay Bank v. Lee](#) (1993) 14 Cal.App.4th 1533, 18 Cal.Rptr.2d 420 ([Cathay Bank](#)), which imposed stringent requirements on a guarantor's waiver of a defense arising from the principal's rights under the antideficiency statutes ([Code Civ. Proc.](#), §§ [580a](#), [580b](#), [580d](#), [726](#)). ([River Bank America v. Diller](#) (1995) 38 Cal.App.4th 1400, 141761419, 45 Cal.Rptr.2d 790.) Generally, such defenses are not predicated on a contention that the principal's contract is unlawful. (See [ibid.](#); [Cathay](#), [supra](#), 14 Cal.App.4th at pp. 153561542, 18 Cal.Rptr.2d 420.)

***545** Subdivision (a) of the 1995 statute provided in pertinent part: "Any guarantor, including a guarantor of an obligation secured by real property or any interest therein, may waive the guarantor's rights of subrogation and reimbursement and *any other rights and defenses available to the guarantor by reason of Sections 2787 to 2855, inclusive,...*" (Former [Civ.Code](#), § [2856](#), added by Stats. 1994, ch. 1204, § 1,

p. 1422, repealed by Stats. 1996, ch. 1013, § 2, pp. 598565987, italics added.) The remainder of the 1995 statute addressed the requirements for waivers, including waivers of rights and defenses arising from the antideficiency statutes. (*Ibid.*) In enacting the 1995 statute, the Legislature stated that subdivision (a) was merely declarative of [] existing law. (*Ibid.*) In 1996, the Legislature enacted the current version of [section 2856](#), which amended the 1995 statute, but preserved the italicized language upon which WRIO relies. (Stats. 1996, ch. 1013, § 2, pp. 598565987.)

As the court explained in [River Bank America v. Diller](#), [supra](#), 38 Cal.App.4th at page 1419, 45 Cal.Rptr.2d 790, the Legislature's declaration regarding subdivision (a) of the 1995 statute, viewed in context, manifested its intent to restore the law regarding waivers to its state prior to [Cathay Bank](#). Because the portion of subdivision (a)(1) upon which WRIO relies is found in subdivision (a) of the 1995 statute, we conclude that it is not intended to abrogate or modify the rule against the enforcement of unlawful transactions, which antedates [Cathay Bank](#) and is not addressed in that case.^{FN16} WRIO failed to ****222** establish a valid waiver of the Coopers' usury defense, and thus summary judgment cannot be affirmed on this ground.

FN16. We recognize that in enacting the current version of [section 2856](#), the Legislature stated: "It is the intent of the Legislature that the types of waivers described in [Section 2856](#) ... do not violate the public policy of this state." (Stats. 1996, ch. 1013, § 3, p. 5987.) Because [section 2856](#) does not describe the waiver of defenses based on the rule against the enforcement of unlawful transactions, and the history of the section manifests the Legislature's intent to preserve pre-[Cathay Bank](#) law, this statement cannot reasonably be viewed as evidence that the Legislature intended to abolish or limit the rule.

E. Conclusion

Because WRIO's challenges to the Coopers' usury defense fail as a matter of law on the facts that were undisputed for the purpose of WRIO's motion for summary judgment, we cannot say there are no triable issues regarding that defense. Accordingly, summary judgment was improper.^{FN17}



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d 205)

FN17. In so concluding, we do not address the Coopers' contention that there are triable issues of fact regarding the item of interest valued at \$19,014.45.

***546 DISPOSITION**

The judgment is reversed. Appellants are awarded their costs.

We concur: EPSTEIN, P.J., and WILLHITE, J.

Cal.App. 2 Dist., 2007.
WRI Opportunity Loans II LLC v. Cooper
154 Cal.App.4th 525, 65 Cal.Rptr.3d 205, 07 Cal.
Daily Op. Serv. 10,009, 2007 Daily Journal D.A.R.
12,930

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Ed. Law Rep. 347, 11 Cal. Daily Op. Serv. 1923, 2011 Daily Journal

D.A.R. 2508

(Cite as: 192 Cal.App.4th 770, 121 Cal.Rptr.3d 696)

H

Court of Appeal, Fourth District, Division 1, California.

CALIFORNIA SCHOOL BOARDS ASSOCIATION
et al., Plaintiffs and Appellants,

v.

STATE of California et al., Defendants and Appellants.

No. D055659.

Feb. 9, 2011.

Rehearing Denied Mar. 8, 2011.

Review Denied May 18, 2011.

Background: School districts brought action against state for declaratory, injunctive, and writ relief challenging mandates imposed on districts by California Legislature with only nominal funding, and requested reimbursement. The Superior Court, San Diego County, No. 37-2007-00082249-CU-WM-CTL, [Charles R. Hayes, J.](#), granted the requested relief, except that it refused to order reimbursement or to permit further discovery on that issue. Districts and state appealed.

Holdings: The Court of Appeal, [Haller, J.](#), held that: (1) state's practice of only nominally funding mandates imposed on school districts did not satisfy state constitution; but (2) adequate remedy at law precluded mandamus relief for state's failure to satisfy constitution; (3) Legislature's funding of mandates imposed upon local agencies is discretionary; (4) writ of mandate directing Legislature to fund mandates violated separation of powers doctrine; and (5) denying districts' request to compel state to reimburse funds was proper.

Affirmed in part and reversed in part.

West Headnotes

[\[1\] Schools 345](#) [19\(1\)](#)

[345](#) Schools
[345II](#) Public Schools

[345II\(A\)](#) Establishment, School Lands and Funds, and Regulation in General

[345k16](#) School Funds

[345k19](#) Apportionment and Disposition

[345k19\(1\)](#) k. In general. [Most Cited](#)

[Cases](#)

State's practice of appropriating only a nominal amount to fund mandates imposed on school districts and deferring the remaining payment did not satisfy the constitutional provision requiring the state to fund state mandates imposed upon local agencies, even though the state made payments on the outstanding debt, where the state did not fix a date for full payment. [West's Ann.Cal. Const. Art. 13B, § 6\(a\)](#).

[\[2\] States 360](#) [111](#)

[360](#) States

[360III](#) Property, Contracts, and Liabilities

[360k111](#) k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

Purpose of constitutional provision requiring the state to fund state mandates imposed upon local agencies is to preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are ill equipped to assume increased financial responsibilities because of the taxing and spending limitations that the state constitution imposes. [West's Ann.Cal. Const. Art. 13B, § 6](#).

[\[3\] States 360](#) [111](#)

[360](#) States

[360III](#) Property, Contracts, and Liabilities

[360k111](#) k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

Under the constitutional provision requiring the state to fund state mandates imposed upon local agencies, if the State wants to require local school districts to provide new programs or services, it is free to do so, but not by requiring local entities to use their own revenues to pay for the programs. [West's Ann.Cal. Const. Art. 13B, § 6](#).

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[\[4\] States 360 ↗111](#)

[360](#) States

[360III](#) Property, Contracts, and Liabilities

[360k111](#) k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

Purpose of constitutional provision requiring the state to fund mandates imposed upon local agencies is to require each branch of government to live within its means, and to prohibit the state from circumventing this restriction by forcing local agencies such as school districts to bear the state's costs, even for a limited time period. [West's Ann.Cal. Const. Art. 13B, § 6.](#)

[\[5\] Statutes 361 ↗220](#)

[361](#) Statutes

[361VI](#) Construction and Operation

[361VI\(A\)](#) General Rules of Construction

[361k213](#) Extrinsic Aids to Construction

[361k220](#) k. Legislative construction.

[Most Cited Cases](#)

A court should not accept later expressed legislative intent if the intent is inconsistent with the plain meaning of the prior act or its legislative history.

[\[6\] Constitutional Law 92 ↗2451](#)

[92](#) Constitutional Law

[92XX](#) Separation of Powers

[92XX\(C\)](#) Judicial Powers and Functions

[92XX\(C\)1](#) In General

[92k2451](#) k. Interpretation of constitution in general. [Most Cited Cases](#)

[Constitutional Law 92 ↗2457](#)

[92](#) Constitutional Law

[92XX](#) Separation of Powers

[92XX\(C\)](#) Judicial Powers and Functions

[92XX\(C\)1](#) In General

[92k2457](#) k. Interpretation of statutes. [Most Cited Cases](#)

The interpretation of a statute or a constitutional provision is an exercise of the judicial power the Constitution assigns to the courts.

[\[7\] States 360 ↗111](#)

[360](#) States

[360III](#) Property, Contracts, and Liabilities

[360k111](#) k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

The statute requiring that all costs of state mandates imposed upon local agencies must be reimbursed by the state requires full payment once a mandate is determined by the Commission on State Mandates and any appeals process has been completed. [West's Ann.Cal. Const. Art. 13B, § 6; West's Ann.Cal.Gov.Code § 17561\(a\).](#)

[\[8\] States 360 ↗111](#)

[360](#) States

[360III](#) Property, Contracts, and Liabilities

[360k111](#) k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

Statute allowing State Controller to adjust payments to fund state mandates imposed upon local agencies to correct for any prior underpayments does not authorize the state to make only nominal payments for a mandate. [West's Ann.Cal. Const. Art. 13B, § 6; West's Ann.Cal.Gov.Code § 17561\(d\)\(2\)\(C\).](#)

[\[9\] States 360 ↗111](#)

[360](#) States

[360III](#) Property, Contracts, and Liabilities

[360k111](#) k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

The statute providing that an initial reimbursement claim for state mandates imposed upon local agencies shall include accrued interest if the payment is being made more than 365 days after adoption of the statewide cost estimate for an initial claim does not provide the Legislature with the authority to implement a policy under which it pays only a nominal amount of a mandated claim. [West's Ann.Cal. Const. Art. 13B, § 6; West's Ann.Cal.Gov.Code § 17561.5.](#)

[\[10\] Statutes 361 ↗176](#)

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3d 696)

[361](#) Statutes
[361VI](#) Construction and Operation
[361VI\(A\)](#) General Rules of Construction
[361k176](#) k. Judicial authority and duty.
[Most Cited Cases](#)

The proper interpretation of a statute is a particularly appropriate subject for judicial resolution.

[111](#) Declaratory Judgment 118A 201

[118A](#) Declaratory Judgment
[118AII](#) Subjects of Declaratory Relief
[118AII\(K\)](#) Public Officers and Agencies
[118Ak201](#) k. Officers and official acts in general. [Most Cited Cases](#)

Judicial economy strongly supports the use of declaratory relief to avoid duplicative actions to challenge an agency's statutory interpretation or alleged policies.

[112](#) Declaratory Judgment 118A 41

[118A](#) Declaratory Judgment
[118AI](#) Nature and Grounds in General
[118AI\(C\)](#) Other Remedies
[118Ak41](#) k. Existence and effect in general.
[Most Cited Cases](#)

The remedy of declarative relief is cumulative and does not restrict any other remedy.

[113](#) Declaratory Judgment 118A 41

[118A](#) Declaratory Judgment
[118AI](#) Nature and Grounds in General
[118AI\(C\)](#) Other Remedies
[118Ak41](#) k. Existence and effect in general.
[Most Cited Cases](#)

The fact that another remedy is available is an insufficient ground for refusing declaratory relief.

[114](#) Declaratory Judgment 118A 65

[118A](#) Declaratory Judgment
[118AI](#) Nature and Grounds in General
[118AI\(D\)](#) Actual or Justiciable Controversy

[118Ak65](#) k. Moot, abstract or hypothetical questions. [Most Cited Cases](#)

Declaratory Judgment 118A 83

[118A](#) Declaratory Judgment
[118AII](#) Subjects of Declaratory Relief
[118AII\(A\)](#) Rights in General
[118Ak83](#) k. Nonliability. [Most Cited Cases](#)

Declaratory relief is generally available to settle the parties' rights with respect to future actions, and not to correct conduct that occurred in the past.

[115](#) Declaratory Judgment 118A 210

[118A](#) Declaratory Judgment
[118AII](#) Subjects of Declaratory Relief
[118AII\(K\)](#) Public Officers and Agencies
[118Ak210](#) k. Schools and school districts.
[Most Cited Cases](#)

Declaratory relief was a proper remedy for school districts' dispute with state over whether state's practice of paying only a nominal amount for mandated programs while deferring the balance of the cost constituted a failure to provide a subvention of funds for the mandates as required by the state constitution, as there was an actual controversy between the parties regarding the interpretation of the state constitution and a statute, pertaining to the use of deferred mandate payments. [West's Ann.Cal. Const. Art. 13B, § 6](#); [West's Ann.Cal.Gov.Code § 17561](#).

[116](#) States 360 111

[360](#) States
[360III](#) Property, Contracts, and Liabilities
[360k111](#) k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

If the Legislature identifies a statutory program in the Budget Act as a mandate for which no funding is provided in that fiscal year and specifically relieves school districts of the requirement that they implement the program, the remedy is self-executing in the sense that it does not require any affirmative action by the school district, i.e., if the Legislature makes this specific nonfunding designation, each school district is permitted to make its own determination not to im-

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plement the mandate. [West's Ann. Cal. Gov. Code § 17581.5](#) (2009).

[17] States 360 🔑111

360 States

360III Property, Contracts, and Liabilities

360k111 k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

If the Legislature does not fund a determined mandate imposed on a local agency and does not specifically designate the mandate as one for which no funding will be provided, the local agency or school district must perform the mandate, unless it affirmatively obtains relief under the statute authorizing a local agency to file a declaratory relief action to declare an unfunded mandate unenforceable and enjoin its enforcement for that fiscal year. [West's Ann. Cal. Gov. Code §§ 17581, 17612\(c\); § 17581.5](#) (2009).

[18] States 360 🔑111

360 States

360III Property, Contracts, and Liabilities

360k111 k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

The remedy under the statute authorizing a local agency to file a declaratory relief action to declare an unfunded mandate unenforceable and enjoin its enforcement for that fiscal year is not self-executing, and requires the local entity to affirmatively seek judicial relief to be excused from the mandate. [West's Ann. Cal. Gov. Code § 17612\(c\)](#).

[19] States 360 🔑111

360 States

360III Property, Contracts, and Liabilities

360k111 k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

The remedy under the statute authorizing a local agency to file a declaratory relief action to declare an unfunded mandate unenforceable and enjoin its enforcement for that fiscal year affords relief prospectively, and not as to funds previously paid out by a local agency to satisfy a state mandate. [West's](#)

[Ann. Cal. Gov. Code § 17612\(c\)](#).

[20] Mandamus 250 🔑3(1)

250 Mandamus

250I Nature and Grounds in General

250k3 Existence and Adequacy of Other Remedy in General

250k3(1) k. In general. [Most Cited Cases](#)

Statute authorizing a local agency such as a school district to file a declaratory relief action to declare an unfunded mandate unenforceable and enjoin its enforcement for that fiscal year provided an adequate remedy at law for state's failure to satisfy state constitution in paying only a nominal amount to school districts for mandated programs while deferring the balance of the cost, and thus mandamus relief was not appropriate. [West's Ann. Cal. Const. Art. 13B, § 6; West's Ann. Cal. Gov. Code § 17612\(c\)](#).

See [Cal. Jur. 3d, Municipalities, § 557; Cal. Jur. 3d, Schools, § 8; Cal. Jur. 3d, State of California, § 106; 7 Witkin, Summary of Cal. Law \(10th ed. 2005\) Constitutional Law, § 148; 9 Witkin, Summary of Cal. Law \(10th ed. 2005\) Taxation, § 119 et seq.](#)

[21] Constitutional Law 92 🔑990

92 Constitutional Law

92VI Enforcement of Constitutional Provisions

92VI(C) Determination of Constitutional Questions

92VI(C)3 Presumptions and Construction as to Constitutionality

92k990 k. In general. [Most Cited Cases](#)

A court must presume the Legislature acts consistent with the Constitution when enacting legislation, and must adopt an interpretation that upholds the statute's constitutionality, if the interpretation is consistent with the statutory language and purpose.

[22] States 360 🔑111

360 States

360III Property, Contracts, and Liabilities

360k111 k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

Under the statute authorizing a local agency to file a declaratory relief action to declare an unfunded

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mandate unenforceable and enjoin its enforcement for that fiscal year, a party is permitted to seek relief for nominal funding as well as a complete lack of funding for a determined state mandate. [West's Ann.Cal. Const. Art. 13B, § 6](#); [West's Ann.Cal.Gov.Code § 17612\(c\)](#).

[23] States 360 111

360 States

360III Property, Contracts, and Liabilities

360k111 k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

In the statute authorizing a local agency to file a declaratory relief action to declare an unfunded mandate unenforceable and enjoin its enforcement for that fiscal year, the word "deletes" does not refer to the physical act of entirely deleting an item from a budget bill, but refers more generally to the deletion of all or part of the administratively-determined cost from the amount required to be appropriated to the local entity. [West's Ann.Cal.Gov.Code § 17612\(c\)](#).

[24] Appeal and Error 30 768

30 Appeal and Error

30XII Briefs

30k768 k. Scope and effect. [Most Cited Cases](#)

A footnote of school districts' appellate brief mentioning the issue in passing was insufficient to present the argument on appeal that the requirement that local entities bring an action every year to seek relief from unfunded mandates was an unreasonable restriction on districts' rights under the constitutional provision prohibiting the Legislature from imposing unfunded mandates on local government, where districts did not cross-appeal from the portion of the trial court's order rejecting this argument. [West's Ann.Cal. Const. Art. 13B, § 6](#); [West's Ann.Cal.Gov.Code § 17612\(c\)](#).

[25] Appeal and Error 30 881.1

30 Appeal and Error

30XVI Review

30XVI(C) Parties Entitled to Allege Error

30k881 Estoppel to Allege Error

30k881.1 k. In general. [Most Cited](#)

[Cases](#)

State's prior agreement to make future payment in full for nominally funded mandates imposed on school district, and its prior position that districts were required to comply with these mandates, would preclude state from arguing that school districts waived claims for reimbursement for prior unpaid mandates by previously failing to seek relief under the statute authorizing a local agency to file a declaratory relief action to declare an unfunded mandate unenforceable and enjoin its enforcement for that fiscal year. [West's Ann.Cal. Const. Art. 13B, § 6](#); [West's Ann.Cal.Gov.Code § 17612\(c\)](#).

[26] States 360 111

360 States

360III Property, Contracts, and Liabilities

360k111 k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

Under the constitutional provision stating that the state must fund mandates imposed upon local agencies, the Legislature had discretion not to fund such mandates and to require local agencies to seek relief from the mandates, and thus a writ of mandate requiring the Legislature either to fund or suspend such mandates was improperly issued because it compelled a discretionary, not a ministerial, act. [West's Ann.Cal. Const. Art. 13B, § 6\(a\)](#); [West's Ann.Cal.Gov.Code § 17612\(c\)](#); [§ 17581.5](#) (2009).

[27] Mandamus 250 12

250 Mandamus

250I Nature and Grounds in General

250k12 k. Nature of acts to be commanded.

[Most Cited Cases](#)

To obtain writ relief, the petitioner must show the respondent has a clear, present, and ministerial duty to act in a particular way.

[28] Mandamus 250 12

250 Mandamus

250I Nature and Grounds in General

250k12 k. Nature of acts to be commanded.

[Most Cited Cases](#)

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A ministerial duty, as required for writ of mandate, is one that is required to be performed in a prescribed manner under the mandate of legal authority without the exercise of discretion or judgment.

[29] Mandamus 250  12

250 Mandamus

250I Nature and Grounds in General

250k12 k. Nature of acts to be commanded.

[Most Cited Cases](#)

A writ of mandate should not compel action by the Legislature unless the duty to do the thing asked for is plain and unmixed with discretionary power or the exercise of judgment.

[30] States 360  121

360 States

360IV Fiscal Management, Public Debt, and Securities

360k121 k. Administration of finances in general. [Most Cited Cases](#)

Under the statute requiring the Legislature to place the cost of determined mandates imposed on local agencies in the annual Budget Bill, doing so was discretionary rather than ministerial, and thus a writ of mandate requiring the Legislature to do so was improperly issued, since placing items in the Budget Bill was a legislative power. [West's Ann.Cal.Gov.Code § 17561\(b\)](#).

[31] States 360  121

360 States

360IV Fiscal Management, Public Debt, and Securities

360k121 k. Administration of finances in general. [Most Cited Cases](#)

The formulation of a budget bill, including the items to be placed in the bill, is inherently a discretionary and a legislative power.

[32] States 360  121

360 States

360IV Fiscal Management, Public Debt, and Securities

360k121 k. Administration of finances in general. [Most Cited Cases](#)

The budget determination is limited by the Legislature's own discretion, and beyond the interference of courts.

[33] Constitutional Law 92  2525

92 Constitutional Law

92XX Separation of Powers

92XX(C) Judicial Powers and Functions

92XX(C)2 Encroachment on Legislature

92k2499 Particular Issues and Applications

92k2525 k. Taxation and public finance. [Most Cited Cases](#)

Mandamus 250  100

250 Mandamus

250II Subjects and Purposes of Relief

250II(B) Acts and Proceedings of Public Officers and Boards and Municipalities

250k100 k. Appropriation or other disposition of public money. [Most Cited Cases](#)

States 360  111

360 States

360III Property, Contracts, and Liabilities

360k111 k. State expenses and charges and statutory liabilities. [Most Cited Cases](#)

States 360  121

360 States

360IV Fiscal Management, Public Debt, and Securities

360k121 k. Administration of finances in general. [Most Cited Cases](#)

Writ of mandate directing the Legislature either to fund or suspend state mandates imposed upon local agencies, and to place the cost of determined mandates imposed on local agencies in the annual Budget Bill, violated California's separation of powers doctrine.

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[West's Ann.Cal. Const. Art. I, § 0\(a\)](#), [West's Ann.Cal.Gov.Code § 17561\(b\)](#).

[34] Constitutional Law 92 🔑2525

[92 Constitutional Law](#)
[92XX Separation of Powers](#)
[92XX\(C\) Judicial Powers and Functions](#)
[92XX\(C\)2 Encroachment on Legislature](#)
[92k2499 Particular Issues and Applications](#)
[92k2525 k. Taxation and public finance. \[Most Cited Cases\]\(#\)](#)

Constitutional Law 92 🔑2560

[92 Constitutional Law](#)
[92XX Separation of Powers](#)
[92XX\(C\) Judicial Powers and Functions](#)
[92XX\(C\)3 Encroachment on Executive](#)
[92k2542 Particular Issues and Applications](#)
[92k2560 k. Taxation and public finance. \[Most Cited Cases\]\(#\)](#)

States 360 🔑121

[360 States](#)
[360IV Fiscal Management, Public Debt, and Securities](#)
[360k121 k. Administration of finances in general. \[Most Cited Cases\]\(#\)](#)

The enactment of a budget bill is fundamentally a legislative act, entrusted to the Legislature and the Governor and not the judiciary.

[35] Constitutional Law 92 🔑2470

[92 Constitutional Law](#)
[92XX Separation of Powers](#)
[92XX\(C\) Judicial Powers and Functions](#)
[92XX\(C\)2 Encroachment on Legislature](#)
[92k2470 k. In general. \[Most Cited Cases\]\(#\)](#)

The California Constitution's separation of powers doctrine forbids the judiciary from issuing writs that direct the Legislature to take specific action, including to appropriate funds and pass legislation.

[36] Constitutional Law 92 🔑2525

[92 Constitutional Law](#)
[92XX Separation of Powers](#)
[92XX\(C\) Judicial Powers and Functions](#)
[92XX\(C\)2 Encroachment on Legislature](#)
[92k2499 Particular Issues and Applications](#)
[92k2525 k. Taxation and public finance. \[Most Cited Cases\]\(#\)](#)

Under separation of powers principles, a court is prohibited from using its writ power to require an appropriation even if the Legislature is statutorily required to appropriate certain funds.

[37] Constitutional Law 92 🔑2470

[92 Constitutional Law](#)
[92XX Separation of Powers](#)
[92XX\(C\) Judicial Powers and Functions](#)
[92XX\(C\)2 Encroachment on Legislature](#)
[92k2470 k. In general. \[Most Cited Cases\]\(#\)](#)

The judicial department has no power to revise even the most arbitrary and unfair action of the legislative department, or of either house thereof, taken in pursuance of the power committed exclusively to that department by the constitution.

[38] Constitutional Law 92 🔑2525

[92 Constitutional Law](#)
[92XX Separation of Powers](#)
[92XX\(C\) Judicial Powers and Functions](#)
[92XX\(C\)2 Encroachment on Legislature](#)
[92k2499 Particular Issues and Applications](#)
[92k2525 k. Taxation and public finance. \[Most Cited Cases\]\(#\)](#)

Under the California Constitution, the separation of powers doctrine prohibits a court from compelling the Legislature to appropriate funds or to pay funds not yet appropriated.

[39] Constitutional Law 92 🔑2525

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[92 Constitutional Law](#)

[92XX Separation of Powers](#)

[92XX\(C\) Judicial Powers and Functions](#)

[92XX\(C\)2 Encroachment on Legislature](#)

[92k2499 Particular Issues and Applications](#)

[92k2525 k. Taxation and public finance.](#) [Most Cited Cases](#)

States 360 130

[360 States](#)

[360IV Fiscal Management, Public Debt, and Securities](#)

[360k129 Appropriations](#)

[360k130 k. Necessity.](#) [Most Cited Cases](#)

The rule that the separation of powers doctrine prohibits a court from compelling the Legislature to appropriate funds or to pay funds not yet appropriated is subject to a narrow exception when a court orders appropriate expenditures from already existing funds and the funds are reasonably available for the expenditures in question, which means that the purposes for which those funds were appropriated are generally related to the nature of costs incurred, but this exception must be strictly construed and is inapplicable if the existing funds have been appropriated for other purposes.

[40] Mandamus 250 100

[250 Mandamus](#)

[250II Subjects and Purposes of Relief](#)

[250II\(B\) Acts and Proceedings of Public Officers and Boards and Municipalities](#)

[250k100 k. Appropriation or other disposition of public money.](#) [Most Cited Cases](#)

A trial court has broad discretion to determine whether a mandamus remedy requiring a particular payment from an existing fund is warranted under the totality of the circumstances.

[41] States 360 111

[360 States](#)

[360III Property, Contracts, and Liabilities](#)

[360k111 k. State expenses and charges and statutory liabilities.](#) [Most Cited Cases](#)

Trial court acted within its discretion in denying school districts' request to compel state to reimburse funds spent on mandates imposed by state and only nominally funded, where districts sought more than \$900 million in funds from state, the state was experiencing an extreme budget crisis, districts cited only the Proposition 98 reversion fund as an account that could possibly contain funds reasonably related to the nature of costs incurred, appropriations for the budget year at issue were placed in a chartered bill following the Governor's signature on the Budget Act, and districts did not come forward with any predicate facts showing a reasonable basis to believe sufficient funds existed and that the funds would meet the criteria of the exception. [West's Ann.Cal. Const. Art. 13B, § 6.](#)

[42] States 360 111

[360 States](#)

[360III Property, Contracts, and Liabilities](#)

[360k111 k. State expenses and charges and statutory liabilities.](#) [Most Cited Cases](#)

Trial court did not abuse its discretion in declining to permit school districts to engage in a wide-ranging discovery investigation in an attempt to identify state funds to pay over \$900 million for prior mandates subject to a funding requirement under state constitution, before denying districts' request for an order compelling the state to reimburse such funds, where the state was experiencing an extreme budget crisis with a budget deficit estimated to be more than \$20 billion; any money a court would direct to the school districts would reduce funds available for other obligations and implicate funding priorities and policy making decisions. [West's Ann.Cal. Const. Art. 13B, § 6.](#)

[43] Evidence 157 29

[157 Evidence](#)

[157I Judicial Notice](#)

[157k27 Laws of the State](#)

[157k29 k. Public statutes.](#) [Most Cited Cases](#)

Court of Appeal would not take judicial notice of documents containing recently enacted statutes which apparently reflected additional deferred mandates, in school districts' cross-appeal challenging trial court's

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3d 696)

denial of their request to compel state to reimburse funds spent on mandates imposed by state and only nominally funded, where the documents were not presented to the trial court. [West's Ann.Cal. Const. Art. 13B, § 6.](#)

[44] Evidence 157  33

[157 Evidence](#)

[157I Judicial Notice](#)

[157k27 Laws of the State](#)

[157k33](#) k. Legislative proceedings and journals. [Most Cited Cases](#)

Court of Appeal would not take judicial notice of reports by the Legislature Analyst's Office prepared after the judgment was entered in the trial court, in school districts' cross-appeal challenging trial court's denial of their request to compel state to reimburse funds spent on mandates imposed by state and only nominally funded. [West's Ann.Cal. Const. Art. 13B, § 6.](#)

[45] Appeal and Error 30  837(9)

[30 Appeal and Error](#)

[30XVI Review](#)

[30XVI\(A\)](#) Scope, Standards, and Extent, in General

[30k837](#) Matters or Evidence Considered in Determining Question

[30k837\(9\)](#) k. Matters occurring after judgment. [Most Cited Cases](#)

Generally, when reviewing the correctness of a trial court's judgment, an appellate court will consider only matters which were part of the record at the time the judgment was entered.

****701** Edmund G. Brown, Jr., and [Kamala D. Harris](#), Attorneys General, [Jonathan K. Renner](#), Assistant Attorney General, [Zackery P. Morazzini](#) and [Ross C. Moody](#), Deputy Attorneys General, for Defendants and Appellants State of California, Department of Finance and State Controller's Office.

Olson, Hagel & Fishburn, [Deborah B. Caplan](#), [N. Eugene Hill](#) and Matthew R. Cody for Plaintiffs and Appellants.

[HALLER, J.](#)

778** When the Legislature enacts a law requiring a local school district to implement a new program or a higher level of service, the California Constitution requires the State of California (State) to pay the cost of the mandate and prohibits the State from transferring the cost to the school district. During the past decade, the Legislature has enacted numerous statutes requiring school districts to implement many *702** new programs and services. ***779** However, because of budget difficulties, the State has not paid the full cost of these programs and services. Instead, it has sought to satisfy the constitutional requirement by paying a nominal amount for each mandate and deferring the remaining costs to an indefinite time.

In 2007, the California School Boards Association and several school districts (collectively School Districts) brought a lawsuit against the State and two of its officers, challenging this practice of deferring, rather than paying in full, the cost of the state-imposed mandates.^{[FN1](#)} The School Districts sought several forms of relief, including: (1) declaratory relief that this practice was unconstitutional; (2) injunctive relief prohibiting the State from engaging in this practice in the future; and (3) an order requiring the State to reimburse the School Districts for more than \$900 million in unpaid costs incurred in complying with prior mandates. The State countered that its practice was authorized under the California Constitution and implementing statutes, and the court was barred by the separation of powers doctrine and equitable principles from ordering the requested relief.

^{[FN1](#)} The plaintiffs are: California School Boards Association, Education Legal Alliance, San Diego County Office of Education, San Diego Unified School District, Clovis Unified School District, Riverside Unified School District, and San Jose Unified School District. The individual defendants are: Michael Genest, in his capacity as director of the California Department of Finance, and John Chiang in his capacity as State Controller. We refer to defendants collectively as State.

After reviewing the parties' documentary evidence and conducting a hearing, the trial court found the State's deferral practice violated the California Constitution and several applicable statutes. (See [Cal.](#)

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Const., art. XIII B, § 6, Gov. Code, §§ 17500 et seq.)
FN2 The court further found the School Districts were entitled to declaratory and injunctive relief and issued a writ commanding the State in the future to fully fund School District mandated programs (as found by the Commission on State Mandates) or to affirmatively excuse the School Districts from these mandates under [section 17581.5](#). However, the court declined to order the State to reimburse the School Districts for costs previously incurred to comply with prior mandates, concluding this order would violate separation of powers principles. Both sets of parties appeal.

[FN2](#). Undesignated statutory references are to the Government Code. All article references are to the California Constitution.

On the State's appeal, we conclude the court properly granted declaratory relief interpreting the applicable constitutional and statutory provisions to mean that the State's payment of a nominal amount for a mandate imposed on a local school district, with an intention to pay the remaining cost at an unspecified time, does not comply with [article XIII B, section 6](#) and the implementing statutes. However, we determine the court erred in ordering ***780** injunctive relief because: (1) the ordered relief was inconsistent with the statutory scheme; (2) the writ required the performance of a discretionary, rather than a ministerial, duty; and (3) equitable relief was unwarranted because the School Districts have an adequate legal remedy for future violations under [section 17612, subdivision \(c\)](#).

With respect to the School Districts' cross-appeal, we determine the court did not abuse its discretion in refusing to order the State to pay the almost \$1 billion in previously deferred costs or to permit the School Districts to conduct further discovery on the reimbursement issue.

****703 SUMMARY OF LAW GOVERNING
SCHOOL DISTRICT STATE MANDATES**

Before 1978, local governments received a substantial portion of their financing through property taxes. In 1978, the voters adopted Proposition 13, adding article XIII A to the California Constitution, which imposed strict limits on the government's power to impose property taxes. The next year, the voters adopted Proposition 4, adding [article XIII B](#), which imposed corresponding limits on governmental power to spend for public purposes. (See [County of San Di-](#)

[ego v. State of California](#) (1997) 15 Cal.4th 68, 80681, 61 Cal.Rptr.2d 134, 931 P.2d 312; [County of Los Angeles v. Commission on State Mandates](#) (2007) 150 Cal.App.4th 898, 905, 58 Cal.Rptr.3d 762.)

One key component of [article XIII B](#)'s spending limitations is contained in [section 6](#), which states: "Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse such local government for the costs of such program or increased level of service...." ([Art. XIII B, § 6](#), subd. (a).) The intent underlying this section was to "preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are ill equipped to assume increased financial responsibilities because of the taxing and spending limitations that articles XIII A and XIII B impose. [Citations.]" ([County of San Diego v. State of California, supra](#), 15 Cal.4th at p. 81, 61 Cal.Rptr.2d 134, 931 P.2d 312.)

In 1984, the Legislature enacted a comprehensive statutory and administrative scheme for implementing [article XIII B, section 6](#). (§ 17500 et seq.; [Kinlaw v. State of California](#) (1991) 54 Cal.3d 326, 3316333, 285 Cal.Rptr. 66, 814 P.2d 1308; [County of San Diego v. State of California](#) (2008) 164 Cal.App.4th 580, 588, 79 Cal.Rptr.3d 489 ([County of San Diego](#))). In so doing, the Legislature created the Commission on State Mandates (Commission) to resolve questions as to whether a statute imposes "state-mandated costs on a local agency within the meaning of [section 6](#)." ***781** ([County of San Diego v. State of California, supra](#), 15 Cal.4th at p. 81, 61 Cal.Rptr.2d 134, 931 P.2d 312; §§ 17525, 17533 et seq.) Under this regulatory scheme, when the Legislature enacts a statute imposing obligations on a local agency or a school district without providing additional funding, the local entity may file a test claim with the Commission, which, after a public hearing, must determine whether the statute requires a new program or increased level of service. ([County of San Diego v. State of California, supra](#), 15 Cal.4th at p. 81, 61 Cal.Rptr.2d 134, 931 P.2d 312; §§ 17551, 17555.) If the Commission determines the statute meets this criteria, the Commission must determine the cost of the mandated program or service and then notify specified legislative entities and executive officers of this decision. (§§ 17557, 17555.) A local agency or school district may challenge the Commission's findings by administrative mandate

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Ed. Law Rep. 347, 11 Cal. Daily Op. Serv. 1923, 2011 Daily Journal

3d 696)

proceedings. (§ 17559, [Code Civ. Proc., § 1094.5.](#))

Once this administrative/judicial process is exhausted and a statute is determined to impose state-mandated costs, the Legislature is required to appropriate funds to reimburse the local entity for these costs. (§§ 17561, subd. (a), 17612, subd. (a).) If the Legislature refuses to appropriate money for [the] reimbursable mandate, the local agency [or school district] may file an action in declaratory relief to declare the mandate unenforceable and enjoin its enforcement under **704**[section 17612, subdivision \(c\)](#), (*County of San Diego v. State of California*, [supra](#), 15 Cal.4th at p. 82, 61 Cal.Rptr.2d 134, 931 P.2d 312.)

[Section 17612, subdivision \(c\)](#) (formerly subdivision (b)) initially provided the exclusive method for a local entity to seek relief from an unfunded mandate. However, in 1990, the Legislature added [section 17581](#), which provides an alternative to the judicial proceeding under [section 17612](#). It provides that a local agency is relieved of the obligation to implement an unfunded mandate if the Legislature specifically identifies the mandate and declines to fund it in the annual Budget Act. (§ [17581, subd. \(a\)](#); see *Tri-County Special Educ. Local Plan Area v. County of Tuolumne* (2004) 123 Cal.App.4th 563, 5716572, 19 Cal.Rptr.3d 884 (*Tri-County*).) The Legislature later added [section 17581.5](#), which creates similar (but more limited) relief for certain unfunded mandates imposed on school districts.

Section 17552 declares that these statutory provisions provide the sole and exclusive procedure by which a local agency or school district may claim reimbursement for costs mandated by the state as required by [Section 6 of Article XIII B](#)....

FACTUAL AND PROCEDURAL BACKGROUND

In November 2007, the School Districts filed a lawsuit in San Diego County Superior Court alleging the State has refused to comply with its **782** obligation to provide reimbursement under [article XIII B, section 6](#) for costs mandated by the State after the Commission has determined the existence and costs of the mandates. The State filed an answer denying these claims. The court set a briefing schedule and a hearing date in May 2008.

In their moving papers, the School Districts presented evidence showing that since 2002, the Legis-

lature has engaged in a routine practice of appropriating \$1,000 for each mandate imposed on the School Districts, rather than appropriating the full amount of the program costs. Specifically, for the 2007-2008 fiscal year, the Commission found 38 separate programs or services require reimbursement as unfunded mandates under [article XIII B, section 6](#). In each case, the State did not appeal or the appeal was decided adversely to the State. The State then appropriated \$1,000 for each of the 38 programs. These mandates included items such as: annual parent notification, pupil health screening, criminal background checks, AIDS prevention instruction, immunization records, teacher incentive program, and pupil promotion and retention. The School Districts presented evidence that as compared with this \$38,000 appropriated funding, the total statewide cost estimates for the programs in the 2007-2008 fiscal year exceeded \$160 million. Further, the \$1,000 appropriation per program equates to about \$1 for each California school district for the entire fiscal year.

The School Districts also presented evidence showing the State refers to this funding method as "deferred" mandate payments or an "Education Credit Card," which the Legislative Analyst's Office states "means that [full] funding will be provided at some unspecified future time." Although the State acknowledges it does not provide full funding for state-mandated programs on an annual basis, the State maintains the deferral practice complied with [Article XIII B, section 6](#), and thus the School Districts are "required to perform the mandated activities." A Legislative Analyst Office report states that the "credit card [method] represents a way the state has maintained [mandated] program[s] while cutting expenditures during slow economic times," and "represents **705** amounts the state owes to K-14 education for costs that were not fully funded during the fiscal year in which services were provided."

The evidence showed the total amount of unpaid school mandate funding is estimated to reach \$435 million (without interest) by the end of the 2007-2008 fiscal year. For example, the accumulated deficiency for the "Standardized Testing and Reporting" mandate was more than \$200 million. The approximate amount of costs for incurred unreimbursed programs and services include: \$30 million for the San Diego Unified School District; \$14 million for the Clovis Unified School District, and \$12 million for the San Jose

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Ed. Law Rep. 347, 11 Cal. Daily Op. Serv. 1923, 2011 Daily Journal

3d 696)

limited School District. The Governor's proposed budget for the *783 2008-2009 fiscal year continued the deferral practice, allocating only \$1,000 for each of 38 mandates instead of the estimated \$180 million required to fund these mandates.

The School Districts argued the deferred funding method violates [article XIII B, section 6](#), and the implementing statutory scheme. They requested the court to issue a writ: (1) ordering the State to comply with its statutory obligations to identify each mandate in the annual budget bill and to either appropriate funds to cover the costs of [the] mandate or to suspend the obligation to provide the mandated service or program; (2) ordering the State to reimburse the School Districts for all costs previously incurred in providing state-mandated programs and services from existing state accounts; and (3) declaring certain mandate statutes unconstitutional to the extent they do not require the State to pay the full cost of the State's mandated programs and services or impose an undue restriction on the enforcement of the constitutional right to reimbursement.

In opposition, the State acknowledged the existence of its deferral practice, but argued the \$1,000 funding was proper because neither the California Constitution nor the applicable statutes require the mandates be paid immediately, particularly because the State has agreed to pay interest on any delayed payments. According to the State, [school] districts that have performed under the mandates are guaranteed to receive payment for properly submitted claims. The State additionally argued that writ relief was not appropriate because the allegations do not show the State has failed to perform a ministerial duty and the School Districts have a statutory remedy in [section 17612, subdivision \(c\)](#). The State also argued the separation of powers doctrine prohibited the court from entering a judgment against the State for mandate amounts owed from previous years.

After briefing and the submission of evidence was completed, this court filed its decision in [County of San Diego, supra, 164 Cal.App.4th 580, 79 Cal.Rptr.3d 489](#), in which we reversed a superior court judgment requiring the State to appropriate funds over a 15-year period to pay San Diego and Orange Counties for amounts owed for their previously incurred mandate costs. (*Id.* at pp. 592, 593-597, 79 Cal.Rptr.3d 489.) We held the court's order compel-

ling the appropriation violated the separation of powers doctrine, and the order was unnecessary because the Legislature had enacted a specific statute pertaining to outstanding mandate debt owed to counties. (*Id.* at pp. 594, 595-596, 79 Cal.Rptr.3d 489.) We additionally held the court did not abuse its discretion in refusing to order the State to pay this debt from existing fund accounts. (*Id.* at pp. 597-603, 79 Cal.Rptr.3d 489.)

The trial court then permitted the parties to file supplemental briefs on the impact of *706 of [County of San Diego](#) on the issues before the court. After the *784 additional briefing and a hearing, the trial court issued a written decision, finding the State's practice of deferring payment to the School Districts violated the language and intent of [Article XIII B, section 6](#), and the statutory scheme enacted to implement the constitutional provision. The trial court found the evidence showed virtually all school districts had suffered adverse effects from the State's failure to timely provide mandate funding, and quoted from a 2006-2007 Governor's Budget Analysis showing the State estimated it owes the school districts approximately \$1.2 billion for unpaid mandate costs through 2005-2006.

The trial court additionally concluded the legal remedy contained in [section 17612, subdivision \(c\)](#) was not available to the School Districts to challenge the nominal funding practice because this statutory remedy applies only if the Legislature completely deletes the mandate funding from the Budget Act. The court found that by providing a nominal amount for each mandate, the Legislature has effectively circumvented [School Districts] from exercising their statutory remedy under [section 17612, subdivision \(c\)](#), and thus the School Districts have no adequate available legal remedy but for this writ of mandate.

However, relying on [County of San Diego, supra, 164 Cal.App.4th 580, 79 Cal.Rptr.3d 489](#), the trial court refused to order the State to pay amounts owed to the School Districts for prior mandates. As detailed below, the court found it was barred by the separation of powers doctrine from issuing this order, and that the exception for ordering payment from existing funds was inapplicable. The court also denied the School Districts' request to conduct further discovery on this issue.

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The court then issued a temporary judgment and a writ of mandate. With respect to the ordered declaratory relief, Paragraph 7 of the judgment reads: "The Court finds that an actual controversy exists between petitioners and respondents as to the nature of the requirement imposed upon the State by [article XIII B, section 6 of the California Constitution](#) and the statutory scheme set forth at [Gov.Code §§ 17500 et seq.](#) that makes declaratory relief under [Code of Civil Procedure § 1060](#) appropriate. The Court hereby finds and declares that the State's failure to include the full costs of all mandates as determined by the [Commission] in the Budget Act, and its practice of appropriating \$1,000 and deferring the balance of the costs of those mandates, constitutes a failure to provide a subvention of funds for the mandates as required by [article XIII B, section 6](#) and violates the constitutional rights conferred by that provision and the specific procedures set forth at [Gov.Code §§ 17500 et seq.](#)"

The writ of mandate states in relevant part: "[T]he [State and its officers] are commanded to: [¶] 1. Ensure that the costs of each mandate determined to *785 be reimbursable by the Commission on State Mandates, including interest, shall be included in the Governor's proposed budget as required by [Government Code sections 17500 et seq.](#) and in particular [sections 17561](#) and [17612](#) unless specifically identified and suspended pursuant to [Government Code \[section\] 17581.5](#). [¶] 2. [The State and its officers] are enjoined from appropriating an amount for any mandate to [the School Districts] less than the amount determined to be reimbursable by the Commission on State Mandates. Said [parties] shall not defer any balance of any mandated program and shall include the full amount determined to be reimbursable in the Governor's proposed budget unless **707 suspended pursuant to [Government Code section 17581.5](#)." (Italics added.) The court ordered the State to file a return in the superior court certifying its compliance with the writ.

Both sets of parties appeal.

DISCUSSION

I. *Deferred Mandate Payment Is Not Equivalent to a Funded Mandate*

[1] Before addressing the parties' specific contentions raised on appeal and cross-appeal, it is necessary to resolve the fundamental legal dispute underlying each of the parties' contentions: whether the

State complies with its constitutional and statutory obligations to fund a mandate imposed on the School Districts by appropriating a nominal (\$1,000) amount for the mandated program, with the intention to pay the remainder with interest at an unspecified time. As explained below, we agree with the trial court's determination that a deferred appropriation is not a funded mandate within the meaning of [article XIII B, section 6](#), and the implementing statutory provisions.

[Article XIII B, section 6](#) provides: "Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government [defined to include school districts], the State shall provide a subvention of funds to reimburse that local government for the costs of the program or increased level of service [with exceptions not applicable here]...." ([Art. XIII B, § 6](#), subd. (a).) Subvention means "a grant of financial aid or assistance, or a subsidy." ([County of San Diego, supra](#), 164 Cal.App.4th at p. 588, fn. 4, 79 Cal.Rptr.3d 489.)

[2] This reimbursement obligation was "enshrined in the Constitution ... to provide local entities with the assurance that state mandates would not place additional burdens on their increasingly limited revenue resources." *786 ([Lucia Mar Unified School Dist. v. Honig](#) (1988) 44 Cal.3d 830, 836, fn. 6, 244 Cal.Rptr. 677, 750 P.2d 318; [County of Sonoma v. Commission on State Mandates](#) (2000) 84 Cal.App.4th 1264, 1282, 101 Cal.Rptr.2d 784.) "Section 6 recognizes that articles XIII A and XIII B severely restrict the taxing and spending powers of local governments. [Citation.] Its purpose is to preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are 'ill equipped' to assume increased financial responsibilities because of the taxing and spending limitations that articles XIII A and XIII B impose. [Citations.] With certain exceptions, [section 6](#) "[e]ssentially requires the state to pay for any new government programs, or for higher levels of service under existing programs, that it imposes upon local governmental agencies. [Citation.]" ([County of San Diego v. State of California, supra](#), 15 Cal.4th at p. 81, 61 Cal.Rptr.2d 134, 931 P.2d 312; accord [County of Los Angeles v. Commission on State Mandates](#) (2003) 110 Cal.App.4th 1176, 118861189, 2 Cal.Rptr.3d 419; [County of Sonoma v. Commission on State Mandates, supra](#), 84 Cal.App.4th at p. 1282, 101 Cal.Rptr.2d 784; [Redevelopment Agency v. Commission on State](#)

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Mandates (1997) 55 Cal.App.4th 970, 985, 64 Cal.Rptr.2d 270.)

The implementing statutes are consistent with this intent. [Section 17561](#) is the primary code section that sets forth the State's duties once a mandate is determined by the Commission. [Section 17561, subdivision \(a\)](#) states: "The state shall reimburse each local agency and school district for all costs mandated by the state, as defined in Section 17514 ^[FN3] and for legislatively determined mandates in accordance with Section 17573 ^[FN4]." (Italics added.) [Section 17561, subdivision \(b\)\(1\)\(A\)](#) states: "For the initial fiscal year during which costs are incurred ... ^[¶] ... [a]ny statute mandating these costs shall provide an appropriation therefor." (Italics added.) [Section 17561, subdivision \(b\)\(2\)](#) states: "In subsequent fiscal years appropriations for these costs shall be included in the annual Governor's Budget and in the accompanying Budget bill..." (Italics added.) [Section 17561, subdivision \(c\)](#) provides: "The amount appropriated to reimburse local agencies and school districts for costs mandated by the state shall be appropriated to the Controller for disbursement." (Italics added.)

[FN3](#). Section 17514 defines "costs mandated by the state" to mean "[] any increased costs which a local agency or school district is required to incur after July 1, 1980, as a result of any statute enacted on or after January 1, 1975, or any [specified] executive order ..., which mandates a new program or higher level of service of an existing program within the meaning of [Section 6 of Article XIII B of the California Constitution](#)."

[FN4](#). Section 17573 provides for a legislative settlement process as an alternative to the more lengthy Commission process for mandate determinations.

In this case, the Commission found 38 separate school district programs or services require reimbursement as unfunded mandates under [article XIII B, section 6](#), and in each case, the State did not appeal or the appeal was decided adversely to the State. Many of these programs were found to cost more than \$1 million. However, instead of appropriating the full amount determined by the Commission to be the total cost of each program, the State appropriated \$1,000 for each program, approximately \$1 per school district

for each mandated program.

[\[3\]](#) This practice violates the language and intent of the constitutional and statutory provisions. By attempting to pay for the new programs with a "credit card" with no fixed date for full payment, the State is shifting the actual costs of these mandates to the local school districts. The fact that the State takes the position (without any specific legislation to this effect) that it intends to pay the full cost with interest does not eliminate the cost burden. Unless it is excused from implementing the program, each school district will have a *current* cost for the program or increased level of service. Under [article XIII B, section 6](#), if the State wants to require the local school districts to provide new programs or services, it is free to do so, but not by requiring the local entities to use their own revenues to pay for the programs.

[\[4\]](#) The State concedes the intent underlying the constitutional and statutory provisions was to prevent cost-shifting to the local governments, but argues that payment at some later, undefined time, is consistent with this intent, as long as interest is eventually paid to the School Districts. However, this argument is inconsistent with the fundamental purpose of [article XIII B, section 6](#), which was to require each branch of government to live within its means, and to prohibit the entity having superior authority (the State) from circumventing this restriction by forcing local agencies such as School Districts to bear the State's costs, even for a limited time period. By imposing on local school districts the financial obligation to provide state-mandated programs on an indeterminate and open-ended basis, the State is requiring school districts to use their own revenues to fund programs or services imposed by the state. Under this deferral practice, the State has exercised its authority to order many new programs and services, but has declined to pay for them until some indefinite time in the future. This essentially is a compelled loan and directly contradicts the language and the intent of [article XIII B, section 6](#), and the implementing statutes.

We reject the State's arguments in support of a contrary conclusion.

First, the State notes that [article XIII B, section 6](#), as originally enacted, did not contain an express temporal requirement for mandate payments, but in 2004 voters (through Proposition 1A) adopted

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3d 696)

amendments requiring appropriations in one full payable amount.^{FN5} These amendments expressly applied ***788** only to a city, county, city and county, or special district, and not to school districts. ([Art. XIII B, § 6](#), subd. (b), par. (4).) The State claims that Proposition 1A was placed on the ballot as a result of a political compromise between local governments and the State arising from local government budget difficulties caused by the State's practice of deferring mandate payments to these entities. The State thus contends the very fact that cities and counties had to go to the ballot and obtain specific limits on the timing of payments for mandates confirms that [section 6](#) had no temporal requirement at all prior to Proposition 1A. The State further asserts that if the School Districts want the same benefits, they will need to negotiate a similar political compromise with the State.

FN5. Under the amendments, beginning in the 2005-2006 fiscal year, the Legislature must generally appropriate the full amount of the mandate or suspend the operation of the mandate for the fiscal year. ([Art. XIII B, § 6](#), subd. (b), par. (1).) The amendment further provided that for a mandate incurred prior to the 2004-2005 fiscal year, the amounts may be paid over a term of years, as prescribed by law. ([Art. XIII B, § 6](#), subd. (b), par. (2).) This prescribed by law term for repayment of amounts owed by the cities and counties is now a 15-year period, as set forth in [section 17617](#).

These arguments are unpersuasive. There is nothing in the language of Proposition 1A, or in the ballot materials presented to the voters, showing the State did not already have the obligation to fully fund the mandates when they were imposed. The Proposition 1A compromise added several new features to the local-state mandate relationship, including a specific constitutional provision making clear that the deferral practice (with respect to cities and counties) would no longer be tolerated and adding a requirement that the Legislature provide a specific time period for the State to reimburse these local entities for the prior mandate debt. ([Art. XIII B, § 6](#), subd. (b), pars. (1), (2).) This compromise does not mean the deferral practice was authorized under the prior law, and did not involve any type of concession that the practice was previously legally authorized.

[5][6] Moreover, even assuming there was an indication that the parties to the compromise, or the voters in adopting Proposition 1A, believed the prior law allowed the State to defer payments, this belief is not binding on a court. (See [Carter v. California Dept. of Veterans Affairs](#) (2006) 38 Cal.4th 914, 922-923, 44 Cal.Rptr.3d 223, 135 P.3d 637.) A court should not accept later expressed legislative intent if the intent is inconsistent with the plain meaning of the prior act or its legislative history. (*Id.* at p. 922, 44 Cal.Rptr.3d 223, 135 P.3d 637.) The interpretation of a statute or a constitutional provision is an exercise of the judicial power the Constitution assigns to the courts. [Citation.] (*Ibid.*; see [Murray v. Oceanside Unified School Dist.](#) (2000) 79 Cal.App.4th 1338, 1348, 95 Cal.Rptr.2d 28.)

****710 [7]** The State also contends the court erred in determining the deferral method was improper because the constitutional and statutory provisions do not specifically say that the reimbursement must be made in full in a single payment, or within one year. However, the fact that a "payment in full" ***789** phrase was not used does not mean the Legislature intended to permit a deferral of funds. As discussed, [article XIII B, section 6](#)'s language and underlying intent impose the timeliness requirement for the reimbursement obligation without the need to use these precise words. Likewise, [section 17561, subdivision \(a\)](#)'s statement that "all costs must be reimbursed by the State is a clear statutory directive requiring full payment once a mandate is determined by the Commission (and any appeals process has been completed). An interpretation of [section 17561](#) that would allow partial payments would render the word "all" superfluous.

[8] The State next contends that [section 17561, subdivision \(d\)\(2\)\(C\)](#), which allows the State Controller to adjust the mandate payments to correct for any prior underpayments, "expressly contemplates that the initial payment may not be payment in full."^{FN6} However, [section 17561, subdivision \(d\)\(2\)\(C\)](#) pertains to the Controller's audit function, allowing the Controller to correct inaccurate fund disbursements after auditing the local entity's supporting records. This administrative power to adjust payments is not equivalent to stating that the Legislature has the authority to provide a nominal payment for a mandate.

FN6. [Section 17561, subdivision \(d\)\(2\)\(C\)](#) states: "The Controller shall adjust the pay-

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3d 696)

ment to correct for any underpayments or overpayments that occurred in previous fiscal years.ö

The State also relies on the Controller's statutory authority to issue ö-proratedø ö payments. Section 17567 states that the Controller must öprorate claimsö if öthe amount appropriated for reimbursement purposes pursuant to [Section 17561](#) is not sufficient to pay all of the claims approved by the Controller.ö This code section does not provide the Legislature with the legal authority to provide insufficient funding for mandates. To the contrary, section 17567 specifically states that ö[i]n the event that the Controller finds it necessary to prorate claims as provided by this section, the Controller shall *immediately* report this action to [specified executive and legislative entities and officers] *in order to assure appropriations of these funds in the Budget Act.*ö (§ 17567, italics added.)

[9] We similarly reject the State's reliance on [section 17561.5](#), which provides that an initial reimbursement claim öshall include accrued interest ... if the payment is being made more than 365 days after adoption of the statewide cost estimate for an initial claim....ö This required interest payment does not provide the Legislature with the authority to implement a policy under which it pays only a nominal amount of a mandated claim. Rather it provides for interest payments where the actual costs are less than those estimated as costs during the Commission process.

We also find unconvincing the State's discussion of the fact that in the 2006ö2007 fiscal year it made payments on the outstanding mandate debt and *790 that these öpayments demonstrate that the Constitutional right to reimbursement is being honored through the practice of deferred payments.ö As the Legislative Analyst Office noted, the State repaid *some* outstanding claims while at the same time deferring more claims in the subsequent year. A single reimbursement payment does not show the mandates are being timely funded.

**711 We thus conclude the Legislature's practice of nominal funding of state mandates with the intention to pay the mandate in full with interest at an unspecified time does not constitute a funded mandate under the applicable constitutional and statutory provisions.

II. Parties' Appellate Challenges to Judgment and Writ

Having determined the deferral practice is improper, we now consider the parties' specific appellate challenges to the trial court's determinations regarding the relief requested by the School Districts.

A. Court's Grant of Declaratory Relief

[10][11][12][13][14] öDeclaratory relief is an equitable remedy, which is available to an interested person in a case -of actual controversy relating to the legal rights and duties of the respective parties... (Code Civ. Proc., § 1060....)ö (*In re Claudia E.* (2008) 163 Cal.App.4th 627, 633, 77 Cal.Rptr.3d 722.) ö-The purpose of a declaratory judgment is to öserve some practical end in quieting or stabilizing an uncertain or disputed jural relation.ö ø[Citation.] -Another purpose is to liquidate doubts with respect to uncertainties or controversies which might otherwise result in subsequent litigation [citation].ø [Citation.] The proper interpretation of a statute is a particularly appropriate subject for judicial resolution. [Citations.] Additionally, judicial economy strongly supports the use of declaratory relief to avoid duplicative actions to challenge an agency's statutory interpretation or alleged policies. [Citation.] [¶] The remedy of declarative relief is cumulative and does not restrict any other remedy....ö (*Ibid.*) Thus, the fact that öanother remedy is available is an insufficient ground for refusing declaratory relief.ö (*Filarsky v. Superior Court* (2002) 28 Cal.4th 419, 433, 121 Cal.Rptr.2d 844, 49 P.3d 194.) Moreover, declaratory relief is generally available to settle the parties' rights with respect to future actions, and not to correct conduct that occurred in the past.

[15] In Paragraph 7 of the judgment, the court declared that the State's practice of paying only a nominal amount for a mandated program while deferring the balance of the cost öconstitutes a failure to provide a subvention of funds for the mandates as required by [article XIII B, section 6](#) and violates the constitutional rights conferred by that provision and the specific procedures *791 set forth at [[sections 17500 et seq.](#)]ö This form of declaratory relief was proper, as there was an actual controversy between the parties regarding the interpretation of [article XIII B, section 6](#) and [section 17561](#), pertaining to the use of deferred mandate payments. The declaration will prevent further issues arising from the conflicting

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3d 696)

interpretations, and was an effective remedy to settle the parties' rights in the future regarding the meaning of the provisions. The State has not challenged these conclusions.

Although on appeal the State focuses primarily (if not exclusively) on challenging the injunctive relief ordered by the court, it indirectly challenges the portion of the judgment granting declaratory relief based on the State's assertions that a deferred mandate is a funded mandate that must be implemented by the School Districts. For the reasons explained above, we have rejected this argument. The State does not proffer any other basis for finding the court's granting declaratory relief (as set forth in Paragraph 7) was improper. We thus affirm the portion of the judgment providing this declaratory relief.

B. Court's Grant of Injunctive Relief

1. Overview

In the writ of mandate, the court "commanded" the State and its officers to engage^{**712} in several affirmative tasks relating to the budget process and prohibited these defendants from deferring any mandates unless it "identified and suspended" the mandate under [section 17581.5](#). Specifically, the court ordered the State to "[e]nsure that the costs of each mandate determined to be reimbursable by the Commission ... shall be included in the Governor's proposed budget as required by ... [sections 17561](#) and [17612](#) unless specifically identified and suspended pursuant to [\[section\] 17581.5](#)." (Italics added.) The court additionally "enjoined" the State "from appropriating an amount for any mandate to [the School Districts] less than the amount determined to be reimbursable by the Commission" and stated the State "shall not defer any balance of any mandated program and shall include the full amount determined to be reimbursable in the Governor's proposed budget unless suspended pursuant to [\[section\] 17581.5](#)." (Italics added.)

The State contends the court had no authority to order these forms of mandamus relief because: (1) the School Districts have an adequate remedy at law; (2) the court's order concerned discretionary, rather than ministerial, duties; and (3) the court's actions violate separation of powers principles. We agree with these arguments. Given the specific statutory procedures for addressing an unfunded mandate, the court erred in issuing the writ because the School Districts have an adequate remedy at law; the writ improperly ^{*792}

restricts the State's discretionary authority; and the writ improperly interferes with budgetary powers committed exclusively to the legislative and executive branches.

To explain these conclusions, we first detail the existing statutory remedies applicable when the Legislature has failed or refused to fund an administratively-determined state mandate. We then describe the basis for our legal determinations that the writ was an unauthorized use of the court's mandamus powers.

2. Statutory Remedies for Failure to Fund Determined Mandates

Under the statutory scheme, the Commission must promptly notify specified legislative and executive bodies of its determination on a test claim (§ 17555), and must submit a biannual report to the Legislature identifying the mandates found and the cost of the mandates (§ 17600). "Upon receipt of the report submitted by the [C]ommission ..., funding shall be provided in the subsequent Budget Act for costs incurred in prior years." (§ 17612, subd. (a), italics added.) If the Legislature does not comply with this duty, the statutes provide two potential remedial procedures. (§§ 17612, subd. (a), 17581, 17581.5.) These remedies are directed at excusing a local school district from performing the mandate, rather than affirmatively compelling the Legislature to appropriate funds for the mandate.

[16] First, under [section 17581.5](#), the Legislature can avoid paying the mandate costs if it identifies the statutory program in the Budget Act as a mandate for which no funding is provided in that fiscal year and specifically relieves the school district of the requirement that it implement the program.^{FN7} (See also [§ 17581](#) [similar remedy applicable to local agencies].) With respect to school districts, this action is ^{**713}permitted only pertaining to certain categories of mandates. (§ 17581.5, subd. (c).) If this procedure is properly invoked with respect to a statutory mandate, the remedy is self-executing in the sense that it does not require any affirmative action by the school district, i.e., if the Legislature makes this specific "nonfunding" designation, each school district ^{*793}is "permitted to make its own determination not to implement the mandate." (*Tri-County, supra*, 123 Cal.App.4th at p. 572, 19 Cal.Rptr.3d 884 [interpreting [§ 17581](#)].)

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3d 696)

Section 17581.5, subdivision (a) provides: "A school district shall not be required to implement or give effect to the statutes, or a portion of the statutes ... during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted ... if all of the following apply: [¶] (1) The statute ... has been determined by the Legislature, the commission, or any court to mandate a new program or higher level of service requiring reimbursement of school districts pursuant to Section 6 of Article XIII B... [¶] (2) The statute ... specifically has been identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year...."

[17] Second, if the Legislature does not fund a determined mandate and does not specifically designate the mandate as one for which no funding will be provided under sections 17581 or 17851.5, the local agency or school district *must* perform the mandate, unless it *affirmatively obtains relief under section 17612, subdivision (c)*. (See *Tri-County, supra*, 123 Cal.App.4th at pp. 573-574, 19 Cal.Rptr.3d 884.) Section 17612, subdivision (c) states: "If the Legislature deletes from the annual Budget Act funding for a mandate, the local agency or school district may file in the Superior Court of the County of Sacramento an action in declaratory relief to declare the mandate unenforceable and enjoin its enforcement for that fiscal year."

[18][19] Unlike the remedy in sections 17581 and 17581.5, the remedy under section 17612, subdivision (c) is not self-executing and requires the local entity to affirmatively seek judicial relief to be excused from the mandate. (*Tri-County, supra*, 123 Cal.App.4th at p. 573, 19 Cal.Rptr.3d 884; see *Kinlaw v. State of California, supra*, 54 Cal.3d at p. 333, 285 Cal.Rptr. 66, 814 P.2d 1308; *Berkeley Unified School Dist. v. State of California* (1995) 33 Cal.App.4th 350, 358-359, 39 Cal.Rptr.2d 326.) This remedy affords relief prospectively, and not as to funds previously paid out by a local agency to satisfy a state mandate. (See *Lucia Mar Unified School Dist. v. Honig, supra*, 44 Cal.3d at p. 833, fn. 3, 244 Cal.Rptr. 677, 750 P.2d 318.)

Thus, [a] Commission determination that a cost

results from an unfunded state mandate does not necessarily mean the Legislature will pay for it. If the Legislature does not pay [or excuse the school district under section 17581.5], with a favorable Commission determination in hand, an entity may seek a court order [under section 17612, subdivision (c)] that it no longer has to obey the mandate.... (*Grossmont Union High School Dist. v. State Dept. of Education* (2008) 169 Cal.App.4th 869, 877, 86 Cal.Rptr.3d 890 (*Grossmont Union*)). "The intent of the Legislature ... could not be more clear: until and unless a court or the Legislature itself has relieved a local government of a statutory mandate, the local government must perform the duties imposed by the mandate [even if the mandate is not funded]." (*Tri-County, supra*, 123 Cal.App.4th at p. 573, 19 Cal.Rptr.3d 884.) In establishing this procedure by which local governments may seek relief from an unfunded program, "the Legislature has ensured an orderly procedure for resolving these issues, eschewing the local government anarchy that would result from recognizing a county's ability *sua sponte* to declare itself relieved of the statutory mandate." (*Ibid.*)

***794 3. Writ Was Improper Because School Districts Have an Adequate Remedy at Law**

[20] To warrant relief in the form of a writ of mandate requiring a party to take ****714** (or not to take) certain actions in the future, the petitioner must demonstrate there is no adequate legal remedy. (See *Transdyn/Cresci JV v. City and County of San Francisco* (1999) 72 Cal.App.4th 746, 752, 85 Cal.Rptr.2d 512.) We determine the School Districts had an adequate remedy at law under section 17612, subdivision (c) for any future attempts by the State to defer mandate payments.

The trial court found the School Districts did not have an adequate legal remedy with respect to future nominally funded mandates because section 17612, subdivision (c) applies only when the Legislature completely removes a particular mandate from a budget bill, and this judicial procedure cannot be used if the Legislature provides some (although nominal) funding. Based on this interpretation, the trial court found the State had essentially created a "Catch-22" situation for the School Districts—they could not refuse to comply with the mandate and they could not seek to be relieved of the obligation to implement the mandate under the established statutory procedures.

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On appeal, the State argues the court's statutory interpretation was erroneous. The State asserts that if the Legislature provides only nominal funding for a reimbursable mandate, the School Districts are free to seek a declaration of that fact under [section 17612, subdivision \(c\)](#) and receive a judicial declaration that it need not comply with that mandate for a year. In support, the State cites to our recent *County of San Diego* decision in which we stated in footnote 28 that although the Counties are denied the judicial remedy they seek in this case, it is important to note that the statutory scheme implementing [article XIII B, section 6](#), does not leave local agencies remediless for the Legislature's failure to fund state mandates.... When the Legislature provides only nominal funding for a mandate, as was the case with many of the mandates at issue here, the local agency's remedy is to file an action under [section 17612, subdivision \(c\)](#), to declare the mandate unenforceable and to enjoin its enforcement for that fiscal year. (*County of San Diego, supra*, 164 Cal.App.4th at p. 613, fn. 28, 79 Cal.Rptr.3d 489.)

In response, the School Districts argue that these statements were *dicta* and urge this court to reach a different conclusion in this case. However, they do not present any evidence that a school district (or any other entity) has ever been precluded from obtaining [section 17612, subdivision \(c\)](#) relief from ***795** a deferred and nominally funded mandate. They also acknowledge there are no reported decisions holding that such relief is unavailable. ^{FN8}

FN8. They cite only to language in *Berkeley Unified School Dist. v. State of California, supra*, 33 Cal.App.4th at page 360, 39 Cal.Rptr.2d 326, in which the court observed that the Legislature's deletion of funding from a claims bill triggers the statutory period for filing an action under [section 17612, subdivision \(c\)](#). Because the *Berkeley Unified* court was not addressing the issue presented here, we find the court's observations to be unhelpful to our analysis.

[21] After reexamining the statutory language, we adhere to our prior interpretation of this statute. [Section 17612, subdivision \(c\)](#) states: *if* the Legislature *deletes* from the annual Budget Act funding for a mandate, the local agency or school district may file in the Superior Court of the County of Sacramento an

action in declaratory relief to declare the mandate unenforceable and enjoin its enforcement for that fiscal year. (Italics added.) In interpreting this code section, our primary task is to determine the intent of the Legislature so as to effectuate the purpose ****715** of the law. [Citation.] In determining legislative intent, we look first to the statutory language itself. [Citation.] (*Los Angeles Unified School District v. County of Los Angeles* (2010) 181 Cal.App.4th 414, 423, 104 Cal.Rptr.3d 590.) The words of the statute must be construed in context, keeping in mind the statutory purpose, and statutes or statutory sections relating to the same subject must be harmonized, both internally and with each other, to the extent possible. [Citation.] (*Ibid.*; see *Lungren v. Deukmejian* (1988) 45 Cal.3d 727, 735, 248 Cal.Rptr. 115, 755 P.2d 299; *Woodland Park Management, LLC v. City of East Palo Alto Rent Stabilization Bd.* (2010) 181 Cal.App.4th 915, 923, 104 Cal.Rptr.3d 673.) Moreover, a court must presume the Legislature acts consistent with the Constitution when enacting legislation, and we must adopt an interpretation that upholds the statute's constitutionality, if the interpretation is consistent with the statutory language and purpose. (See *In re Kay* (1970) 1 Cal.3d 930, 942, 83 Cal.Rptr. 686, 464 P.2d 142; *Wilson v. State Bd. of Education* (1999) 75 Cal.App.4th 1125, 1145, 89 Cal.Rptr.2d 745.)

[22][23] Under these principles, the proper interpretation of [section 17612, subdivision \(c\)](#) is that a party is permitted to seek relief for nominal funding as well as a complete lack of funding for a determined state mandate. Although [section 17612, subdivision \(c\)](#) contains the word *deletes*, when viewed in context, this term does not refer to the physical act of entirely deleting an item from a budget bill, but refers more generally to the deletion of all or part of the administratively-determined cost from the amount required to be appropriated to the local entity. After the adoption of [article XIII B](#), the Legislature enacted comprehensive procedures for resolution of claims arising out of [section 6](#). The Legislature did so because the absence of a uniform procedure had resulted in inconsistent ***796** rulings on the existence of state mandates, unnecessary litigation, reimbursement delays, and, apparently, resultant uncertainties in accommodating reimbursement requirements in the budgetary process. (*Kinlaw v. State of California, supra*, 54 Cal.3d at p. 331, 285 Cal.Rptr. 66, 814 P.2d 1308.) As part of this legislative scheme, the Legislature created an administrative process for resolving

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issues regarding the existence and costs of mandates, and a judicial process for obtaining relief from unfunded mandates. This judicial process involved a method for local entities to challenge unfunded mandates (after a determination by the Commission) by filing an action seeking a declaration in Sacramento County Superior Court that the entity was excused from implementing the mandate. The essence of this new procedure was to consolidate all such actions in one venue and place the burden on local entities to seek judicial relief if the State failed to abide by its obligations to fund a particular mandate.

It would be inconsistent with this judicial remedy and the state Constitution to interpret [section 17612, subdivision \(c\)](#) as providing a right to seek relief only if there is "no" funding for a mandate, as opposed to nominal funding. As noted, the \$1,000 funding required the School Districts to use their own funds to provide programs mandated by the State. This is virtually the same harm as providing no funding for a particular program, and is directly contrary to the constitutional mandate contained in [article XIII B, section 6](#). If we were to interpret the remedial provision in [section 17612, subdivision \(c\)](#) as limited to legislative decisions to provide zero funding, we would be concluding that the statutory scheme does not provide a remedy for a school district to avoid an ****716** unfunded mandate. This result could not have been contemplated by the drafters of the statutory scheme, who were seeking to effectuate (and not defeat) the voters' intent underlying the constitutional provision.

[24] We thus reaffirm our conclusion in *County of San Diego* that where an appropriation is the functional equivalent of deleting funding, a local entity (including a school district) has a right to seek a declaration of that fact under [section 17612, subdivision \(c\)](#) and receive a judicial declaration that it need not comply with the mandate for one year.^{FN9} Because the School Districts have this legal remedy, it was improper for the court to issue an injunction controlling the State's future actions in these matters.

^{FN9}. In the proceedings below, School Districts argued the requirement that an entity bring an action *every year* to seek relief under [section 17612, subdivision \(c\)](#) for an unfunded mandate was an unreasonable restriction on its constitutional rights under [ar-](#)

[ticle XIII B, section 6](#). The court rejected this facial challenge, but stated its ruling was without prejudice to the petitioners bringing an "as-applied" challenge to the annual requirement. School Districts did not cross-appeal from this portion of the order. Thus, the issue is not before us on this appeal. Although they mention the issue in passing in a footnote of their appellate brief, this footnote was insufficient to present the issue on appeal.

[25] ***797** In reaching this conclusion, we recognize that the State's prior position that it was permitted to require the School Districts to implement the State-mandated programs despite the nominal funding appears inconsistent with the State's current interpretation of [section 17612, subdivision \(c\)](#) that the School Districts have a right to seek a court order declaring the mandate to be unenforceable. However, this inconsistency has now been resolved. We have affirmed the trial court's grant of declaratory relief that the State violates [article XIII B, section 6](#) and the implementing statutes by requiring a school district to implement a program under a deferred payment practice. And we have held (consistent with the State's current position) that if the State violates these provisions in the future, the School Districts will have a right to obtain relief from a required implementation of the program under [section 17612, subdivision \(c\)](#).^{FN10}

^{FN10}. We note the State would be precluded from arguing that the School Districts waived claims for *prior* unpaid mandates by previously failing to seek relief under [section 17612, subdivision \(c\)](#). The State's prior agreement to pay for these costs, and its prior position that these mandates were required, is inconsistent with a claim that the School Districts previously waived their right to reimbursement for those costs by not invoking the statutory remedy. However, in the future, if the School Districts wish to be relieved of an obligation when there is only nominal funding, they will be required to seek relief under section 17612, subdivision (c) in the Sacramento County Superior Court.

4. *Writ Interferes with Discretionary Functions and Separation of Powers Doctrine*

[26] We additionally conclude the writ was im-

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3d 696)

properly issued because it compels a discretionary, not a ministerial, act.

[27][28][29] To obtain writ relief, the petitioner must show the respondent has ða clear, present, and ministerial duty to act in a particular way.ö ([County of San Diego, supra](#), 164 Cal.App.4th at p. 593, 79 Cal.Rptr.3d 489.) ðA ministerial duty is one that is required to be performed in a prescribed manner under the mandate of legal authority without the exercise of discretion or judgment.ö ([Ibid.](#)) Thus, a writ of mandate should not compel action by the Legislature unless ðthe duty to do the thing asked for is plain and *unmixed with discretionary power or the exercise of* **717 *judgment.*ö ([Id. at p. 596](#), 79 Cal.Rptr.3d 489.) On its face, the issued writ interferes directly with the Legislature's discretionary functions by requiring the Legislature to appropriate funds for certain local school district programs and services. The determination as to how and whether to spend public funds is within the Legislature's broad discretion.

The School Districts argue that the writ implicates only ministerial powers because it does not ðtell[] the Legislature which programs it must retain or forego, nor does it order the Legislature to fund any programö and instead *798 merely compels the state to comply with existing law and to make the choice given to it by the existing statutory scheme.

However, the writ expressly orders the Legislature to include School District mandate items in the annual Budget Bill, and then to fully fund each mandate *or* to ðsuspendö the mandate pursuant to [section 17581.5](#). This choice is not mandated by the statutes or the Constitution. Under the statutory scheme, the Legislature has the discretion to choose not to fund a mandate. If this occurs, the Legislature may specifically identify the program in a Budget Act and suspend the requirement for one year. ([§ 17581.5](#); see fn. 7, *ante.*) But the Legislature is not required to provide this relief. If the Legislature does not do so, it is then a school district's obligation to seek affirmative relief in the Sacramento County Superior Court to excuse compliance with the mandate for one year. ([§ 17612, subd. \(c\)](#); see [Tri-County, supra](#), 123 Cal.App.4th at p. 572, 19 Cal.Rptr.3d 884.) This process is consistent with [article XIII B, section 6](#), which prohibits the State from requiring local entities to perform unfunded state mandates, but does not compel the State to provide funding if it does not wish to require a particular pro-

gram.

In issuing the writ, the court disregarded this fundamental structure of the judicial mandate relief procedures, and specifically ordered the Legislature to perform one of two acts: fully fund a mandate or affirmatively excuse compliance under [section 17581.5](#). Because the Legislature has the statutory discretion to make other choices (not fund and require the local entity to seek affirmative relief from the mandate), the court's order pertained to a discretionary duty and thus was beyond the court's mandamus authority.

[30] The School Districts alternatively argue that we should, at a minimum, uphold the portion of the writ requiring the Legislature to place the cost of a determined mandate in the annual Budget Bill because this is expressly required by the statutes. (See [§ 17561, subd. \(b\)](#).) The School Districts claim the identification of the mandates and their costs is essentially a ministerial task designed to provide public notice and information about mandate determinations made by the Commission.

[31][32] This argument is unavailing. There is nothing ministerial about placing items in a budget bill. The formulation of a budget bill, including the items to be placed in the bill, is inherently a discretionary and a legislative power. (See [In re Madera Irrigation District \(1891\) 92 Cal. 296, 310, 28 P. 272.](#)) The budget determination ðis limited by [the Legislature's] own discretion, and beyond the interference of courts.ö ([Ibid.](#); see [City of Sacramento v. California State Legislature \(1986\) 187 Cal.App.3d 393, 398, 231 Cal.Rptr. 686.](#))

[33][34][35] *799 For similar reasons, we conclude the writ also violates California's separation of powers doctrine. A court has no authority to issue a writ of mandate that interferes with powers exclusively committed to the other branches of government.**718 ([County of San Diego, supra](#), 164 Cal.App.4th at pp. 593-594, 79 Cal.Rptr.3d 489.) The enactment of a budget bill is fundamentally a legislative act, entrusted to the Legislature and the Governor and not the judiciary. (See [Grossmont Union, supra](#), 169 Cal.App.4th at p. 886, 86 Cal.Rptr.3d 890; [Schabarum v. California Legislature \(1998\) 60 Cal.App.4th 1205, 1214, 70 Cal.Rptr.2d 745.](#)) The California Constitution's separation of powers doctrine forbids the judiciary from issuing writs that direct

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3d 696)

the Legislature to take specific action, including to appropriate funds and pass legislation. (*County of San Diego, supra*, 164 Cal.App.4th at pp. 5936594, 79 Cal.Rptr.3d 489; see *City of Sacramento v. California State Legislature, supra*, 187 Cal.App.3d at pp. 3966398, 231 Cal.Rptr. 686.)

[36][37] Under these principles, a court is prohibited from using its writ power to require an appropriation even if the Legislature is statutorily required to appropriate certain funds. (See *City of Sacramento v. California State Legislature, supra*, 187 Cal.App.3d at pp. 3976398, 231 Cal.Rptr. 686.) The matter is ... one in which political power to accomplish that end is vested in the Legislature. Under our form of government the judicial department has no power to revise even the most arbitrary and unfair action of the legislative department, or of either house thereof, taken in pursuance of the power committed exclusively to that department by the constitution. (See *Id.* at p. 398, 231 Cal.Rptr. 686.) Limitations on the use of judicial writ authority to control legislative action is a core purpose of the separation of powers doctrine.

C. Cross-appeal: Court's Refusal to Order Relief for Past Unpaid Mandate Debt

In addition to seeking an order directing the State to prospectively take certain actions, the School Districts also sought an order requiring the State to pay more than \$900 million in unpaid mandate debt (including interest) for programs and services previously provided and unreimbursed by the State. The court declined to order this relief, noting the magnitude of the funds and the separation of powers principles embodied in the California Constitution. The court relied on our recent decision in *County of San Diego, supra*, 164 Cal.App.4th 580, 79 Cal.Rptr.3d 489, in which we upheld the trial court's discretion to deny monetary relief for prior mandate debt on similar grounds.

On appeal, the School Districts contend the trial court erred in reaching its conclusions without permitting them to conduct discovery on the availability of funding sources for the unpaid debt. We conclude the court acted within its discretion.

*800 1. Factual and Procedural Background

In their complaint, the School Districts requested that the court enter an order compelling the State to

reimburse them for \$900 million in outstanding unreimbursed costs from generally related State accounts which have been appropriated and are otherwise available for payment of the State's obligation.... This request was based on a line of cases in which the courts have recognized a narrow exception to the rule that a court has no power to compel the Legislature to appropriate funds. (See *Butt v. State of California* (1992) 4 Cal.4th 668, 6976703, 15 Cal.Rptr.2d 480, 842 P.2d 1240 (*Butt*); *Mandel v. Myers* (1981) 29 Cal.3d 531, 5396545, 174 Cal.Rptr. 841, 629 P.2d 935; *Long Beach Unified School Dist. v. State of California* (1990) 225 Cal.App.3d 155, 181, 275 Cal.Rptr. 449.) As explained in more detail below, this exception applies when funds have already been appropriated and the existing funds are related to the subject matter of the unpaid debt.

However, in their moving papers, the School Districts identified only one potential funding source for the payment of the outstanding \$900 million debt: the Proposition 98 reversion fund. (See *Ed.Code, § 41207.5*.) The School Districts argued that because the Legislature had previously used this account to reimburse districts for deferred mandates, it would be available to pay for some or all of the outstanding mandate debt. The State responded that the Proposition 98 reversion account does not contain funds available for this purpose, and would conflict with specific state law funding requirements.

This court then filed *County of San Diego*, in which we upheld the trial court's discretion to deny the counties' claims for reimbursement of mandate costs owed from prior budget years. (*County of San Diego, supra*, 164 Cal.App.4th at pp. 5976603, 79 Cal.Rptr.3d 489.) In supplemental briefing, the School Districts requested the court to bifurcate the matter and provide them an opportunity to conduct discovery and present evidence on the issue of the availability of existing State funds to pay the outstanding mandate debt. The State opposed this request, noting the request was untimely and that the nature and magnitude of the relief sought were inconsistent with the judiciary's role in the budgetary process and can only lead to chaos in the state budget.

After a hearing, the court declined to order affirmative relief on the prior debt claim, stating: "[T]he magnitude of the funds previously deferred and owed to [School Districts], coupled with the separation of

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3d 696)

powers clause set forth in article III, section 5 ... and the appropriation powers afforded to the Legislature under article IV, section 10 and 12, and article XVI, section 7 ... preclude the Court from ordering the Legislature to reimburse petitioners from undesignated existing appropriations....ö The court also *801 denied School Districts' request to conduct discovery ö[i]n light of the Court's conclusion that [the requested] relief is precluded as a matter of law....ö

The School Districts appeal from this ruling.

2. Analysis

[38][39] Under the California Constitution, the separation of powers doctrine prohibits a court from compelling the Legislature öto appropriate funds or to pay funds not yet appropriated.ö (*County of San Diego, supra*, 164 Cal.App.4th at p. 598, 79 Cal.Rptr.3d 489.) A narrow exception to this rule exists öwhen a court orders appropriate expenditures from already existing fundsö and the funds ö are öreasonably available for the expenditures in question,ö ö ö which means that ö the purposes for which those funds were appropriated are ögenerally related to the nature of costs incurred....ö [Citation.]öö (*Ibid.*; see *Butt, supra*, 4 Cal.4th at pp. 698ö703, 15 Cal.Rptr.2d 480, 842 P.2d 1240.)

[40] This exception must be strictly construed and is inapplicable if the existing funds have been appropriated for other purposes. (*Butt, supra*, 4 Cal.4th at pp. 698ö703, 15 Cal.Rptr.2d 480, 842 P.2d 1240; see *County of San Diego, supra*, 164 Cal.App.4th at pp. 598ö599, 79 Cal.Rptr.3d 489.) Moreover, a trial court has broad discretion to determine whether a mandamus remedy requiring a particular payment from an existing fund is warranted under the totality of the circumstances. ö ÷ ö ÷[C]ases may ... arise where the applicant for relief has an undoubted legal right, for which *mandamus* is the appropriate remedy, but where the court may, in **720 the exercise of a wise discretion, still refuse the relief.öö' ö (*County of San Diego, supra*, at p. 599, 79 Cal.Rptr.3d 489.)

In *County of San Diego*, the parties stipulated that the State owed San Diego County \$41 million and Orange County \$72 million for prior unfunded mandates, and the counties asked the court to order this debt to be repaid from budgets of more than 20 state agencies. (*County of San Diego, supra*, 164 Cal.App.4th at pp. 599ö600, 606, 79 Cal.Rptr.3d 489.)

During a bench trial, the parties called numerous witnesses from the various state agencies on the issue of the existence of funds to pay for the costs of the State's prior mandate debt. (*Id.* at p. 591, 79 Cal.Rptr.3d 489.) After trial, the court found the counties had not met their burden to show the availability of the funds sought or the required relationship between many of the mandates and the funds sought. (*Ibid.*)

We concluded the evidence supported the trial court's factual findings. (See *County of San Diego, supra*, 164 Cal.App.4th at pp. 597ö603, 79 Cal.Rptr.3d 489.) We additionally held the court's conclusion was proper even if there was a relationship with respect to some available funds and the unpaid mandates. (*Ibid.*) We *802 explained that under öthe unique circumstances surrounding the Counties' petition for writ of mandate in this case, ... the court acted well within the bounds of judicial discretion in denying the relief the Counties sought.ö (*Id.* at p. 599, 79 Cal.Rptr.3d 489.) We reasoned that öthe existence of a *clear, present*, ministerial duty to fully pay the Counties' subject reimbursement claims from the state budget of the single fiscal year in question was negated by the enormity of the relief the Counties sought. Given the magnitude of the Counties' reimbursement claims, the large number of mandates at issue, the large number of agencies from which the Counties sought reimbursement, and, most important, the insufficiency of the Counties' evidence to show that the purposes of the subject mandates were generally related to the various appropriations from which the Counties sought reimbursement, or that the targeted funds were reasonably available, the court acted well within its discretion in denying the Counties' request for a writ of mandate compelling prompt payment of their reimbursement claims from the state's 2005ö2006 fiscal year budget.ö (*Id.* at p. 603, 79 Cal.Rptr.3d 489.)

[41] We reach a similar conclusion in this case. The School Districts were seeking almost \$1 billion in funds from the State, but cited only a single account (öthe Proposition 98 reversion fundö) that could possibly contain funds to meet the reasonably related test. However, the School Districts did not present any specific evidence regarding the availability of funds in this account to satisfy the State's debt. Although the School Districts sought to conduct additional discovery to support their claim, they did not come forward

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with any predicate facts showing a reasonable basis to believe sufficient funds exist and that the funds would meet the criteria of the exception (a relationship between available funds and the subject matter of the debt). (See *Butt, supra*, 4 Cal.4th at pp. 6986702, 15 Cal.Rptr.2d 480, 842 P.2d 1240.) Because appropriations for the budget year at issue were placed in a chartered bill following the Governor's signature on the Budget Act, this evidence was available without a discovery order. In seeking to make this showing, the School Districts asserted only that the Legislature had used funds in the Proposition 98 reversion fund in the past. This claimed fact is insufficient to show that funds currently exist to pay the mandate debt.

****721** Moreover, we decline the School Districts' invitation to construe our prior *County of San Diego* holding as limited only to its unique facts or to reconsider our holding. In *County of San Diego*, we affirmed a trial court's broad discretion to refuse to compel repayment of millions of dollars from a state budget where the magnitude of the reimbursement sought, as well as the large number of specific outstanding mandates and the potential funds from which such mandates would be paid, would place the court in a situation where it was essentially acting in a budgetary and legislative, rather than a ***803** judicial, role. (See *County of San Diego, supra*, 164 Cal.App.4th at pp. 6026603, 79 Cal.Rptr.3d 489.) This same principle supports the court's refusal to apply the exception in this case.

[42] Further, the court did not abuse its discretion in declining to permit petitioners to engage in a wide-ranging discovery investigation in an attempt to identify funds to pay prior mandate costs. Currently our state is experiencing an extreme budget crisis with a budget deficit estimated to be more than \$20 billion. Any money a court would direct to the School Districts would reduce funds available for other obligations and implicate funding priorities and policy making decisions. These decisions are for the Legislature. Under the particular circumstances of the case, an order requiring the State to pay its claimed \$900 million mandate debt from existing funds would improperly elevate the judiciary above its coequal brethren, upset the delicate system of checks and balances, and stand the separation of powers clause on its head. (*Butt, supra*, 4 Cal.4th at p. 703, 15 Cal.Rptr.2d 480, 842 P.2d 1240.)

III. Request for Judicial Notice

[43][44] School Districts request that we take judicial notice of five sets of documents, identified as Exhibits A through E. Exhibits A, B, and C contain recently enacted statutes, which apparently reflect additional deferred mandates. Exhibits D and E are reports by the Legislature Analyst's Office prepared in February 2010 and April 2010, after the judgment was entered in this case. None of these exhibits were presented to the trial court.

[45] We deny this request. Generally, when reviewing the correctness of a trial court's judgment, an appellate court will consider only matters which were part of the record at the time the judgment was entered. [Citation.] (*Vons Companies, Inc. v. Seabest Foods, Inc.* (1996) 14 Cal.4th 434, 444, fn. 3, 58 Cal.Rptr.2d 899, 926 P.2d 1085; accord, *In re Marriage of Forrest & Eaddy* (2006) 144 Cal.App.4th 1202, 1209, 51 Cal.Rptr.3d 172.) It is a fundamental principle of appellate law that our review of the trial court's decision must be based on the evidence before the court at the time it rendered its decision. (See *Vons Companies, Inc. v. Seabest Foods, Inc., supra*, 14 Cal.4th at p. 444, fn. 3, 58 Cal.Rptr.2d 899, 926 P.2d 1085; *Kumar v. National Medical Enterprises, Inc.* (1990) 218 Cal.App.3d 1050, 1057, fn. 1, 267 Cal.Rptr. 452.) School Districts have not cited any exceptional circumstances that would justify a deviation from this rule in this appeal.

Moreover, the proffered materials would not affect our analysis in this case. The fact the State has continued the practice of mandate deferral is already part of the record on appeal. Further, the opinions expressed by the Legislative Analyst Office after the judgment was entered are not relevant to our legal determinations.

***804** DISPOSITION

We reverse the judgment insofar as it grants injunctive relief in favor of School ****722** Districts, and affirm the judgment in all other respects. We remand for the court to vacate the writ of mandate and to issue a new judgment consistent with the determinations in this opinion. Each party to bear its own costs.

WE CONCUR: [BENKE](#), Acting P.J., and [AARON](#), J.

Cal.App. 4 Dist., 2011.
California School Boards Assn. v. State



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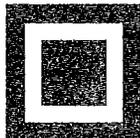
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Ed. Law Rep. 347, 11 Cal. Daily Op. Serv. 1923, 2011 Daily Journal

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192 Cal.App.4th 770, 121 Cal.Rptr.3d 690, 265 Ed.
Law Rep. 347, 11 Cal. Daily Op. Serv. 1923, 2011
Daily Journal D.A.R. 2308

END OF DOCUMENT



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Howard A. Friedman
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Melanie A. Petersen
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Christopher J. Fernandes
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Diana McDonough
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January 26, 2009

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Via Overnight Courier

Stephen P. Acquisto
Supervising Deputy Attorney General
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

Re: Department of Finance v. Commission on State Mandates
Sacramento County Superior Court Case No. 03CS01432 (BIPS)

Dear Mr. Acquisto:

Enclosed please find the fully executed settlement and release agreement in the above matter. As we discussed, I dated the document January 26, 2009, the date of my signature, and have attached original signature pages from each of my clients and myself. We retained the original signature page signed by Mr. Genest and you, but enclosed a copy.

Thank you very much for your cooperation. Please contact me if you have any questions.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP

Diana McDonough

DKM:LMM

Encl.: Settlement and Release Agreement

Cc: Camille Shelton, Chief Legal Counsel (via U.S.Mail)
00334.00100/116193.1

COPY

SETTLEMENT AND RELEASE AGREEMENT
BEHAVIORAL INTERVENTION PLANS [HUGHES BILL] MANDATED COST CLAIM

This settlement and release agreement ("Agreement") is entered into this 26th day of ^{January, 2009} ~~2008~~ by and between the State of California ("the STATE") on the one hand, and San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively "CLAIMANTS") on the other, who, in consideration of the promises made herein, agree as follows:

I. Nature and Status of the Dispute

Effective January 1, 1991, Education Code section 56523 was added to the Education Code. That section required the development and adoption of regulations governing positive behavioral interventions for special education students by the State Board of Education ("the SBE"). In 1993, the SBE promulgated California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 to implement Education Code section 56523. The Education Code section and its implementing regulations are referred to cumulatively as "the Hughes Bill."

The Behavioral Intervention Plans Mandated Cost Claim was initiated on September 28, 1994, when San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education filed test claim CSM-4464 with the Commission on State Mandates ("the Commission"). The Behavioral Intervention Plans Mandated Cost Claim asked the STATE to reimburse local educational agencies ("LEAs"), including school districts, county offices of education, special education local plan areas ("SELPA's"), and joint agencies composed of such organizations for the costs of implementing the Hughes Bill.

On September 28, 2000, the Commission adopted a Statement of Decision on CSM-4464 finding that the Hughes Bill imposed a reimbursable state mandate on school districts by requiring the following seven activities: SELPA plan requirements, development and implementation of behavioral intervention plans, functional analysis assessments, modifications and contingent behavioral intervention plans, development and implementation of emergency interventions, prohibited behavioral intervention plans, and due process hearings. The settlement of the Special Education Mandated Cost Claim in 2000-2001 explicitly omitted the Behavioral Intervention Plans Mandated Cost Claim (Ed. Code § 56836.156(g)).

Subsequently CLAIMANTS proposed parameters and guidelines for the CSM-4464 claiming process but various disputes arose with the STATE and a final draft was never adopted by the Commission. The parties attempted settlement without success and the matter reached a stalemate.

On September 26, 2003, the STATE's Department of Finance filed a Petition for Administrative Mandamus in the Sacramento Superior Court challenging the Commission's decision in CSM-4464. It named the Commission as Respondent, and CLAIMANTS as Real Parties in Interest (*Department of Finance v. Commission on State Mandates*, Sacramento Superior Court Case No. 03CS01432). The Petition maintained that the Hughes Bill was not a reimbursable state mandate because 1) it was required by federal law, 2) it merely implemented federal requirements, and

3) it did not exceed those requirements. The matter is still pending. CLAIMANTS have filed no responsive pleadings as yet.

On October 4, 2007, the Deputy Attorney General representing the STATE's Department of Finance in the above case wrote to CLAIMANTS stating that pending reforms in the mandate process could present a timely opportunity to continue negotiations. The Deputy Attorney General noted that the mandate reform legislation, AB 1222, included the option of the joint development of a reasonable reimbursement methodology and cost estimate. The Deputy Attorney General suggested a meeting if CLAIMANTS were interested in resolving the matter and noted that, absent successful settlement, she planned to schedule a hearing in Sacramento Superior Court in April 2008. In response, CLAIMANTS contacted the Deputy Attorney General and the parties began meeting to work on a mutually agreeable resolution.

A chief task in the settlement process was developing a statewide cost estimate for the claim. Ultimately CLAIMANTS completed surveys of more than 20 SELPAs representing more than 10% of public school students statewide. The STATE's Department of Finance staff reviewed copies of all survey returns and verified that the cumulative cost totals accurately reflected the SELPA data.

In May 2008, the Sacramento Superior Court notified the STATE that it must bring its case to trial by September 26, 2008, or be subject to dismissal under the state law which requires all matters to be brought to trial within five years ("the five-year rule"). Ultimately, the parties filed a stipulation with the court agreeing to extend the five-year period to March 27, 2009, in the hopes that agreement could be reached.

The STATE's Department of Finance continues to dispute the Commission's decision in CSM-4464 that the Hughes Bill is a reimbursable mandate. CLAIMANTS believe the Commission's decision was correct and that the Hughes Bill imposes requirements on school districts that are not mandated by federal law.

To avoid the costs and uncertainty of further litigation, to alleviate the uncertainty regarding the Hughes Bill funding, and to expedite the resolution of this long-pending mandate claim in the spirit of AB 1222, the parties have determined to compromise and settle the claims raised in Sacramento Superior Court Case No. 03CS01432 and the underlying administrative decision of the Commission on State Mandates in CSM-4464 on the terms and conditions set forth below.

II. Actions to Resolve Dispute

- A. The mutual obligations and duties of the parties set forth herein are contingent upon all of the following events occurring:
 - 1. On or before February 28, 2009, no less than 85% of all K-12 school districts, county offices of education, and SELPAs shall sign the Waiver, attached hereto as Exhibit A. In addition, the school districts and county offices signing Exhibit A must have served student populations accounting

for no less than 92% of the second principal apportionment (P-2) average daily attendance in the 2007-08 fiscal year.

2. The parties shall seek a superior court ruling that the settlement is final and binding on all LEAs, assuming implementing legislation is enacted. In the absence of such a ruling, the parties shall seek an alternative, mutually agreeable final and formal resolution of the dispute.
 3. Prior to or concurrent with the enactment of the Budget Act for the 2009-10 fiscal year, legislation is enacted that contains provisions identical to or substantially similar to the language contained in Exhibit B. It is the intent of the parties that, on or before January 10, 2009, the Legislature shall be requested to enact such legislation on an urgency basis. Any modifications to the proposed legislation shall be made only with agreement of all the signatories to this settlement document.
 - a. The proposed legislation shall appropriate the amount of ten million dollars (\$10,000,000) payable upon enactment and allocated in accord with Section II.B. of this Agreement.
 - b. The proposed legislation shall require additional funding of five-hundred and ten million dollars (\$510,000,000) in total payable over a six-year period, or lesser period at the STATE's discretion, commencing July 1, 2011, and allocated in accord with Section II.B. of this Agreement.
 - c. The proposed legislation shall include statutory language to revise the existing special education funding model established by Assembly Bill 602 (Chapter 854, Statutes of 1997) to provide an ongoing increase of sixty-five million dollars (\$65,000,000) annually to special education programs. The proposed legislation shall appropriate the first year of funding.
 - d. The combination of the above appropriations is to be considered in full satisfaction of, and is in lieu of, any reimbursable mandate claims that would have been filed as a result of CSM-4464. By providing this funding for CSM-4464, the STATE in no way concedes the existence of an unfunded reimbursable mandate for that claim.
- B. For the purposes of this settlement only, to resolve any and all retrospective mandated cost claims from 1993-94 to 2008-09 arising from CSM-4464 and the Statement of Decision adopted by the Commission on State Mandates on September 28, 2000, the STATE agrees that:

1. Upon enactment of legislation prior to or concurrent with the 2009-10 Budget Act, payment in the amount of ten million dollars (\$10,000,000) will be allocated to LEAs as follows:
 - a. One million five hundred thousand dollars (\$1,500,000) shall be allocated to county offices of education on an equal per-pupil basis. The amount of each agency's allocation shall be determined by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, as reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each county office of education is at least five thousand dollars (\$5,000).
 - b. Six million dollars (\$6,000,000) shall be allocated to SELPAs that existed for the 2007-08 fiscal year. The amount of each agency's allocation shall be determined by dividing six million dollars (\$6,000,000) by the total statewide special education pupil count as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each SELPA is at least ten thousand dollars (\$10,000).
 - c. Two million five hundred thousand dollars (\$2,500,000) shall be paid to San Joaquin County Office of Education.
2. In accord with legislation enacted prior to or concurrent with the 2009-10 Budget Act, the State will pay an additional five hundred and ten million dollars (\$510,000,000) to school districts. This amount shall be allocated in installment payments of eighty-five million dollars (\$85,000,000) commencing July 1, 2011, and annually thereafter for a period of six years unless the STATE in its discretion enlarges the installment amount from time to time, thereby discharging the obligation in advance of the six year period. These payments shall be allocated to school districts on a per-pupil basis as follows:
 - a. The appropriation shall be divided by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent for the second principal apportionment for the

2007-08 fiscal year. Each school district shall receive an allocation equal to the per-pupil amount times the district's reported average daily attendance for the second principal apportionment for the 2007-08 fiscal year, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year unless the State enlarges the appropriation as specified in II.B.2. above.

- b. In any fiscal year after 2011-12 in which the provisions of paragraph (b)(3) of Section 8 of Article XVI of the California Constitution are operative, the annual appropriation shall not be required to be made. If an appropriation is not made for a specific fiscal year or years, it shall instead be made in the fiscal year or years immediately succeeding the final payment pursuant to Section II.B.2 of this Agreement.

C. To effectuate a stay of the five-year rule and to seek court approval of the settlement which makes it final and binding on LEAs, the parties agree to the following:

- 1. Within ten court days after execution of this Agreement, CLAIMANTS will file a response to the Petition for Administrative Mandamus, Sacramento Superior Court Case No. 03CS01432. Concurrently or as soon thereafter as the parties deem appropriate, the STATE and CLAIMANTS shall jointly stipulate to a stay of the five-year rule, and shall file such stipulation with the court. The stipulation shall provide for and ask the court to order the following:
 - a. A stay of the five-year rule for the purposes of this settlement, with the understanding that the five-year rule shall be in effect within ninety (90) days if the settlement terms cannot be effectuated.
 - b. Notice of the stay and of the settlement terms to all LEAs.
 - c. A court hearing, if necessary, to consider any objections to the settlement made by LEAs or other parties of standing.
 - d. Entry of judgment that the settlement is the final resolution of CSM-4464 assuming implementing legislation is enacted, and that after appropriate consideration of objections, if any, it is final and binding on all LEAs.

- D. In the absence of any entry of judgment as specified in Section II.C.1.d. of this Agreement, the parties shall seek an alternative mutually agreeable final and formal resolution of the dispute.
- E. If the events listed in Section II.A. as preconditions to the parties' obligations do not take place, the STATE or the CLAIMANTS may request the Superior Court to lift the stay issued pursuant to Section II.C.1.a., above, and to order that the five-year rule shall take effect in ninety (90) days.

III. Known Claims

With respect to section 56523 of the California Education Code and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008, ("the Hughes Bill Statute and Regulations"), CLAIMANTS hereby knowingly and voluntarily waive the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Agreement, CLAIMANTS hereby acknowledge that CLAIMANTS forever relinquish their right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and further forever relinquish their right to receive any benefit(s) from any claim(s) so filed. CLAIMANTS may file mandated cost claims concerning such statutes and regulations only to the extent that state or federal statutes or regulations are amended or added or changed in any other way after July 1, 2008. CLAIMANTS further acknowledge and concede that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to school districts pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the amounts set forth in Sections II.B.1 and II.B.2 of this agreement.

IV. Unknown Claims

- A. CLAIMANTS expressly waive the application of California Civil Code section 1542 regarding mandated cost claims based on Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.

B. CLAIMANTS certify that they have read the following provisions of California Civil Code section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

C. CLAIMANTS understand and acknowledge that the significance and consequence of the waiver of California Civil Code section 1542 is that:

1. They may have additional claims arising or occurring up to the date of this Agreement of which they are not now aware;
2. They may not make a further demand for any such claims;
3. They may not receive any benefit(s) from any such claims; and
4. They extend their waiver to include now unknown or later discovered claims.

V. Advice of Attorney

CLAIMANTS warrant and represent that they have been advised to seek legal advice from the attorney of their choice regarding the risks, complications, and costs of the Agreement. CLAIMANTS acknowledge and represent either that they relied upon legal advice from their attorney in executing this Agreement or that they chose not to rely upon legal advice from their attorney in executing this Agreement. They further acknowledge and represent that, in executing this Agreement, they have not relied on any inducements, promises, or representations other than those stated in this Agreement.

VI. Conditions of Execution

Each party acknowledges and warrants that the party's execution of this Agreement is free and voluntary.

VII. Execution of Other Documents

Each party to this Agreement shall cooperate fully in the execution of any and all other documents and the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

VIII. Nonadmission

Nothing contained in the Agreement constitutes an admission or concession, by any party, as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464, and no party hereto shall deem or construe this Agreement, or any part thereof, to be any such admission or concession. Further, nothing in this Agreement may be deemed or construed to be, by any entity or person not a party hereto, as against any party hereto, or any agency thereof, any admission or concession as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464.

IX. Entire Agreement

This Agreement and Exhibits A and B attached hereto contain the entire Agreement between the parties. A breach of any portion of this Agreement shall be considered a breach of the whole Agreement.

X. Effective Date

This Agreement shall be effective immediately upon execution by the parties. This Agreement has retroactive effect to the extent specified herein.

XII. Governing Law

This Agreement is entered into, and shall be construed and interpreted, in accordance with the laws of the State of California and the United States.

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XIII. Counterparts

This Agreement may be signed in counterparts, such that signatures appear on separate pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed Agreement.

For the State of California:

Michael C. Genest
Director, Department of Finance

Dated: _____

Stephen P. Acquisto
Supervising Deputy Attorney General

Dated: _____

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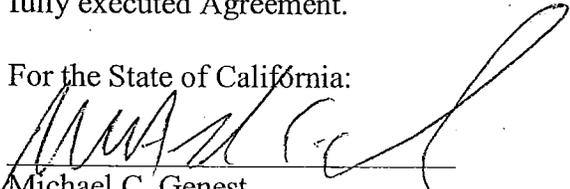
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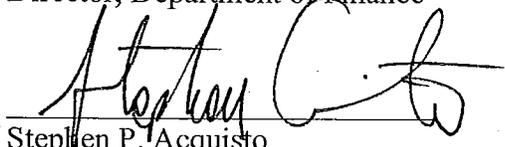
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For the State of California:



Michael C. Genest
Director, Department of Finance

Dated: DEC 2 2008



Stephen P. Acquisto
Supervising Deputy Attorney General

Dated: 12/3/08

San Diego Unified School District

By 
Terry Grier, Superintendent

Dated: 1/16/09

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

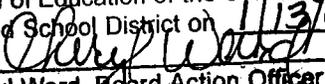
Approved as to form:

Fagen Friedman & Fulfrost

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: _____

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Approved in closed session of the
Board of Education of the San Diego
Unified School District on 1/13/09

Cheryl Ward, Board Action Officer,
Board of Education

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By Roy L. Applegate
Roy L. Applegate, Ed.D., SELPA Director

Dated: 12-3-08

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost

Dated: _____

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

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San Diego Unified School District

By _____
Terry Grier, Superintendent

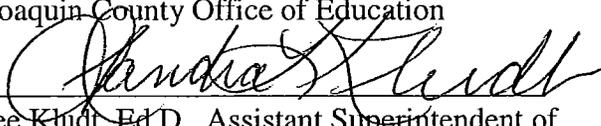
Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By  _____
Sandee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: 12/5/08

Approved as to form:

Fagen Friedman & Fulfrost

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: _____

00334.00100/105941

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

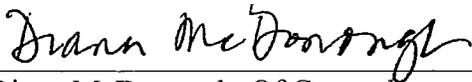
San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost



Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: January 26, 2009

00334.00100/105941

Exhibit A to Settlement Agreement
Behavioral Intervention Plans Mandated Cost Claim

WAIVER

This Waiver is entered into on _____ [DATE] by
_____ [NAME OF LEA], hereinafter "LEA,"
to fulfill one of the terms of the Settlement and Release Agreement for the Behavioral
Intervention Plans Mandated Cost Claim ("Agreement").

A. Known Claims

With respect to section 56523 of the California Education Code and the California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and section 3052 as those sections read on or before July 1, 2008, (collectively "the Hughes Bill Statute and Regulations"), LEA hereby knowingly and voluntarily waives the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Waiver, LEA hereby acknowledges that LEA forever gives up its right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and/or to pursue any filed claim regarding that statute and regulations, and/or to benefit from such a claim, including any claim regarding the following programs and services:

1. Special education local plan area plan requirements pursuant to California Code of Regulations, title 2, sections 3001, subdivision (c), and 3052, subdivision (j), as these sections read on July 1, 2008;
2. Development and implementation of behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c), (d), (e), and (f), and 3052, subdivisions (a), (c), (d), (e), and (f), as these sections read on July 1, 2008;
3. Functional analysis assessments pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (d) and (f), and 3052, subdivisions (b), (c), and (f), as these sections read on July 1, 2008;
4. Modifications and contingent behavioral intervention plans pursuant to California Code of Regulations, title 2, section 3052, subdivisions (g) and (h), as these sections read on July 1, 2008;
5. Development and implementation of emergency interventions pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c) and (d), and 3052, subdivision (i), as these sections read on July 1, 2008;

6. Prohibited behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivision (d), and 3052, subdivision (l), as these sections read on July 1, 2008; and
7. Due process hearings pursuant to California Code of Regulations, title 2, section 3052, subdivision (m), as this section read on July 1, 2008.

LEA further acknowledges and concedes that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to LEAs pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the retrospective amounts described in Paragraph II.B. of the Agreement, and by signing this Waiver LEA forever gives up its right to contend otherwise.

B. Unknown Claims

1. LEA expressly waives the application of California Civil Code section 1542 regarding mandated cost claims under California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.
2. LEA certifies that it has read the following provisions of California Civil Code Section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

3. LEA understands that it is agreeing that California Civil Code section 1542 does not apply to this Waiver. LEA understands and acknowledges that the significance and consequence of this waiver of California Civil Code section 1542 is:
 - a. LEA may have additional claims arising or occurring up to the date of this Waiver of which it is not now aware;
 - b. LEA may not make a further demand for any such claims;
 - c. LEA may not receive any benefit(s) from any such claims that may be filed by other claimants; and
 - d. LEA extends its waiver to include now unknown and/or later discovered claims.

C. Exemptions

LEA signs this Waiver with the understanding that it does not prohibit LEAs from filing mandated cost claims to the extent that the Hughes Bill Statute and Regulations are amended or added or changed in any way after July 1, 2008.

D. Advice of Attorney

LEA warrants and represents that it has reviewed and understands the Notice to LEAs Re: Pending Settlement of the Behavioral Intervention Plans Mandated Cost Claim ("the Notice") and this Waiver, and that it has been advised to seek legal advice from the attorney of its choice regarding the Notice and this Waiver. LEA acknowledges and represents either that it relied upon legal advice from its attorney in executing this Waiver or that it chose not to rely upon legal advice from its attorney in executing this Waiver. LEA further acknowledges and represents that, in executing this Waiver, it has not relied on any inducements, promises, or representations other than those stated in the Notice and Waiver.

E. Contingency of Waiver

LEA understands that this Waiver is binding only if the preconditions to the full implementation of the Settlement Agreement are satisfied. Those preconditions are set out in Section C of the Notice and Section II.A. of the Agreement, and are, in brief: (1) at least 85% of all LEAs sign this Waiver, including school districts and county offices of education who served student populations accounting for 92% of the P-2 2007-08 ADA; (2) the parties seek a superior court ruling that the settlement is final and binding on all LEAs; and (3) legislation is enacted appropriating the necessary funding and placing ongoing funding in statute.

Dated: _____

Signed: _____

Print or Type Name Above

Authorized Agent for: _____
Name of LEA

00334.00100/107130.1

DRAFT LEGISLATION

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that it is in the State's interest that legislation be enacted immediately to provide funding for positive behavioral intervention plans for special education students (Hughes Bill) and resolve a contested state mandate issue of fourteen-year standing. The Legislature anticipates that the Governor will request the enactment of the legislation prior to the enactment of the 2009-10 Budget Act.

SECTION 2. Section _____ is added to the Education Code to read:

[section number]

- (a) The Superintendent of Public Instruction shall determine the statewide total average daily attendance used for the purposes of section 56836.08 for the 2008-09 fiscal year. For the purposes of this calculation, the 2008-09 second principal average daily attendance for the court, community school, and special education programs served by the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area shall be used in lieu of the average daily attendance used for that agency for the purposes of section 56836.08.
- (b) The Superintendent shall divide sixty-five million dollars (\$65,000,000), by the amount determined pursuant to subdivision (a).
- (c) For each special education local plan area, the Superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 for the 2009-10 fiscal year by the quotient determined pursuant to subdivision (b). This increase shall be effective, beginning in the 2009-10 fiscal year.
- (d) Notwithstanding subdivision (c), for the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 by the ratio of the amount determined pursuant to subdivision (b) to the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2008-09 fiscal year. This increase shall be effective beginning in the 2009-10 fiscal year.

- (e) The Superintendent shall increase the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2009-10 fiscal year by the amount determined pursuant to subdivision (b).
- (f) The funds provided in subdivisions (a)-(e) above are to be considered in full satisfaction of, and are in lieu of, any reimbursable mandate claims for the Behavioral Intervention Plans Mandated Cost Claim. By providing this funding, the State in no way concedes the existence of any unfunded reimbursable mandate with regard to Section 56523 and its regulations in California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. These funds shall be used exclusively for programs operated under this part and, as a first priority, for the programs and services required under Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. By virtue of these funds, Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008 shall be deemed to be fully funded within the meaning of Government Code Section 17556(e).
- (g) Within the meaning of Government Code section 17556(e), the funds appropriated for purposes of this section are not specifically intended to fund any state-mandated special education programs and services resulting from amendments enacted after July 1, 2008, to any of the following statutes and regulations:
- (1) The Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), if such amendments result in circumstances where state law exceeds federal law;
 - (2) Federal regulations implementing the Individuals with Disabilities Education Act (34 C.F.R. Parts 300 and 303), if such amendments result in circumstances where state law exceeds federal law;
 - (3) Part 30 (commencing with section 56000); and
 - (4) Sections 3000 through 4671, inclusive, of Title 5 of the California Code of Regulations.
- (h) State funds otherwise allocated to each special education local plan area pursuant to Chapter 7.2 (commencing with section 56836) of Part 30 and appropriated through the annual Budget Act shall supplement and not supplant these funds. These funds shall be in addition to the level of COLA provided for this program in the annual Budget Act.

SECTION 3. Section XXXXX is added to the Education Code, to read:

(a) Commencing with the 2011-12 fiscal year and each fiscal year through the 2016-17 fiscal year, the amount of eighty-five million dollars (\$85,000,000), shall be appropriated, on a one-time basis each fiscal year, from the General Fund for allocation to school districts on a per-pupil basis. The Superintendent of Public Instruction shall compute the amount per pupil by dividing eighty-five million dollars (\$85,000,000), by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. Each school district's allocation shall equal the per-pupil amount times the district's average daily attendance as reported to the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year.

(1) Notwithstanding the provisions of subdivision (a) above, the State, in its discretion, may cause to be appropriated and allocated amounts in excess of eighty-five million dollars (\$85,000,000) annually in the period 2011-12 through 2016-17 for the purpose of discharging the obligation in advance of the six year period, so long as the total amount appropriated and allocated under this section is five hundred ten million dollars (\$510,000,000).

(2) In any fiscal year after 2011-12 in which the provisions of Article XVI, section 8, paragraph (b)(3), of the California constitution are operative, the annual appropriation shall not be required to be made.

(3) The Director of Finance shall notify, in writing, the fiscal committees of both Houses of the Legislature, the Controller, and the Superintendent of Public Instruction no later than May 14, that the appropriation for the following fiscal year is not required, pursuant to paragraph (c). If any appropriation is not made for a specific fiscal year, or years, it shall instead be made in the fiscal year, or years, immediately succeeding the final payment pursuant to paragraph (a).

(4) These funds shall be in addition to the level of COLA provided to school districts in the annual Budget Act.

(b) From the funds appropriated for purposes of this section in subdivision (b) of Section 4 of the act adding this section, the Superintendent of Public Instruction shall allocate the following:

(1) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of one million five hundred thousand dollars (\$1,500,000) shall be allocated by the Superintendent to county offices of education on an equal per-pupil amount. The Superintendent shall determine the per-pupil amount by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each county office of education is at least five thousand dollars (\$5,000).

(2) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of six million dollars (\$6,000,000) shall be allocated by the Superintendent to SELPAs that existed for the 2007-08 fiscal year. The Superintendent shall determine the amount of each agency's allotment by dividing the six million dollars (\$6,000,000) by the statewide special education pupil count reported as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each SELPA is at least ten thousand dollars (\$10,000).

(3) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of two million five hundred thousand dollars (\$2,500,000) shall be allocated by the Superintendent to the San Joaquin County Office of Education.

(c) The amounts appropriated by subdivisions (a), (b), and (c) of Section 4 of the act adding this section are in full satisfaction and in lieu of mandate claims resulting from the Commission on State Mandates' Statement of Decision CSM 4464, "Behavioral Intervention Plans."

SECTION 4.

(a) The amount of sixty-five million dollars (\$65,000,000), is hereby appropriated from the General Fund in augmentation of Item 6110-161-0001 of 2009-10 Budget Act to the Superintendent of Public Instruction

for the purposes of Section 56836.08 of the Education Code. It is the intent of the Legislature that such funding be included in the annual budget act in subsequent fiscal years.

(b)

(1) The amount of ten million dollars (\$10,000,000), is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation on a one-time basis to county offices of education, and special education local plan areas (SELPAs), as specified in subdivision (b) of section _____ of the Education Code. These funds shall be in addition to the level of COLA provided for county offices of education and special education local plan areas in the annual Budget Act.

(2) For the purposes of making the computations required by article XVI, section 8, of the California Constitution, this appropriation shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (a) of section 41202 of the Education Code, for the 2007-08 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of section 41202 of the Education Code, for the 2007-08 fiscal year.

SECTION 5. This Act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety with the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting this necessity are: In order to alleviate the fiscal hardship to local educational agencies caused by the persistent shortfalls in federal funding for special education; to increase state funding for the special education program, thereby reducing encroachment; to facilitate the settlement of current litigation regarding those programs and the funding thereof; to obviate new litigation; and to resolve related school finance issues, it is necessary for this Act to take effect immediately.

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Fagen Friedman & Fulfrosts LLP

Peter K. Fagen
 Howard A. Friedman
 Howard J. Fulfrosts
 Melanie A. Petersen
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 Roy A. Combs
 Mark S. Williams
 Lenore Silverman
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March 23, 2009

Diana McDonough
 Direct Dial: 510-550-8208
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Via Hand Delivery

RECEIVED

MAR 24 2009

COMMISSION ON STATE MANDATES

The Honorable Michael P. Kenny
 Sacramento County Superior Court
 Department 31
 720 9th Street
 Sacramento, CA 95814

Re: Department of Finance, Petitioner vs. Commission on State Mandates, Respondent;
San Diego Unified School District, San Joaquin County Office of Education, and Butte County Office of Education; Real Parties in Interest
 Case No. 03CS01432
 Hearing: March 27, 2009

Brian D. Bock
 Elizabeth B. Mori
 Lee G. Rideout
 Gretchen M. Shipley
 William F. Schuetz, Jr.
 Anne M. Sherlock
 Shawn Olson Brown
 Kelly R. Minnehan
 Angela Gordon
 Cynthia M. Smith
 Emily E. Sugrue
 Jennifer R. Rowe
 Joshua A. Stevens
 Lyndsy B. Rutherford
 Rachel C. Disario
 Dean T. Adams
 Summer D. Dalessandro
 Vivian L. Haun
 Jennifer A. Postel
 Tiffany M. Santos
 L. Carlos Villegas
 Elise Kirsten
 Kerrie E. Taylor
 Susan Park
 Melissa Hatch
 Jesse W. Raskin
 Maggy M. Athanasious
 Susan B. Winkelman
 Anna J. Miller
 Melissa L. Phung
 Keith Yanov
 Kelley A. O'Connell
 Leslie A. Reed

Dear Judge Kenny:

I am writing to inform you that the parties have reached a settlement in the above-entitled matter. Because of the pending agreement, the parties do not plan to go forward with a hearing on the merits on March 27. However, as we have discussed with your clerk, the parties jointly would like to have a brief hearing on the settlement terms with you. Counsel for the Commission on State Mandates is unable to be present, but has endorsed the settlement.

We have filed a Joint Stipulation For Entry of Judgment and a Proposed Judgment, a copy of which is enclosed for your review. The Joint Stipulation includes a copy of the settlement agreement as Exhibit A. Our proposal is that the judgment be signed but not entered unless and until the final step in the process is completed, the enactment of legislation. Because we are seeking court endorsement of the settlement and because we recognize signing the judgment without entering it might be novel, we believe a settlement conference would be beneficial.

Diana McDonough
 Of Counsel

The Honorable Michael P. Kenny
March 23, 2009
Page 2

Thank you for your consideration of this matter.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP



Diana McDonough

DM:dm

Encs.: Joint Stipulation for Entry of Judgment and [Proposed] Judgment

cc: Stephen P. Acquisto, Supervising Deputy Attorney General
✓ Camille Shelton, Chief Counsel, Commission on State Mandates

00334.00100/124308.1

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Main: 510-550-8200 • Fax: 510-550-8211

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8 Attorneys for Petitioner
9 Department of Finance

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14 Phone: (510) 550-8200
Fax: (510) 550-8211

15 Attorneys for Real Parties in Interest
16 San Diego Unified School District,
San Joaquin County Office of Education, and
17 Butte County Office of Education

18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

19 **COUNTY OF SACRAMENTO**

20 DEPARTMENT OF FINANCE,

21 Petitioner,

22 vs.

23 COMMISSION ON STATE MANDATES,

24 Respondent.

25 SAN DIEGO UNIFIED SCHOOL DISTRICT;
26 SAN JOAQUIN COUNTY OFFICE OF
EDUCATION; and, BUTTE COUNTY
27 OFFICE OF EDUCATION,
28 Real Parties in Interest.

CASE NO. 03CS01432

[PROPOSED] JUDGMENT

(No. CSM-4464)

Dept: 31

Judge: Honorable Michael P. Kenny

Trial Date: March 27, 2009

Action Filed: September 26, 2003

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1. The Court has read and considered the documents filed in this case, including the stipulation for entry of judgment.

2. The Court notes the history of litigation in this matter, and that the proposed settlement has the support of 95% of all LEAs. The Court finds that the stated terms of the settlement are a just resolution of this disputed matter. The Court further agrees that the public interest is well served by the settlement agreement, which avoids the expense and uncertainty of continued litigation while providing additional funding for behavioral intervention plans and related programs/activities.

Therefore, IT IS HEREBY ORDERED AND ADJUDGED that:

1. By this judgment the Court hereby adopts and incorporates the terms of the settlement agreement which the Court finds is the full and final resolution of this matter and is binding upon each and every LEA in the State.

2. The Commission on State Mandates is permanently enjoined from taking further action regarding the Behavioral Intervention Plans Test Claim, CSM No. 4464.

3. This judgment shall be entered and filed only after the enactment of legislation into law satisfying the terms of the settlement agreement.

4. The parties shall bear their own costs and fees respecting this action.

Date: March ____, 2009

Honorable MICHAEL P. KENNY
Judge of the Superior Court of California
County of Sacramento

PROOF OF SERVICE

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STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Sacramento, State of California. My business address is 520 Capitol Mall, Suite 400, Sacramento, CA 95814.

On March 23, 2009, I served the following document(s) described as **[PROPOSED] JUDGMENT** on the interested parties in this action as follows:

Camille Shelton
Chief Legal Counsel
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814-2719
Attorney for Respondent Comm. on State Mandates

Stephen P. Acquisto
Supervising Deputy Attorney General
State of California
Department of Justice
1300 I Street, Suite 125
Sacramento, CA 94244
Attorneys for Petitioner Department of Finance

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Fagen Friedman & Fulfrost's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 23, 2009, at Oakland, California.

Sherri Lee Caplette, CCLS

00334.00100/124390.1

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15 San Diego Unified School District,
San Joaquin County Office of Education, and
16 Butte County Office of Education

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

18 **COUNTY OF SACRAMENTO**

19
20 DEPARTMENT OF FINANCE,
21 Petitioner,
22 vs.
23 COMMISSION ON STATE MANDATES,
24 Respondent.

25
26 SAN DIEGO UNIFIED SCHOOL DISTRICT;
SAN JOAQUIN COUNTY OFFICE OF
27 EDUCATION; and, BUTTE COUNTY
OFFICE OF EDUCATION,
28 Real Parties in Interest.

CASE NO. 03CS01432

**JOINT STIPULATION FOR ENTRY OF
JUDGMENT; JUDGMENT**

(No. CSM-4464)

Dept: 31
Judge: Honorable Michael P. Kenny

Trial Date: March 27, 2009
Action Filed: September 26, 2003

1 It is hereby stipulated and requested by and between Petitioner Department of Finance of
2 the State of California; Respondent Commission on State Mandates of the State of California
3 ("Commission"); and Real Parties in Interest San Diego Unified School District, San Joaquin
4 County Office of Education, and Butte County Office of Education, individually and through their
5 respective counsel, that judgment be entered as set forth below upon enactment into law of
6 legislation satisfying the requirements of the settlement agreement, more fully described herein,
7 said judgment being based upon the facts set forth herein.

8 1. This is an action commenced by the Department of Finance to obtain a writ of
9 administrative mandate directing the Commission on State Mandates to vacate and annul its
10 Statement of Decision in the Behavioral Intervention Plans Test Claim, CSM No. 4464, and to
11 issue a new decision denying the claim in its entirety.

12 2. The Behavioral Intervention Plans Test Claim, CSM No. 4464, which was initiated
13 by Real Parties in Interest on September 28, 1994, seeks reimbursement for costs associated with
14 behavioral intervention plans, as set forth principally in California Education Code section 56523
15 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa),
16 and 3052 as those sections read on or before July 1, 2008 ("the Hughes Bill Statute and
17 Regulations"). On September 28, 2000, the Commission issued its decision finding that the
18 Hughes Bill Statute and Regulations imposed a reimbursable state mandated program upon school
19 districts. Because the test claim process is similar to a class action, eligible claimants under the
20 Commission's decision consist of all school districts, county offices of education ("COEs"),
21 special education local plan areas ("SELPAs"), and any joint agency comprised of such
22 organizations, a total of 1,147 local educational agencies ("LEAs"). The claim at issue involves
23 costs related to the following activities/programs required by the Hughes Bill Statute and
24 Regulations: SELPA plan requirements, development and implementation of behavioral
25 intervention plans; functional analysis assessments, modifications and contingent behavioral
26 intervention plans, development and implementation of emergency interventions, prohibited
27 behavioral intervention plans, and due process hearings. The estimated potential value of past
28 claims is \$ 1 billion, and for ongoing claims is \$70 million annually.

1 3. On September 26, 2003, the Department of Finance filed this action, seeking to
2 overturn the Commission's decision. On May 19, 2008, based on the parties' stipulation, this
3 Court postponed the proceedings and extended the five year limit for bringing the matter to trial to
4 allow the parties to attempt to negotiate a settlement. Currently the matter is set for hearing on
5 March 27, 2009 by agreement of the parties and order of this Court.

6 4. Because the Real Parties in Interest hoped for settlement, they did not pursue other
7 administrative processes with the Commission necessary to finalize the claiming procedures, and
8 accordingly, school districts filed no claims. The Real Parties in Interest advised the Commission
9 that settlement was pending. The Commission, however, continues to have statutory duties
10 outstanding with respect to the claim.

11 5. This matter has now been settled by Petitioner Department of Finance and Real
12 Parties in Interest San Diego Unified School District, San Joaquin County Office of Education,
13 and Butte County Office of Education, with the support of Respondent Commission. Under the
14 terms of that settlement, the State will pay retroactive reimbursement to: (1) school districts in the
15 amount of \$510 million, to be paid in \$85 million annual installments over six years starting in
16 2011-12 and ending in 2016-17, (2) COEs in the amount of \$1.5 million in 2009-10, and (3)
17 SELPAs in the amount of \$6.0 million in 2009-2010. The State will also permanently increase the
18 ongoing special education statutory funding formula by \$65 million annually, beginning in 2009-
19 10. In exchange, the LEAs will waive their rights to file Hughes Bill Statute and Regulations
20 reimbursement claims. A summary of the settlement and a full copy of the settlement agreement
21 are attached to this document as Exhibit A.

22 6. The settlement is contingent on the following: (1) by February 28, 2009, formal
23 waivers being submitted by at least 85% of LEAs representing at least 92% of student average
24 daily attendance statewide; (2) the parties seeking a superior court ruling that the settlement is
25 final and binding on all LEAs; and (3) legislation providing the necessary funds being enacted
26 prior to or as part of the 2009-2010 budget process.

27 7. As of February 28, 2009, 95% of all LEAs, representing 99% of student average
28 daily attendance statewide, had signed the required waiver. Further, Assembly Member Tom

1 Torlakson has agreed to sponsor the necessary funding legislation, and the Legislative Council has
2 released its initial draft of the bill (AB 661) to the settling parties. (See Declaration of Richard L.
3 Hamilton, attached to this document as Exhibit B).

4 8. In light of the circumstances set forth in paragraph 1 through 7 of this document; to
5 avoid the costs, delay, and uncertainty of further litigation; to avoid the necessity of resolving
6 disputed issues of fact and law; and to alleviate the uncertainty regarding state funding of
7 behavioral intervention programs and services in California's public schools, the parties have
8 agreed to compromise and settle this matter in accord with the settlement document attached
9 hereto as Exhibit A.

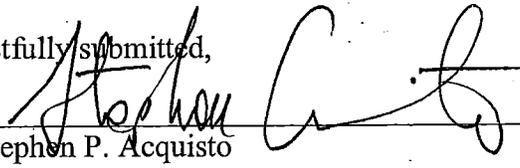
10 9. The parties now turn to this Court and by this stipulation seek a judgment that the
11 settlement is the final resolution of this lawsuit as well as CSM No. 4464 and that all LEAs in the
12 state are bound thereby, thus fulfilling the second condition specified in the settlement agreement,
13 said judgment not to be entered or filed until legislation has been enacted into law satisfying the
14 terms of the settlement agreement.

15 JUDGMENT PRAYED FOR

16 10. Therefore, the parties pray that judgment be entered in accord with the terms of the
17 settlement agreement and respectfully request that the Court find that the settlement is the full and
18 final resolution of this matter and that its terms, conditions, and restrictions are binding upon all
19 LEAs in the State. Further, the parties request that the Commission on State Mandates be
20 permanently enjoined from taking further action regarding the Behavioral Intervention Plans Test
21 Claim, CSM No. 4464. Judgment shall be entered and filed only upon legislation being enacted
22 into law satisfying the terms of the settlement agreement.

23 Respectfully submitted,

24 March 19, 2009

By: 

Stephen P. Acquisto
Supervising Deputy Attorney General
Attorneys for Petitioner
DEPARTMENT OF FINANCE

26
27 ///

28 ///

Fagen Friedman & Fulfroft, LLP
70 Washington Street, Suite 205
Oakland, California 94607
Main: 510-550-8200 • Fax: 510-550-8211

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March 23, 2009

By: Paula Higashi
Paula Higashi (SBN 166398)
Executive Director
Respondent
COMMISSION ON STATE MANDATES
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-8210 Telephone
(916) 445-0278 Facsimile

March 23, 2009

By: Camille Shelton
Camille Shelton (SBN 166945)
Chief Legal Counsel
Commission on State Mandates
Attorneys for Respondent
COMMISSION ON STATE MANDATES
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March 23, 2009

By: Diana McDonough
Diana McDonough (SBN 82898)
FAGEN FRIEDMAN & FULFROST, LLP
Attorneys for Real Parties in Interest
70 Washington Street, Suite 205
Oakland, CA 94607
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JUDGMENT

1. The Court has read and considered the documents filed in this case, including the stipulation for entry of judgment above.

2. The Court notes the history of litigation in this matter, and that the proposed settlement has the support of 95% of all LEAs. The Court finds that the stated terms of the settlement are a just resolution of this disputed matter. The Court further agrees that the public interest is well served by the settlement agreement, which avoids the expense and uncertainty of continued litigation while providing additional funding for behavioral intervention plans and related programs/activities.

Therefore, IT IS HEREBY ORDERED AND ADJUDGED that:

1. By this judgment the Court hereby adopts and incorporates the terms of the settlement agreement which the Court finds is the full and final resolution of this matter and is binding upon each and every LEA in the State.

2. The Commission on State Mandates is permanently enjoined from taking further action regarding the Behavioral Intervention Plans Test Claim, CSM No. 4464.

3. This judgment shall be entered and filed only after the enactment of legislation into law satisfying the terms of the settlement agreement.

4. The parties shall bear their own costs and fees respecting this action.

Date: March ____, 2009

Honorable MICHAEL P. KENNY
Judge of the Superior Court of California
County of Sacramento

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SUMMARY

Settlement and Release Agreement Behavioral Intervention Plan (Hughes Bill) Mandated Cost Claim

The State and school test claimants San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education have reached a settlement in the Behavioral Intervention Plans ("BIP") (Hughes Bill) Mandated Cost Claim and lawsuit, a claim dating from 1994. The settlement provides for an ongoing increase to special education funding and retroactive reimbursement to school districts, county offices of education, and special education local plan areas ("SELPAs") (collectively "LEAs") for general fund use, contingent on LEA approval.

In addition to test claimants San Diego USD, Butte COE, and San Joaquin COE who pursued this matter for 14 years, thanks go to many hard-working SELPAs for providing essential cost information, and to the California School Boards Association's ("CSBA") Education Legal Alliance for encouraging this settlement, ultimately funding the services of Fagen Friedman & Fulfrost, Diana McDonough, Of Counsel, to reach this agreement.

The settlement provides for the following funding:

\$510 million payable to school districts as general fund reimbursement, in \$85 million installments over 6 years, from 2011-12 through 2016-17, based on 2007-08 P2 ADA.

\$10 million payable as general fund reimbursement in 2009-10 as follows:

- \$ 1.5 million to county offices based on Dec. 2007 county special education pupil count
- \$ 6.0 million to SELPAs based on Dec. 2007 special education pupil count
- \$ 2.5 million to claimants and others for administrative costs incurred in pursuing the claim.

\$65 million added in 2009-10 as a **permanent increase** to the AB 602 special education funding base. Commencing in 2010-11, this amount will be subject to COLA and growth to the extent it is added to AB 602 generally.

The settlement is contingent on the following:

1. By February 28, 2009, 85% of all LEAs (school districts, county offices, and SELPAs) must sign a waiver document; the signatory school districts and county offices must represent at least 92% of statewide ADA. In the document, LEAs waive their rights to contest the settlement and to file any BIP/Hughes Bill mandated cost claims.
2. The parties will seek a superior court ruling that the settlement is final and binding on all LEAs in March 2009.
3. Legislation must be enacted appropriating the necessary funds and placing the ongoing funding in statute. This will be requested early in 2009.

While none of the above triggers is assumed, the first one is most critical. Without immediate school district, county, and SELPA support, this settlement will not take place. If any of the above does not happen, the matter will revert to Sacramento Superior Court.

December 1, 2008

SETTLEMENT AND RELEASE AGREEMENT
BEHAVIORAL INTERVENTION PLANS [HUGHES BILL] MANDATED COST CLAIM

This settlement and release agreement ("Agreement") is entered into this 26th day of ~~2008~~ ^{January, 2009} by DKM and between the State of California ("the STATE") on the one hand, and San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively "CLAIMANTS") on the other, who, in consideration of the promises made herein, agree as follows:

I. Nature and Status of the Dispute

Effective January 1, 1991, Education Code section 56523 was added to the Education Code. That section required the development and adoption of regulations governing positive behavioral interventions for special education students by the State Board of Education ("the SBE"). In 1993, the SBE promulgated California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 to implement Education Code section 56523. The Education Code section and its implementing regulations are referred to cumulatively as "the Hughes Bill."

The Behavioral Intervention Plans Mandated Cost Claim was initiated on September 28, 1994, when San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education filed test claim CSM-4464 with the Commission on State Mandates ("the Commission"). The Behavioral Intervention Plans Mandated Cost Claim asked the STATE to reimburse local educational agencies ("LEAs"), including school districts, county offices of education, special education local plan areas ("SELPA's"), and joint agencies composed of such organizations for the costs of implementing the Hughes Bill.

On September 28, 2000, the Commission adopted a Statement of Decision on CSM-4464 finding that the Hughes Bill imposed a reimbursable state mandate on school districts by requiring the following seven activities: SELPA plan requirements, development and implementation of behavioral intervention plans, functional analysis assessments, modifications and contingent behavioral intervention plans, development and implementation of emergency interventions, prohibited behavioral intervention plans, and due process hearings. The settlement of the Special Education Mandated Cost Claim in 2000-2001 explicitly omitted the Behavioral Intervention Plans Mandated Cost Claim (Ed. Code § 56836.156(g)).

Subsequently CLAIMANTS proposed parameters and guidelines for the CSM-4464 claiming process but various disputes arose with the STATE and a final draft was never adopted by the Commission. The parties attempted settlement without success and the matter reached a stalemate.

On September 26, 2003, the STATE's Department of Finance filed a Petition for Administrative Mandamus in the Sacramento Superior Court challenging the Commission's decision in CSM-4464. It named the Commission as Respondent, and CLAIMANTS as Real Parties in Interest (*Department of Finance v. Commission on State Mandates*, Sacramento Superior Court Case No. 03CS01432). The Petition maintained that the Hughes Bill was not a reimbursable state mandate because 1) it was required by federal law, 2) it merely implemented federal requirements, and

3) it did not exceed those requirements. The matter is still pending. CLAIMANTS have filed no responsive pleadings as yet.

On October 4, 2007, the Deputy Attorney General representing the STATE's Department of Finance in the above case wrote to CLAIMANTS stating that pending reforms in the mandate process could present a timely opportunity to continue negotiations. The Deputy Attorney General noted that the mandate reform legislation, AB 1222, included the option of the joint development of a reasonable reimbursement methodology and cost estimate. The Deputy Attorney General suggested a meeting if CLAIMANTS were interested in resolving the matter and noted that, absent successful settlement, she planned to schedule a hearing in Sacramento Superior Court in April 2008. In response, CLAIMANTS contacted the Deputy Attorney General and the parties began meeting to work on a mutually agreeable resolution.

A chief task in the settlement process was developing a statewide cost estimate for the claim. Ultimately CLAIMANTS completed surveys of more than 20 SELPAs representing more than 10% of public school students statewide. The STATE's Department of Finance staff reviewed copies of all survey returns and verified that the cumulative cost totals accurately reflected the SELPA data.

In May 2008, the Sacramento Superior Court notified the STATE that it must bring its case to trial by September 26, 2008, or be subject to dismissal under the state law which requires all matters to be brought to trial within five years ("the five-year rule"). Ultimately, the parties filed a stipulation with the court agreeing to extend the five-year period to March 27, 2009, in the hopes that agreement could be reached.

The STATE's Department of Finance continues to dispute the Commission's decision in CSM-4464 that the Hughes Bill is a reimbursable mandate. CLAIMANTS believe the Commission's decision was correct and that the Hughes Bill imposes requirements on school districts that are not mandated by federal law.

To avoid the costs and uncertainty of further litigation, to alleviate the uncertainty regarding the Hughes Bill funding, and to expedite the resolution of this long-pending mandate claim in the spirit of AB 1222, the parties have determined to compromise and settle the claims raised in Sacramento Superior Court Case No. 03CS01432 and the underlying administrative decision of the Commission on State Mandates in CSM-4464 on the terms and conditions set forth below.

II. Actions to Resolve Dispute

A. The mutual obligations and duties of the parties set forth herein are contingent upon all of the following events occurring:

1. On or before February 28, 2009, no less than 85% of all K-12 school districts, county offices of education, and SELPAs shall sign the Waiver, attached hereto as Exhibit A. In addition, the school districts and county offices signing Exhibit A must have served student populations accounting

for no less than 92% of the second principal apportionment (P-2) average daily attendance in the 2007-08 fiscal year.

2. The parties shall seek a superior court ruling that the settlement is final and binding on all LEAs, assuming implementing legislation is enacted. In the absence of such a ruling, the parties shall seek an alternative, mutually agreeable final and formal resolution of the dispute.
3. Prior to or concurrent with the enactment of the Budget Act for the 2009-10 fiscal year, legislation is enacted that contains provisions identical to or substantially similar to the language contained in Exhibit B. It is the intent of the parties that, on or before January 10, 2009, the Legislature shall be requested to enact such legislation on an urgency basis. Any modifications to the proposed legislation shall be made only with agreement of all the signatories to this settlement document.
 - a. The proposed legislation shall appropriate the amount of ten million dollars (\$10,000,000) payable upon enactment and allocated in accord with Section II.B. of this Agreement.
 - b. The proposed legislation shall require additional funding of five-hundred and ten million dollars (\$510,000,000) in total payable over a six-year period, or lesser period at the STATE's discretion, commencing July 1, 2011, and allocated in accord with Section II.B. of this Agreement.
 - c. The proposed legislation shall include statutory language to revise the existing special education funding model established by Assembly Bill 602 (Chapter 854, Statutes of 1997) to provide an ongoing increase of sixty-five million dollars (\$65,000,000) annually to special education programs. The proposed legislation shall appropriate the first year of funding.
 - d. The combination of the above appropriations is to be considered in full satisfaction of, and is in lieu of, any reimbursable mandate claims that would have been filed as a result of CSM-4464. By providing this funding for CSM-4464, the STATE in no way concedes the existence of an unfunded reimbursable mandate for that claim.

- B. For the purposes of this settlement only, to resolve any and all retrospective mandated cost claims from 1993-94 to 2008-09 arising from CSM-4464 and the Statement of Decision adopted by the Commission on State Mandates on September 28, 2000, the STATE agrees that:

1. Upon enactment of legislation prior to or concurrent with the 2009-10 Budget Act, payment in the amount of ten million dollars (\$10,000,000) will be allocated to LEAs as follows:
 - a. One million five hundred thousand dollars (\$1,500,000) shall be allocated to county offices of education on an equal per-pupil basis. The amount of each agency's allocation shall be determined by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, as reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each county office of education is at least five thousand dollars (\$5,000).
 - b. Six million dollars (\$6,000,000) shall be allocated to SELPAs that existed for the 2007-08 fiscal year. The amount of each agency's allocation shall be determined by dividing six million dollars (\$6,000,000) by the total statewide special education pupil count as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each SELPA is at least ten thousand dollars (\$10,000).
 - c. Two million five hundred thousand dollars (\$2,500,000) shall be paid to San Joaquin County Office of Education.
2. In accord with legislation enacted prior to or concurrent with the 2009-10 Budget Act, the State will pay an additional five hundred and ten million dollars (\$510,000,000) to school districts. This amount shall be allocated in installment payments of eighty-five million dollars (\$85,000,000) commencing July 1, 2011, and annually thereafter for a period of six years unless the STATE in its discretion enlarges the installment amount from time to time, thereby discharging the obligation in advance of the six year period. These payments shall be allocated to school districts on a per-pupil basis as follows:
 - a. The appropriation shall be divided by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in-kindergarten through grade twelve in all school districts as used by the Superintendent for the second principal apportionment for the

2007-08 fiscal year. Each school district shall receive an allocation equal to the per-pupil amount times the district's reported average daily attendance for the second principal apportionment for the 2007-08 fiscal year, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year unless the State enlarges the appropriation as specified in II.B.2. above.

- b. In any fiscal year after 2011-12 in which the provisions of paragraph (b)(3) of Section 8 of Article XVI of the California Constitution are operative, the annual appropriation shall not be required to be made. If an appropriation is not made for a specific fiscal year or years, it shall instead be made in the fiscal year or years immediately succeeding the final payment pursuant to Section II.B.2 of this Agreement.
- C. To effectuate a stay of the five-year rule and to seek court approval of the settlement which makes it final and binding on LEAs, the parties agree to the following:
1. Within ten court days after execution of this Agreement, CLAIMANTS will file a response to the Petition for Administrative Mandamus, Sacramento Superior Court Case No. 03CS01432. Concurrently or as soon thereafter as the parties deem appropriate, the STATE and CLAIMANTS shall jointly stipulate to a stay of the five-year rule, and shall file such stipulation with the court. The stipulation shall provide for and ask the court to order the following:
 - a. A stay of the five-year rule for the purposes of this settlement, with the understanding that the five-year rule shall be in effect within ninety (90) days if the settlement terms cannot be effectuated.
 - b. Notice of the stay and of the settlement terms to all LEAs.
 - c. A court hearing, if necessary, to consider any objections to the settlement made by LEAs or other parties of standing.
 - d. Entry of judgment that the settlement is the final resolution of CSM-4464 assuming implementing legislation is enacted, and that after appropriate consideration of objections, if any, it is final and binding on all LEAs.

- D. In the absence of any entry of judgment as specified in Section II.C.1.d. of this Agreement, the parties shall seek an alternative mutually agreeable final and formal resolution of the dispute.
- E. If the events listed in Section II.A. as preconditions to the parties' obligations do not take place, the STATE or the CLAIMANTS may request the Superior Court to lift the stay issued pursuant to Section II.C.1.a., above, and to order that the five-year rule shall take effect in ninety (90) days.

III. Known Claims

With respect to section 56523 of the California Education Code and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008, ("the Hughes Bill Statute and Regulations"), CLAIMANTS hereby knowingly and voluntarily waive the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Agreement, CLAIMANTS hereby acknowledge that CLAIMANTS forever relinquish their right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and further forever relinquish their right to receive any benefit(s) from any claim(s) so filed. CLAIMANTS may file mandated cost claims concerning such statutes and regulations only to the extent that state or federal statutes or regulations are amended or added or changed in any other way after July 1, 2008. CLAIMANTS further acknowledge and concede that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to school districts pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the amounts set forth in Sections II.B.1 and II.B.2 of this agreement.

IV. Unknown Claims

- A. CLAIMANTS expressly waive the application of California Civil Code section 1542 regarding mandated cost claims based on Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.

- B. CLAIMANTS certify that they have read the following provisions of California Civil Code section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

- C. CLAIMANTS understand and acknowledge that the significance and consequence of the waiver of California Civil Code section 1542 is that:

1. They may have additional claims arising or occurring up to the date of this Agreement of which they are not now aware;
2. They may not make a further demand for any such claims;
3. They may not receive any benefit(s) from any such claims; and
4. They extend their waiver to include now unknown or later discovered claims.

V. Advice of Attorney

CLAIMANTS warrant and represent that they have been advised to seek legal advice from the attorney of their choice regarding the risks, complications, and costs of the Agreement. CLAIMANTS acknowledge and represent either that they relied upon legal advice from their attorney in executing this Agreement or that they chose not to rely upon legal advice from their attorney in executing this Agreement. They further acknowledge and represent that, in executing this Agreement, they have not relied on any inducements, promises, or representations other than those stated in this Agreement.

VI. Conditions of Execution

Each party acknowledges and warrants that the party's execution of this Agreement is free and voluntary.

VII. Execution of Other Documents

Each party to this Agreement shall cooperate fully in the execution of any and all other documents and the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

VIII. Nonadmission

Nothing contained in the Agreement constitutes an admission or concession, by any party, as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464, and no party hereto shall deem or construe this Agreement, or any part thereof, to be any such admission or concession. Further, nothing in this Agreement may be deemed or construed to be, by any entity or person not a party hereto, as against any party hereto, or any agency thereof, any admission or concession as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464.

IX. Entire Agreement

This Agreement and Exhibits A and B attached hereto contain the entire Agreement between the parties. A breach of any portion of this Agreement shall be considered a breach of the whole Agreement.

X. Effective Date

This Agreement shall be effective immediately upon execution by the parties. This Agreement has retroactive effect to the extent specified herein.

XII. Governing Law

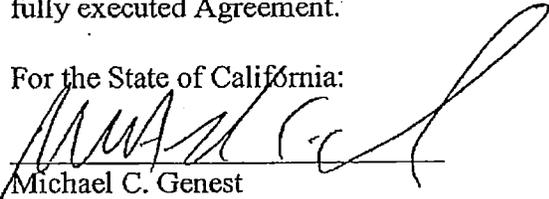
This Agreement is entered into, and shall be construed and interpreted, in accordance with the laws of the State of California and the United States.

00334.00100/105941.1

XIII. Counterparts

This Agreement may be signed in counterparts, such that signatures appear on separate pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed Agreement.

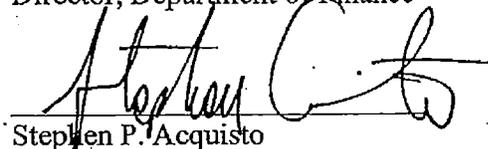
For the State of California:



Michael C. Genest

Director, Department of Finance

Dated: DEC 9 2008



Stephen P. Acquisto

Supervising Deputy Attorney General

Dated: 12/3/08

San Diego Unified School District

By Terry Grier
Terry Grier, Superintendent

Dated: 1/16/09

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By _____
Sandee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: _____

00334.00100/105941

Approved in closed session of the
Board of Education of the San Diego
Unified School District on 1/13/09
Cheryl Ward
Cheryl Ward, Board Action Officer,
Board of Education

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By Roy L. Applegate
Roy L. Applegate, Ed.D., SELPA Director

Dated: 12-3-08

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: _____

00334.00100/105941

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By *Sandee Kludi*
Sandee Kludi, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: 12/5/08

Approved as to form:

Fagen Friedman & Fulfrost

Dated: _____

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

00334.00100/105941

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfro

Diana McDonough
Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: Jan 26, 2009

00334.00100/105941

Exhibit A to Settlement Agreement
Behavioral Intervention Plans Mandated Cost Claim

WAIVER

This Waiver is entered into on _____ [DATE] by

[NAME OF LEA], hereinafter "LEA,"
to fulfill one of the terms of the Settlement and Release Agreement for the Behavioral
Intervention Plans Mandated Cost Claim ("Agreement").

A. Known Claims

With respect to section 56523 of the California Education Code and the California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and section 3052 as those sections read on or before July 1, 2008, (collectively "the Hughes Bill Statute and Regulations"), LEA hereby knowingly and voluntarily waives the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Waiver, LEA hereby acknowledges that LEA forever gives up its right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and/or to pursue any filed claim regarding that statute and regulations, and/or to benefit from such a claim, including any claim regarding the following programs and services:

1. Special education local plan area plan requirements pursuant to California Code of Regulations, title 2, sections 3001, subdivision (c), and 3052, subdivision (j), as these sections read on July 1, 2008;
2. Development and implementation of behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c), (d), (e), and (f), and 3052, subdivisions (a), (c), (d), (e), and (f), as these sections read on July 1, 2008;
3. Functional analysis assessments pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (d) and (f), and 3052, subdivisions (b), (c), and (f), as these sections read on July 1, 2008;
4. Modifications and contingent behavioral intervention plans pursuant to California Code of Regulations, title 2, section 3052, subdivisions (g) and (h), as these sections read on July 1, 2008;
5. Development and implementation of emergency interventions pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c) and (d), and 3052, subdivision (i), as these sections read on July 1, 2008;

6. Prohibited behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivision (d), and 3052, subdivision (l), as these sections read on July 1, 2008; and
7. Due process hearings pursuant to California Code of Regulations, title 2, section 3052, subdivision (m), as this section read on July 1, 2008.

LEA further acknowledges and concedes that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to LEAs pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the retrospective amounts described in Paragraph II.B. of the Agreement, and by signing this Waiver LEA forever gives up its right to contend otherwise.

B. Unknown Claims

1. LEA expressly waives the application of California Civil Code section 1542 regarding mandated cost claims under California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.
2. LEA certifies that it has read the following provisions of California Civil Code Section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

3. LEA understands that it is agreeing that California Civil Code section 1542 does not apply to this Waiver. LEA understands and acknowledges that the significance and consequence of this waiver of California Civil Code section 1542 is:
 - a. LEA may have additional claims arising or occurring up to the date of this Waiver of which it is not now aware;
 - b. LEA may not make a further demand for any such claims;
 - c. LEA may not receive any benefit(s) from any such claims that may be filed by other claimants; and
 - d. LEA extends its waiver to include now unknown and/or later discovered claims.

C. Exemptions

LEA signs this Waiver with the understanding that it does not prohibit LEAs from filing mandated cost claims to the extent that the Hughes Bill Statute and Regulations are amended or added or changed in any way after July 1, 2008.

D. Advice of Attorney

LEA warrants and represents that it has reviewed and understands the Notice to LEAs Re: Pending Settlement of the Behavioral Intervention Plans Mandated Cost Claim ("the Notice") and this Waiver, and that it has been advised to seek legal advice from the attorney of its choice regarding the Notice and this Waiver. LEA acknowledges and represents either that it relied upon legal advice from its attorney in executing this Waiver or that it chose not to rely upon legal advice from its attorney in executing this Waiver. LEA further acknowledges and represents that, in executing this Waiver, it has not relied on any inducements, promises, or representations other than those stated in the Notice and Waiver.

E. Contingency of Waiver

LEA understands that this Waiver is binding only if the preconditions to the full implementation of the Settlement Agreement are satisfied. Those preconditions are set out in Section C of the Notice and Section II.A. of the Agreement, and are, in brief: (1) at least 85% of all LEAs sign this Waiver, including school districts and county offices of education who served student populations accounting for 92% of the P-2 2007-08 ADA; (2) the parties seek a superior court ruling that the settlement is final and binding on all LEAs; and (3) legislation is enacted appropriating the necessary funding and placing ongoing funding in statute.

Dated: _____

Signed: _____

Print or Type Name Above

Authorized Agent for: _____
Name of LEA

00334.00100/107130.1

DRAFT LEGISLATION

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that it is in the State's interest that legislation be enacted immediately to provide funding for positive behavioral intervention plans for special education students (Hughes Bill) and resolve a contested state mandate issue of fourteen-year standing. The Legislature anticipates that the Governor will request the enactment of the legislation prior to the enactment of the 2009-10 Budget Act.

SECTION 2. Section _____ is added to the Education Code to read:

[section number]

- (a) The Superintendent of Public Instruction shall determine the statewide total average daily attendance used for the purposes of section 56836.08 for the 2008-09 fiscal year. For the purposes of this calculation, the 2008-09 second principal average daily attendance for the court, community school, and special education programs served by the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area shall be used in lieu of the average daily attendance used for that agency for the purposes of section 56836.08.
- (b) The Superintendent shall divide sixty-five million dollars (\$65,000,000), by the amount determined pursuant to subdivision (a).
- (c) For each special education local plan area, the Superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 for the 2009-10 fiscal year by the quotient determined pursuant to subdivision (b). This increase shall be effective, beginning in the 2009-10 fiscal year.
- (d) Notwithstanding subdivision (c), for the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 by the ratio of the amount determined pursuant to subdivision (b) to the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2008-09 fiscal year. This increase shall be effective beginning in the 2009-10 fiscal year.

- (e) The Superintendent shall increase the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2009-10 fiscal year by the amount determined pursuant to subdivision (b).
- (f) The funds provided in subdivisions (a)-(e) above are to be considered in full satisfaction of, and are in lieu of, any reimbursable mandate claims for the Behavioral Intervention Plans Mandated Cost Claim. By providing this funding, the State in no way concedes the existence of any unfunded reimbursable mandate with regard to Section 56523 and its regulations in California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. These funds shall be used exclusively for programs operated under this part and, as a first priority, for the programs and services required under Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. By virtue of these funds, Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008 shall be deemed to be fully funded within the meaning of Government Code Section 17556(e).
- (g) Within the meaning of Government Code section 17556(e), the funds appropriated for purposes of this section are not specifically intended to fund any state-mandated special education programs and services resulting from amendments enacted after July 1, 2008, to any of the following statutes and regulations:
- (1) The Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), if such amendments result in circumstances where state law exceeds federal law;
 - (2) Federal regulations implementing the Individuals with Disabilities Education Act (34 C.F.R. Parts 300 and 303), if such amendments result in circumstances where state law exceeds federal law;
 - (3) Part 30 (commencing with section 56000); and
 - (4) Sections 3000 through 4671, inclusive, of Title 5 of the California Code of Regulations.
- (h) State funds otherwise allocated to each special education local plan area pursuant to Chapter 7.2 (commencing with section 56836) of Part 30 and appropriated through the annual Budget Act shall supplement and not supplant these funds. These funds shall be in addition to the level of COLA provided for this program in the annual Budget Act.

SECTION 3. Section XXXXX is added to the Education Code, to read:

(a) Commencing with the 2011-12 fiscal year and each fiscal year through the 2016-17 fiscal year, the amount of eighty-five million dollars (\$85,000,000), shall be appropriated, on a one-time basis each fiscal year, from the General Fund for allocation to school districts on a per-pupil basis. The Superintendent of Public Instruction shall compute the amount per pupil by dividing eighty-five million dollars (\$85,000,000), by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. Each school district's allocation shall equal the per-pupil amount times the district's average daily attendance as reported to the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year.

(1) Notwithstanding the provisions of subdivision (a) above, the State, in its discretion, may cause to be appropriated and allocated amounts in excess of eighty-five million dollars (\$85,000,000) annually in the period 2011-12 through 2016-17 for the purpose of discharging the obligation in advance of the six year period, so long as the total amount appropriated and allocated under this section is five hundred ten million dollars (\$510,000,000).

(2) In any fiscal year after 2011-12 in which the provisions of Article XVI, section 8, paragraph (b)(3), of the California constitution are operative, the annual appropriation shall not be required to be made.

(3) The Director of Finance shall notify, in writing, the fiscal committees of both Houses of the Legislature, the Controller, and the Superintendent of Public Instruction no later than May 14, that the appropriation for the following fiscal year is not required, pursuant to paragraph (c). If any appropriation is not made for a specific fiscal year, or years, it shall instead be made in the fiscal year, or years, immediately succeeding the final payment pursuant to paragraph (a).

(4) These funds shall be in addition to the level of COLA provided to school districts in the annual Budget Act.

- (b) From the funds appropriated for purposes of this section in subdivision (b) of Section 4 of the act adding this section, the Superintendent of Public Instruction shall allocate the following:

(1) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of one million five hundred thousand dollars (\$1,500,000) shall be allocated by the Superintendent to county offices of education on an equal per-pupil amount. The Superintendent shall determine the per-pupil amount by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each county office of education is at least five thousand dollars (\$5,000).

(2) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of six million dollars (\$6,000,000) shall be allocated by the Superintendent to SELPAs that existed for the 2007-08 fiscal year. The Superintendent shall determine the amount of each agency's allotment by dividing the six million dollars (\$6,000,000) by the statewide special education pupil count reported as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each SELPA is at least ten thousand dollars (\$10,000).

(3) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of two million five hundred thousand dollars (\$2,500,000) shall be allocated by the Superintendent to the San Joaquin County Office of Education.

- (c) The amounts appropriated by subdivisions (a), (b), and (c) of Section 4 of the act adding this section are in full satisfaction and in lieu of mandate claims resulting from the Commission on State Mandates' Statement of Decision CSM 4464, "Behavioral Intervention Plans."

SECTION 4.

- (a) The amount of sixty-five million dollars (\$65,000,000), is hereby appropriated from the General Fund in augmentation of Item 6110-161-0001 of 2009-10 Budget Act to the Superintendent of Public Instruction

for the purposes of Section 56836.08 of the Education Code. It is the intent of the Legislature that such funding be included in the annual budget act in subsequent fiscal years.

(b)

(1) The amount of ten million dollars (\$10,000,000), is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation on a one-time basis to county offices of education, and special education local plan areas (SELPAs), as specified in subdivision (b) of section _____ of the Education Code. These funds shall be in addition to the level of COLA provided for county offices of education and special education local plan areas in the annual Budget Act.

(2) For the purposes of making the computations required by article XVI, section 8, of the California Constitution, this appropriation shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (a) of section 41202 of the Education Code, for the 2007-08 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of section 41202 of the Education Code, for the 2007-08 fiscal year.

SECTION 5. This Act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety with the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting this necessity are: In order to alleviate the fiscal hardship to local educational agencies caused by the persistent shortfalls in federal funding for special education; to increase state funding for the special education program, thereby reducing encroachment; to facilitate the settlement of current litigation regarding those programs and the funding thereof; to obviate new litigation; and to resolve related school finance issues, it is necessary for this Act to take effect immediately.

00334.00100/108552.1

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Main: 510-550-8200 • Fax: 510-550-8211

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5 Fax: 510-550-8211
6 Attorneys for Real Parties in Interest

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SACRAMENTO**

10
11 DEPARTMENT OF FINANCE,
12 Petitioner,
13 vs.
14 COMMISSION ON STATE MANDATES,
15 Respondent.
16
17 SAN DIEGO UNIFIED SCHOOL DISTRICT;
18 SAN JOAQUIN COUNTY OFFICE OF
EDUCATION; and, BUTTE COUNTY
OFFICE OF EDUCATION,
19 Real Parties in Interest.

CASE NO. 03CS01432

**DECLARATION OF RICHARD L.
HAMILTON IN SUPPORT OF JOINT
STIPULATION FOR ENTRY OF
JUDGMENT**

(No. CSM-4464)

20
21 I, Richard L. Hamilton, make the following declaration and statement:

22 1. I have personal knowledge of the facts stated in this declaration and, if called as a
23 witness, I would and could competently testify to them under oath.

24 2. Since 1998 I have worked for the California School Boards Association ("CSBA") as
25 Associate General Counsel and Director of the Education Legal Alliance. For the twenty years
26 prior to joining CSBA, I was an attorney in private practice representing school districts. I
27 became a member of the California Bar in January, 1966 and I am still in active status. My State
28

1 Bar number is 037495.

2 3. CSBA is composed of nearly 1000 K-12 school districts, county offices of education,
3 and regional occupation centers/programs. CSBA's Education Legal Alliance is an arm of CSBA
4 supported by the dues of just under 800 CSBA members. It initiates and supports litigation in
5 cases of statewide importance to California schools. As Director of the Education Legal Alliance,
6 I oversee the implementation of the legal strategy of CSBA and its Education Legal Alliance in the
7 statewide cases and issues in which we are involved. I follow matters before the Commission on
8 State Mandates which concern schools. I was involved with the settlement of the special education
9 mandated cost lawsuit in 2000, which was confirmed by Judge John Ford of this court in 2001.
10

11 4. Shortly after the Commission on State Mandates issued its decision CSM No. 4464 on
12 Behavioral Intervention Plans on September 28, 2000, I worked with the test claimants San Diego
13 Unified School District, San Joaquin County Office of Education and Butte County Office of
14 Education to see if we could reach a settlement with the Department of Finance. We were unable
15 to reach agreement and ultimately the Department filed this Petition. In October 2007, the
16 Department contacted me and the test claimants regarding whether we would like to reenter
17 settlement negotiations. I worked with the test claimants, now Real Parties in Interest in this
18 matter, to retain Fagen Friedman and Fulfroft, Diana McDonough, Of Counsel, to represent them
19 in further negotiations and I was part of the settlement negotiation process.
20
21

22 5. When we reached agreement, I offered CSBA's assistance in mailing the settlement
23 packet and waiver to all local education agencies ("LEAs"). The packet included all the settlement
24 documents, as well as a cover letter and a Notice to LEAs describing the rights they were waiving
25 if they signed the waiver. Under my direction, CSBA staff sent this settlement packet to all 1,147
26 K-12 LEAs in the state of California, consisting of 971 school districts, 58 county offices of
27 education, and 118 special education local plan areas ("SELPA").
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6. I have received waivers signed on or before February 28, 2009 from 95% of the LEAs (1099 of 1147), representing 99% of the statewide average daily attendance ("ADA") according to the 2007-08 second reporting period (2007-08 P2 ADA). As of March 20, 2009, I had received waivers signed after February 28, 2009 from an additional 7 school districts. As a result, as of March 20, 2009, 96% of all LEAs (1106 of 1147) representing 99% of the 2007-08 P2 ADA had submitted waivers.

7. Assembly Member Tom Torlakson has agreed to carry the proposed legislation and Legislative Counsel has received a copy of the bill and provided its initial redraft to the parties for review, numbered AB 661.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 23, 2009 in Sacramento California.



RICHARD L. HAMILTON

00334.00100/124328.1

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Sacramento, State of California. My business address is 520 Capitol Mall, Suite 400, Sacramento, CA 95814.

On March 23, 2009, I served the following document(s) described as **JOINT STIPULATION FOR ENTRY OF JUDGMENT** on the interested parties in this action as follows:

Camille Shelton
Chief Legal Counsel
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814-2719
Attorney for Respondent Comm. on State Mandates

Stephen P. Acquisto
Supervising Deputy Attorney General
State of California
Department of Justice
1300 I Street, Suite 125
Sacramento, CA 94244
Attorneys for Petitioner Department of Finance

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Fagen Friedman & Fulfroft's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 23, 2009, at Oakland, California.

Sherri Lee Caplette, CCLS

00334.00100/124390.1



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555
Telephone: (916) 323-7355
Facsimile: (916) 324-8835
E-Mail: Rowena.Aquino@doj.ca.gov

March 19, 2009

Via Golden State Overnight - 106064143

Camille Shelton
Chief Legal Counsel
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814-2719

RE: Department of Finance v. Commission on State Mandates
Sacramento County Superior Court Case No. 03CS01432 (BIPS)

Dear Ms. Shelton:

Please find enclosed the original Joint Stipulation for Entry of Judgment; Judgment for signature by you and Paula Higashi regarding the above-referenced matter.

Should you have any questions or concerns regarding the foregoing, please contact Stephen P. Acquisto at (916) 324-1456.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rowena A.R. Aquino".

Rowena A.R. Aquino, Legal Secretary to
STEPHEN P. ACQUISTO
Supervising Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

:rara

Enclosure: Original Joint Stipulation for Entry of Judgment; Judgment

1 EDMUND G. BROWN JR.
 Attorney General of the State of California
 2 CHRISTOPHER E. KRUEGER
 Senior Assistant Attorney General
 3 STEPHEN P. ACQUISTO
 Supervising Deputy Attorney General
 4 State Bar No. 172527
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 6 Phone: (916) 324-1456
 Fax: (916) 324-8835

7 Attorneys for Petitioner
 8 Department of Finance

9 DIANA MCDONOUGH
 Of Counsel
 10 State Bar No. 82898
 ROY A. COMBS
 11 State Bar No. 123507
 FAGEN FRIEDMAN & FULFROST, LLP
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 Oakland, California 94607
 13 Phone: 510-550-8200
 Fax: 510-550-8211

14 Attorneys for Real Parties in Interest
 15 San Diego Unified School District,
 San Joaquin County Office of Education, and
 16 Butte County Office of Education

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

18 **COUNTY OF SACRAMENTO**

20 DEPARTMENT OF FINANCE,
 21 Petitioner,
 22 vs.
 23 COMMISSION ON STATE MANDATES,
 24 Respondent.

25
 26 SAN DIEGO UNIFIED SCHOOL DISTRICT;
 SAN JOAQUIN COUNTY OFFICE OF
 EDUCATION; and, BUTTE COUNTY
 27 OFFICE OF EDUCATION,
 28 Real Parties in Interest.

CASE NO. 03CS01432

**JOINT STIPULATION FOR ENTRY OF
 JUDGMENT; JUDGMENT**

(No. CSM-4464)

Dept: 31
 Judge: Honorable Michael P. Kenny

Trial Date: March 27, 2009
 Action Filed: September 26, 2003

1 It is hereby stipulated and requested by and between Petitioner Department of Finance of
2 the State of California; Respondent Commission on State Mandates of the State of California
3 ("Commission"); and Real Parties in Interest San Diego Unified School District, San Joaquin
4 County Office of Education, and Butte County Office of Education, individually and through their
5 respective counsel, that judgment be entered as set forth below upon enactment into law of
6 legislation satisfying the requirements of the settlement agreement, more fully described herein,
7 said judgment being based upon the facts set forth herein.

8 1. This is an action commenced by the Department of Finance to obtain a writ of
9 administrative mandate directing the Commission on State Mandates to vacate and annul its
10 Statement of Decision in the Behavioral Intervention Plans Test Claim, CSM No. 4464, and to
11 issue a new decision denying the claim in its entirety.

12 2. The Behavioral Intervention Plans Test Claim, CSM No. 4464, which was initiated
13 by Real Parties in Interest on September 28, 1994, seeks reimbursement for costs associated with
14 behavioral intervention plans, as set forth principally in California Education Code section 56523
15 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa),
16 and 3052 as those sections read on or before July 1, 2008 ("the Hughes Bill Statute and
17 Regulations"). On September 28, 2000, the Commission issued its decision finding that the
18 Hughes Bill Statute and Regulations imposed a reimbursable state mandated program upon school
19 districts. Because the test claim process is similar to a class action, eligible claimants under the
20 Commission's decision consist of all school districts, county offices of education ("COEs"),
21 special education local plan areas ("SELPA"), and any joint agency comprised of such
22 organizations, a total of 1,147 local educational agencies ("LEAs"). The claim at issue involves
23 costs related to the following activities/programs required by the Hughes Bill Statute and
24 Regulations: SELPA plan requirements, development and implementation of behavioral
25 intervention plans; functional analysis assessments, modifications and contingent behavioral
26 intervention plans, development and implementation of emergency interventions, prohibited
27 behavioral intervention plans, and due process hearings. The estimated potential value of past
28 claims is \$ 1 billion, and for ongoing claims is \$70 million annually.

1 3. On September 26, 2003, the Department of Finance filed this action, seeking to
2 overturn the Commission's decision. On May 19, 2008, based on the parties' stipulation, this
3 Court postponed the proceedings and extended the five year limit for bringing the matter to trial to
4 allow the parties to attempt to negotiate a settlement. Currently the matter is set for hearing on
5 March 27, 2009 by agreement of the parties and order of this Court.

6 4. Because the Real Parties in Interest hoped for settlement, they did not pursue other
7 administrative processes with the Commission necessary to finalize the claiming procedures, and
8 accordingly, school districts filed no claims. The Real Parties in Interest advised the Commission
9 that settlement was pending. The Commission, however, continues to have statutory duties
10 outstanding with respect to the claim.

11 5. This matter has now been settled by Petitioner Department of Finance and Real
12 Parties in Interest San Diego Unified School District, San Joaquin County Office of Education,
13 and Butte County Office of Education, with the support of Respondent Commission. Under the
14 terms of that settlement, the State will pay retroactive reimbursement to: (1) school districts in the
15 amount of \$510 million, to be paid in \$85 million annual installments over six years starting in
16 2011-12 and ending in 2016-17, (2) COEs in the amount of \$1.5 million in 2009-10, and (3)
17 SELPAs in the amount of \$6.0 million in 2009-2010. The State will also permanently increase the
18 ongoing special education statutory funding formula by \$65 million annually, beginning in 2009-
19 10. In exchange, the LEAs will waive their rights to file Hughes Bill Statute and Regulations
20 reimbursement claims. A summary of the settlement and a full copy of the settlement agreement
21 are attached to this document as Exhibit A.

22 6. The settlement is contingent on the following: (1) by February 28, 2009, formal
23 waivers being submitted by at least 85% of LEAs representing at least 92% of student average
24 daily attendance statewide; (2) the parties seeking a superior court ruling that the settlement is
25 final and binding on all LEAs; and (3) legislation providing the necessary funds being enacted
26 prior to or as part of the 2009-2010 budget process.

27 7. As of February 28, 2009, 95% of all LEAs, representing 99% of student average
28 daily attendance statewide, had signed the required waiver. Further, Assembly Member Tom

1 Torlakson has agreed to sponsor the necessary funding legislation, and the Legislative Counsel has
2 released its initial draft of the bill (AB 661) to the settling parties. (See Declaration of Richard L.
3 Hamilton, attached to this document as Exhibit B).

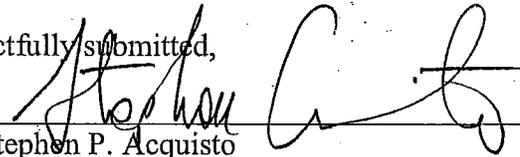
4 8. In light of the circumstances set forth in paragraph 1 through 7 of this document; to
5 avoid the costs, delay, and uncertainty of further litigation; to avoid the necessity of resolving
6 disputed issues of fact and law; and to alleviate the uncertainty regarding state funding of
7 behavioral intervention programs and services in California's public schools, the parties have
8 agreed to compromise and settle this matter in accord with the settlement document attached
9 hereto as Exhibit A.

10 9. The parties now turn to this Court and by this stipulation seek a judgment that the
11 settlement is the final resolution of this lawsuit as well as CSM No. 4464 and that all LEAs in the
12 state are bound thereby, thus fulfilling the second condition specified in the settlement agreement,
13 said judgment not to be entered or filed until legislation has been enacted into law satisfying the
14 terms of the settlement agreement.

15 JUDGMENT PRAYED FOR

16 10. Therefore, the parties pray that judgment be entered in accord with the terms of the
17 settlement agreement and respectfully request that the Court find that the settlement is the full and
18 final resolution of this matter and that its terms, conditions, and restrictions are binding upon all
19 LEAs in the State. Further, the parties request that the Commission on State Mandates be
20 permanently enjoined from taking further action regarding the Behavioral Intervention Plans Test
21 Claim, CSM No. 4464. Judgment shall be entered and filed only upon legislation being enacted
22 into law satisfying the terms of the settlement agreement.

23
24 March 19, 2009

Respectfully submitted,
By: 
Stephen P. Acquisto
Supervising Deputy Attorney General
Attorneys for Petitioner
DEPARTMENT OF FINANCE

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27 ///
28 ///

1 March 23, 2009

By: Paula Higashi

Paula Higashi (SBN 164398)
Executive Director
Respondent
COMMISSION ON STATE MANDATES
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6
7 March 23, 2009

By: Camille Shelton

Camille Shelton (SBN 166945)
Chief Legal Counsel
Commission on State Mandates
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12
13 March 23, 2009

By: Diana McDonough

Diana McDonough (SBN 82898)
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Fagen Friedman & Fulfro, LLP
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JUDGMENT

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1. The Court has read and considered the documents filed in this case, including the stipulation for entry of judgment above.

2. The Court notes the history of litigation in this matter, and that the proposed settlement has the support of 95% of all LEAs. The Court finds that the stated terms of the settlement are a just resolution of this disputed matter. The Court further agrees that the public interest is well served by the settlement agreement, which avoids the expense and uncertainty of continued litigation while providing additional funding for behavioral intervention plans and related programs/activities.

Therefore, IT IS HEREBY ORDERED AND ADJUDGED that:

1. By this judgment the Court hereby adopts and incorporates the terms of the settlement agreement which the Court finds is the full and final resolution of this matter and is binding upon each and every LEA in the State.

2. The Commission on State Mandates is permanently enjoined from taking further action regarding the Behavioral Intervention Plans Test Claim, CSM No. 4464.

3. This judgment shall be entered and filed only after the enactment of legislation into law satisfying the terms of the settlement agreement.

4. The parties shall bear their own costs and fees respecting this action.

Date: March ____, 2009

Honorable MICHAEL P. KENNY
Judge of the Superior Court of California
County of Sacramento

00334.00100/114878.1

Peter K. Fagen
Howard A. Friedman
Howard J. Fulfrost
Melanie A. Petersen
Laurie S. Juengert
Laurie E. Reynolds
James B. Fernow
Christopher D. Keeler
Jan E. Tomsky
Jonathan P. Read
Christopher J. Fernandes
Douglas N. Freifeld
Diane Marshall-Freeman
Roy A. Combs
Mark S. Williams
Lenore Silverman
Kimberly A. Smith
Kathleen J. McKee
Deborah R. G. Cesario
Ricardo R. Silva
Wesley B. Parsons

March 23, 2009

Diana McDonough
Direct Dial: 510-550-8208
dmcdonough@fagenfriedman.com

Via Hand Delivery

The Honorable Michael P. Kenny
Sacramento County Superior Court
Department 31
720 9th Street
Sacramento, CA 95814

Brian D. Bock
Elizabeth B. Mori
Lee G. Rideout
Gretchen M. Shipley
William F. Schuetz, Jr.
Anne M. Sherlock
Shawn Olson Brown
Kelly R. Minnehan
Angela Gordon
Cynthia M. Smith
Emily E. Sugrue
Jennifer R. Rowe
Joshua A. Stevens
Lyndsy B. Rutherford
Rachel C. Disario
Dean T. Adams
Summer D. Dalessandro
Vivian L. Haun
Jennifer A. Postel
Tiffany M. Santos
L. Carlos Villegas
Elise Kirsten
Kerrie E. Taylor
Susan Park
Melissa Hatch
Jesse W. Raskin
Maggie M. Athanasious
Susan B. Winkelman
Anna J. Miller
Melissa L. Phung
Keith Yanov
Kelley A. O'Connell
Leslie A. Reed

Re: Department of Finance, Petitioner vs. Commission on State Mandates,
Respondent;
San Diego Unified School District, San Joaquin County Office of
Education, and Butte County Office of Education; Real Parties in Interest
Case No. 03CS01432
Hearing: March 27, 2009

Dear Judge Kenny:

I am writing to inform you that the parties have reached a settlement in the above-entitled matter. Because of the pending agreement, the parties do not plan to go forward with a hearing on the merits on March 27. However, as we have discussed with your clerk, the parties jointly would like to have a brief hearing on the settlement terms with you. Counsel for the Commission on State Mandates is unable to be present, but has endorsed the settlement.

We have filed a Joint Stipulation For Entry of Judgment and a Proposed Judgment, a copy of which is enclosed for your review. The Joint Stipulation includes a copy of the settlement agreement as Exhibit A. Our proposal is that the judgment be signed but not entered unless and until the final step in the process is completed, the enactment of legislation. Because we are seeking court endorsement of the settlement and because we recognize signing the judgment without entering it might be novel, we believe a settlement conference would be beneficial.

Diana McDonough
Of Counsel

The Honorable Michael P. Kenny
March 23, 2009
Page 2

Thank you for your consideration of this matter.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP

Diana McDonough

DM:dm

Encs.: Joint Stipulation for Entry of Judgment and [Proposed] Judgment

cc: Stephen P. Acquisto, Supervising Deputy Attorney General
Camille Shelton, Chief Counsel, Commission on State Mandates

00334.00100/124308.1

1 Diana McDonough, SBN 82898
dmcdonough@fagenfriedman.com
2 Roy A. Combs, SBN 123507
rcombs@fagenfriedman.com
3 FAGEN FRIEDMAN & FULFROST, LLP
70 Washington Street, Suite 205
4 Oakland, California 94607
Phone: 510-550-8200
5 Fax: 510-550-8211

6 Attorneys for Real Parties in Interest

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SACRAMENTO**

10
11 DEPARTMENT OF FINANCE,

12 Petitioner,

13 vs.

14 COMMISSION ON STATE MANDATES,

15 Respondent.

16 SAN DIEGO UNIFIED SCHOOL DISTRICT;
17 SAN JOAQUIN COUNTY OFFICE OF
18 EDUCATION; and, BUTTE COUNTY
OFFICE OF EDUCATION,

19 Real Parties in Interest.
20

CASE NO. 03CS01432

**DECLARATION OF RICHARD L.
HAMILTON IN SUPPORT OF JOINT
STIPULATION FOR ENTRY OF
JUDGMENT**

(No. CSM-4464)

21 I, Richard L. Hamilton, make the following declaration and statement:

22 1. I have personal knowledge of the facts stated in this declaration and, if called as a
23 witness, I would and could competently testify to them under oath.

24 2. Since 1998 I have worked for the California School Boards Association ("CSBA") as
25 Associate General Counsel and Director of the Education Legal Alliance. For the twenty years
26 prior to joining CSBA, I was an attorney in private practice representing school districts. I
27 became a member of the California Bar in January, 1966 and I am still in active status. My State
28

1 Bar number is 037495.

2 3. CSBA is composed of nearly 1000 K-12 school districts, county offices of education,
3 and regional occupation centers/programs. CSBA's Education Legal Alliance is an arm of CSBA
4 supported by the dues of just under 800 CSBA members. It initiates and supports litigation in
5 cases of statewide importance to California schools. As Director of the Education Legal Alliance,
6 I oversee the implementation of the legal strategy of CSBA and its Education Legal Alliance in the
7 statewide cases and issues in which we are involved. I follow matters before the Commission on
8 State Mandates which concern schools. I was involved with the settlement of the special education
9 mandated cost lawsuit in 2000, which was confirmed by Judge John Ford of this court in 2001.
10

11 4. Shortly after the Commission on State Mandates issued its decision CSM No. 4464 on
12 Behavioral Intervention Plans on September 28, 2000, I worked with the test claimants San Diego
13 Unified School District, San Joaquin County Office of Education and Butte County Office of
14 Education to see if we could reach a settlement with the Department of Finance. We were unable
15 to reach agreement and ultimately the Department filed this Petition. In October 2007, the
16 Department contacted me and the test claimants regarding whether we would like to reenter
17 settlement negotiations. I worked with the test claimants, now Real Parties in Interest in this
18 matter, to retain Fagen Friedman and Fulfroft, Diana McDonough, Of Counsel, to represent them
19 in further negotiations and I was part of the settlement negotiation process.
20

21 5. When we reached agreement, I offered CSBA's assistance in mailing the settlement
22 packet and waiver to all local education agencies ("LEAs"). The packet included all the settlement
23 documents, as well as a cover letter and a Notice to LEAs describing the rights they were waiving
24 if they signed the waiver. Under my direction, CSBA staff sent this settlement packet to all 1,147
25 K-12 LEAs in the state of California, consisting of 971 school districts, 58 county offices of
26 education, and 118 special education local plan areas ("SELPAs").
27
28

Fagen Friedman & Fulfroft, LLP
70 Washington Street, Suite 205
Oakland, California 94607
Main: 510-550-8200 • Fax: 510-550-8211

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6. I have received waivers signed on or before February 28, 2009 from 95% of the LEAs (1096 of 1147), representing 99% of the statewide average daily attendance ("ADA") according to the 2007-08 second reporting period (2007-08 P2 ADA). As of March 18, 2009, I had received waivers signed after February 28, 2009 from an additional 7 school districts. As a result, as of March 18, 2009, 96% of all LEAs (1103 of 1147) representing 99% of the 2007-08 P2 ADA had submitted waivers.

7. Assembly Member Tom Torlakson has agreed to carry the proposed legislation and Legislative Counsel has received a copy of the bill and provided its initial redraft to the parties for review, numbered AB 661.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March ____, 2009 in Sacramento, California.

RICHARD L. HAMILTON

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SUMMARY

Settlement and Release Agreement Behavioral Intervention Plan (Hughes Bill) Mandated Cost Claim

The State and school test claimants San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education have reached a settlement in the Behavioral Intervention Plans ("BIP") (Hughes Bill) Mandated Cost Claim and lawsuit, a claim dating from 1994. The settlement provides for an ongoing increase to special education funding and retroactive reimbursement to school districts, county offices of education, and special education local plan areas ("SELPA") (collectively "LEAs") for general fund use, contingent on LEA approval.

In addition to test claimants San Diego USD, Butte COE, and San Joaquin COE who pursued this matter for 14 years, thanks go to many hard-working SELPAs for providing essential cost information, and to the California School Boards Association's ("CSBA") Education Legal Alliance for encouraging this settlement, ultimately funding the services of Fagen Friedman & Fulfrost, Diana McDonough, Of Counsel, to reach this agreement.

The settlement provides for the following funding:

\$510 million payable to school districts as general fund reimbursement, in \$85 million installments over 6 years, from 2011-12 through 2016-17, based on 2007-08 P2 ADA.

\$10 million payable as general fund reimbursement in 2009-10 as follows:

- \$ 1.5 million to county offices based on Dec. 2007 county special education pupil count
- \$ 6.0 million to SELPAs based on Dec. 2007 special education pupil count
- \$ 2.5 million to claimants and others for administrative costs incurred in pursuing the claim.

\$65 million added in 2009-10 as a **permanent increase** to the AB 602 special education funding base. Commencing in 2010-11, this amount will be subject to COLA and growth to the extent it is added to AB 602 generally.

The settlement is contingent on the following:

1. By February 28, 2009, 85% of all LEAs (school districts, county offices, and SELPAs) must sign a waiver document; the signatory school districts and county offices must represent at least 92% of statewide ADA. In the document, LEAs waive their rights to contest the settlement and to file any BIP/Hughes Bill mandated cost claims.
2. The parties will seek a superior court ruling that the settlement is final and binding on all LEAs in March 2009.
3. Legislation must be enacted appropriating the necessary funds and placing the ongoing funding in statute. This will be requested early in 2009.

While none of the above triggers is assumed, the first one is most critical. Without immediate school district, county, and SELPA support, this settlement will not take place. If any of the above does not happen, the matter will revert to Sacramento Superior Court.

December 1, 2008

SETTLEMENT AND RELEASE AGREEMENT
BEHAVIORAL INTERVENTION PLANS [HUGHES BILL] MANDATED COST CLAIM

This settlement and release agreement ("Agreement") is entered into this 26th day of ~~2008~~ ^{January, 2009} by DKM and between the State of California ("the STATE") on the one hand, and San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education (collectively "CLAIMANTS") on the other, who, in consideration of the promises made herein, agree as follows:

I. Nature and Status of the Dispute

Effective January 1, 1991, Education Code section 56523 was added to the Education Code. That section required the development and adoption of regulations governing positive behavioral interventions for special education students by the State Board of Education ("the SBE"). In 1993, the SBE promulgated California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 to implement Education Code section 56523. The Education Code section and its implementing regulations are referred to cumulatively as "the Hughes Bill."

The Behavioral Intervention Plans Mandated Cost Claim was initiated on September 28, 1994, when San Diego Unified School District, Butte County Office of Education, and San Joaquin County Office of Education filed test claim CSM-4464 with the Commission on State Mandates ("the Commission"). The Behavioral Intervention Plans Mandated Cost Claim asked the STATE to reimburse local educational agencies ("LEAs"), including school districts, county offices of education, special education local plan areas ("SELPA's"), and joint agencies composed of such organizations for the costs of implementing the Hughes Bill.

On September 28, 2000, the Commission adopted a Statement of Decision on CSM-4464 finding that the Hughes Bill imposed a reimbursable state mandate on school districts by requiring the following seven activities: SELPA plan requirements, development and implementation of behavioral intervention plans, functional analysis assessments, modifications and contingent behavioral intervention plans, development and implementation of emergency interventions, prohibited behavioral intervention plans, and due process hearings. The settlement of the Special Education Mandated Cost Claim in 2000-2001 explicitly omitted the Behavioral Intervention Plans Mandated Cost Claim (Ed. Code § 56836.156(g)).

Subsequently CLAIMANTS proposed parameters and guidelines for the CSM-4464 claiming process but various disputes arose with the STATE and a final draft was never adopted by the Commission. The parties attempted settlement without success and the matter reached a stalemate.

On September 26, 2003, the STATE's Department of Finance filed a Petition for Administrative Mandamus in the Sacramento Superior Court challenging the Commission's decision in CSM-4464. It named the Commission as Respondent, and CLAIMANTS as Real Parties in Interest (*Department of Finance v. Commission on State Mandates*, Sacramento Superior Court Case No. 03CS01432). The Petition maintained that the Hughes Bill was not a reimbursable state mandate because 1) it was required by federal law, 2) it merely implemented federal requirements, and

3) it did not exceed those requirements. The matter is still pending. CLAIMANTS have filed no responsive pleadings as yet.

On October 4, 2007, the Deputy Attorney General representing the STATE's Department of Finance in the above case wrote to CLAIMANTS stating that pending reforms in the mandate process could present a timely opportunity to continue negotiations. The Deputy Attorney General noted that the mandate reform legislation, AB 1222, included the option of the joint development of a reasonable reimbursement methodology and cost estimate. The Deputy Attorney General suggested a meeting if CLAIMANTS were interested in resolving the matter and noted that, absent successful settlement, she planned to schedule a hearing in Sacramento Superior Court in April 2008. In response, CLAIMANTS contacted the Deputy Attorney General and the parties began meeting to work on a mutually agreeable resolution.

A chief task in the settlement process was developing a statewide cost estimate for the claim. Ultimately CLAIMANTS completed surveys of more than 20 SELPAs representing more than 10% of public school students statewide. The STATE's Department of Finance staff reviewed copies of all survey returns and verified that the cumulative cost totals accurately reflected the SELPA data.

In May 2008, the Sacramento Superior Court notified the STATE that it must bring its case to trial by September 26, 2008, or be subject to dismissal under the state law which requires all matters to be brought to trial within five years ("the five-year rule"). Ultimately, the parties filed a stipulation with the court agreeing to extend the five-year period to March 27, 2009, in the hopes that agreement could be reached.

The STATE's Department of Finance continues to dispute the Commission's decision in CSM-4464 that the Hughes Bill is a reimbursable mandate. CLAIMANTS believe the Commission's decision was correct and that the Hughes Bill imposes requirements on school districts that are not mandated by federal law.

To avoid the costs and uncertainty of further litigation, to alleviate the uncertainty regarding the Hughes Bill funding, and to expedite the resolution of this long-pending mandate claim in the spirit of AB 1222, the parties have determined to compromise and settle the claims raised in Sacramento Superior Court Case No. 03CS01432 and the underlying administrative decision of the Commission on State Mandates in CSM-4464 on the terms and conditions set forth below.

II. Actions to Resolve Dispute

- A. The mutual obligations and duties of the parties set forth herein are contingent upon all of the following events occurring:
 - 1. On or before February 28, 2009, no less than 85% of all K-12 school districts, county offices of education, and SELPAs shall sign the Waiver, attached hereto as Exhibit A. In addition, the school districts and county offices signing Exhibit A must have served student populations accounting

for no less than 92% of the second principal apportionment (P-2) average daily attendance in the 2007-08 fiscal year.

2. The parties shall seek a superior court ruling that the settlement is final and binding on all LEAs, assuming implementing legislation is enacted. In the absence of such a ruling, the parties shall seek an alternative, mutually agreeable final and formal resolution of the dispute.
3. Prior to or concurrent with the enactment of the Budget Act for the 2009-10 fiscal year, legislation is enacted that contains provisions identical to or substantially similar to the language contained in Exhibit B. It is the intent of the parties that, on or before January 10, 2009, the Legislature shall be requested to enact such legislation on an urgency basis. Any modifications to the proposed legislation shall be made only with agreement of all the signatories to this settlement document.
 - a. The proposed legislation shall appropriate the amount of ten million dollars (\$10,000,000) payable upon enactment and allocated in accord with Section II.B. of this Agreement.
 - b. The proposed legislation shall require additional funding of five-hundred and ten million dollars (\$510,000,000) in total payable over a six-year period, or lesser period at the STATE's discretion, commencing July 1, 2011, and allocated in accord with Section II.B. of this Agreement.
 - c. The proposed legislation shall include statutory language to revise the existing special education funding model established by Assembly Bill 602 (Chapter 854, Statutes of 1997) to provide an ongoing increase of sixty-five million dollars (\$65,000,000) annually to special education programs. The proposed legislation shall appropriate the first year of funding.
 - d. The combination of the above appropriations is to be considered in full satisfaction of, and is in lieu of, any reimbursable mandate claims that would have been filed as a result of CSM-4464. By providing this funding for CSM-4464, the STATE in no way concedes the existence of an unfunded reimbursable mandate for that claim.

- B. For the purposes of this settlement only, to resolve any and all retrospective mandated cost claims from 1993-94 to 2008-09 arising from CSM-4464 and the Statement of Decision adopted by the Commission on State Mandates on September 28, 2000, the STATE agrees that:

1. Upon enactment of legislation prior to or concurrent with the 2009-10 Budget Act, payment in the amount of ten million dollars (\$10,000,000) will be allocated to LEAs as follows:
 - a. One million five hundred thousand dollars (\$1,500,000) shall be allocated to county offices of education on an equal per-pupil basis. The amount of each agency's allocation shall be determined by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, as reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each county office of education is at least five thousand dollars (\$5,000).
 - b. Six million dollars (\$6,000,000) shall be allocated to SELPAs that existed for the 2007-08 fiscal year. The amount of each agency's allocation shall be determined by dividing six million dollars (\$6,000,000) by the total statewide special education pupil count as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The State Superintendent of Public Instruction ("the Superintendent") shall adjust the computations in such a manner as to ensure that the allotment to each SELPA is at least ten thousand dollars (\$10,000).
 - c. Two million five hundred thousand dollars (\$2,500,000) shall be paid to San Joaquin County Office of Education.
2. In accord with legislation enacted prior to or concurrent with the 2009-10 Budget Act, the State will pay an additional five hundred and ten million dollars (\$510,000,000) to school districts. This amount shall be allocated in installment payments of eighty-five million dollars (\$85,000,000) commencing July 1, 2011, and annually thereafter for a period of six years unless the STATE in its discretion enlarges the installment amount from time to time, thereby discharging the obligation in advance of the six year period. These payments shall be allocated to school districts on a per-pupil basis as follows:
 - a. The appropriation shall be divided by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent for the second principal apportionment for the

2007-08 fiscal year. Each school district shall receive an allocation equal to the per-pupil amount times the district's reported average daily attendance for the second principal apportionment for the 2007-08 fiscal year, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year unless the State enlarges the appropriation as specified in II.B.2. above.

- b. In any fiscal year after 2011-12 in which the provisions of paragraph (b)(3) of Section 8 of Article XVI of the California Constitution are operative, the annual appropriation shall not be required to be made. If an appropriation is not made for a specific fiscal year or years, it shall instead be made in the fiscal year or years immediately succeeding the final payment pursuant to Section II.B.2 of this Agreement.
- C. To effectuate a stay of the five-year rule and to seek court approval of the settlement which makes it final and binding on LEAs, the parties agree to the following:
1. Within ten court days after execution of this Agreement, CLAIMANTS will file a response to the Petition for Administrative Mandamus, Sacramento Superior Court Case No. 03CS01432. Concurrently or as soon thereafter as the parties deem appropriate, the STATE and CLAIMANTS shall jointly stipulate to a stay of the five-year rule, and shall file such stipulation with the court. The stipulation shall provide for and ask the court to order the following:
 - a. A stay of the five-year rule for the purposes of this settlement, with the understanding that the five-year rule shall be in effect within ninety (90) days if the settlement terms cannot be effectuated.
 - b. Notice of the stay and of the settlement terms to all LEAs.
 - c. A court hearing, if necessary, to consider any objections to the settlement made by LEAs or other parties of standing.
 - d. Entry of judgment that the settlement is the final resolution of CSM-4464 assuming implementing legislation is enacted, and that after appropriate consideration of objections, if any, it is final and binding on all LEAs.

- D. In the absence of any entry of judgment as specified in Section II.C.1.d. of this Agreement, the parties shall seek an alternative mutually agreeable final and formal resolution of the dispute.
- E. If the events listed in Section II.A. as preconditions to the parties' obligations do not take place, the STATE or the CLAIMANTS may request the Superior Court to lift the stay issued pursuant to Section II.C.1.a., above, and to order that the five-year rule shall take effect in ninety (90) days.

III. Known Claims

With respect to section 56523 of the California Education Code and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008, ("the Hughes Bill Statute and Regulations"), CLAIMANTS hereby knowingly and voluntarily waive the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Agreement, CLAIMANTS hereby acknowledge that CLAIMANTS forever relinquish their right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and further forever relinquish their right to receive any benefit(s) from any claim(s) so filed. CLAIMANTS may file mandated cost claims concerning such statutes and regulations only to the extent that state or federal statutes or regulations are amended or added or changed in any other way after July 1, 2008. CLAIMANTS further acknowledge and concede that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to school districts pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the amounts set forth in Sections II.B.1 and II.B.2 of this agreement.

IV. Unknown Claims

- A. CLAIMANTS expressly waive the application of California Civil Code section 1542 regarding mandated cost claims based on Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.

B. CLAIMANTS certify that they have read the following provisions of California Civil Code section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

C. CLAIMANTS understand and acknowledge that the significance and consequence of the waiver of California Civil Code section 1542 is that:

1. They may have additional claims arising or occurring up to the date of this Agreement of which they are not now aware;
2. They may not make a further demand for any such claims;
3. They may not receive any benefit(s) from any such claims; and
4. They extend their waiver to include now unknown or later discovered claims.

V. Advice of Attorney

CLAIMANTS warrant and represent that they have been advised to seek legal advice from the attorney of their choice regarding the risks, complications, and costs of the Agreement. CLAIMANTS acknowledge and represent either that they relied upon legal advice from their attorney in executing this Agreement or that they chose not to rely upon legal advice from their attorney in executing this Agreement. They further acknowledge and represent that, in executing this Agreement, they have not relied on any inducements, promises, or representations other than those stated in this Agreement.

VI. Conditions of Execution

Each party acknowledges and warrants that the party's execution of this Agreement is free and voluntary.

VII. Execution of Other Documents

Each party to this Agreement shall cooperate fully in the execution of any and all other documents and the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

VIII. Nonadmission

Nothing contained in the Agreement constitutes an admission or concession, by any party, as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464, and no party hereto shall deem or construe this Agreement, or any part thereof, to be any such admission or concession. Further, nothing in this Agreement may be deemed or construed to be, by any entity or person not a party hereto, as against any party hereto, or any agency thereof, any admission or concession as to any matter of fact or law at issue in Sacramento Superior Court Case No. 03CS01432 and/or CSM-4464.

IX. Entire Agreement

This Agreement and Exhibits A and B attached hereto contain the entire Agreement between the parties. A breach of any portion of this Agreement shall be considered a breach of the whole Agreement.

X. Effective Date

This Agreement shall be effective immediately upon execution by the parties. This Agreement has retroactive effect to the extent specified herein.

XII. Governing Law

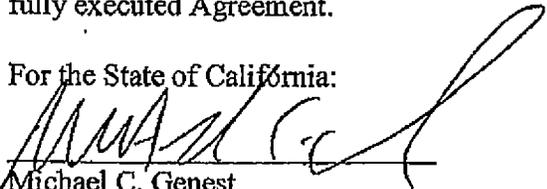
This Agreement is entered into, and shall be construed and interpreted, in accordance with the laws of the State of California and the United States.

00334.00100/105941.1

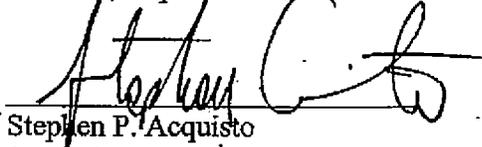
XIII. Counterparts

This Agreement may be signed in counterparts, such that signatures appear on separate pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed Agreement.

For the State of California:

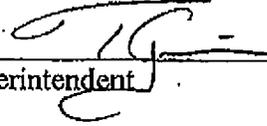

Michael C. Genest
Director, Department of Finance

Dated: DEC 9 2008


Stephen P. Acquisto
Supervising Deputy Attorney General

Dated: 12/3/08

San Diego Unified School District

By 
Terry Grier, Superintendent

Dated: 1/16/09

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

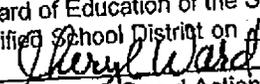
Approved as to form:

Fagen Friedman & Fulfro

Dated: _____

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

00334.00100/105941

Approved in closed session of the
Board of Education of the San Diego
Unified School District on 1/13/09

Cheryl Ward, Board Action Officer,
Board of Education

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By Roy L. Applegate
Roy L. Applegate, Ed.D., SELPA Director

Dated: 12-3-08

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost

Dated: _____

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

00334.00100/105941

San Diego Unified School District

By _____
Terry Grier, Superintendent

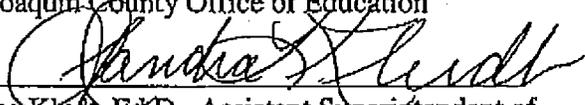
Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By 
Sandee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: 12/5/08

Approved as to form:

Fagen Friedman & Fulfrost

Dated: _____

Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

00334.00100/105941

San Diego Unified School District

By _____
Terry Grier, Superintendent

Dated: _____

Butte County Office of Education

By _____
Roy L. Applegate, Ed.D., SELPA Director

Dated: _____

San Joaquin County Office of Education

By _____
Santee Kludt, Ed.D., Assistant Superintendent of
Special Education/SELPA Director

Dated: _____

Approved as to form:

Fagen Friedman & Fulfrost

Diana McDonough
Diana McDonough, Of Counsel
Attorneys for San Diego Unified School District,
Butte County Office of Education, San Joaquin County
Office of Education and Interested Party
CSBA's Education Legal Alliance

Dated: *Jan 26, 2009*

00334.00100/105941

Exhibit A to Settlement Agreement
Behavioral Intervention Plans Mandated Cost Claim

WAIVER

This Waiver is entered into on _____ [DATE] by
_____[NAME OF LEA], hereinafter "LEA,"
to fulfill one of the terms of the Settlement and Release Agreement for the Behavioral
Intervention Plans Mandated Cost Claim ("Agreement").

A. Known Claims

With respect to section 56523 of the California Education Code and the California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and section 3052 as those sections read on or before July 1, 2008, (collectively "the Hughes Bill Statute and Regulations"), LEA hereby knowingly and voluntarily waives the rights set forth under article XIII B, section 6, of the California Constitution, sections 17500 through 17630 of the California Government Code, and sections 1181 through 1189.11 of Title 2 of the California Code of Regulations. By signing this Waiver, LEA hereby acknowledges that LEA forever gives up its right to file any mandated cost claim regarding the Hughes Bill Statute and Regulations, and/or to pursue any filed claim regarding that statute and regulations, and/or to benefit from such a claim, including any claim regarding the following programs and services:

1. Special education local plan area plan requirements pursuant to California Code of Regulations, title 2, sections 3001, subdivision (c), and 3052, subdivision (j), as these sections read on July 1, 2008;
2. Development and implementation of behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c), (d), (e), and (f), and 3052, subdivisions (a), (c), (d), (e), and (f), as these sections read on July 1, 2008;
3. Functional analysis assessments pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (d) and (f), and 3052, subdivisions (b), (c), and (f), as these sections read on July 1, 2008;
4. Modifications and contingent behavioral intervention plans pursuant to California Code of Regulations, title 2, section 3052, subdivisions (g) and (h), as these sections read on July 1, 2008;
5. Development and implementation of emergency interventions pursuant to California Code of Regulations, title 2, sections 3001, subdivisions (c) and (d), and 3052, subdivision (i), as these sections read on July 1, 2008;

6. Prohibited behavioral intervention plans pursuant to California Code of Regulations, title 2, sections 3001, subdivision (d), and 3052, subdivision (l), as these sections read on July 1, 2008; and
7. Due process hearings pursuant to California Code of Regulations, title 2, section 3052, subdivision (m), as this section read on July 1, 2008.

LEA further acknowledges and concedes that the amount that is required to be appropriated for the purpose of satisfying the STATE's minimum funding obligation to LEAs pursuant to article XVI, section 8, of the California Constitution shall not be required to be increased, to any extent, by payment of the retrospective amounts described in Paragraph II.B. of the Agreement, and by signing this Waiver LEA forever gives up its right to contend otherwise.

B. Unknown Claims

1. LEA expressly waives the application of California Civil Code section 1542 regarding mandated cost claims under California Education Code section 56523 and California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections read on or before July 1, 2008.

2. LEA certifies that it has read the following provisions of California Civil Code Section 1542:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

3. LEA understands that it is agreeing that California Civil Code section 1542 does not apply to this Waiver. LEA understands and acknowledges that the significance and consequence of this waiver of California Civil Code section 1542 is:

- a. LEA may have additional claims arising or occurring up to the date of this Waiver of which it is not now aware;
- b. LEA may not make a further demand for any such claims;
- c. LEA may not receive any benefit(s) from any such claims that may be filed by other claimants; and
- d. LEA extends its waiver to include now unknown and/or later discovered claims.

C. Exemptions

LEA signs this Waiver with the understanding that it does not prohibit LEAs from filing mandated cost claims to the extent that the Hughes Bill Statute and Regulations are amended or added or changed in any way after July 1, 2008.

D. Advice of Attorney

LEA warrants and represents that it has reviewed and understands the Notice to LEAs Re: Pending Settlement of the Behavioral Intervention Plans Mandated Cost Claim ("the Notice") and this Waiver, and that it has been advised to seek legal advice from the attorney of its choice regarding the Notice and this Waiver. LEA acknowledges and represents either that it relied upon legal advice from its attorney in executing this Waiver or that it chose not to rely upon legal advice from its attorney in executing this Waiver. LEA further acknowledges and represents that, in executing this Waiver, it has not relied on any inducements, promises, or representations other than those stated in the Notice and Waiver.

E. Contingency of Waiver

LEA understands that this Waiver is binding only if the preconditions to the full implementation of the Settlement Agreement are satisfied. Those preconditions are set out in Section C of the Notice and Section II.A. of the Agreement, and are, in brief: (1) at least 85% of all LEAs sign this Waiver, including school districts and county offices of education who served student populations accounting for 92% of the P-2 2007-08 ADA; (2) the parties seek a superior court ruling that the settlement is final and binding on all LEAs; and (3) legislation is enacted appropriating the necessary funding and placing ongoing funding in statute.

Dated: _____

Signed: _____

Print or Type Name Above

Authorized Agent for: _____
Name of LEA

00334.00100/107130.1

DRAFT LEGISLATION

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that it is in the State's interest that legislation be enacted immediately to provide funding for positive behavioral intervention plans for special education students (Hughes Bill) and resolve a contested state mandate issue of fourteen-year standing. The Legislature anticipates that the Governor will request the enactment of the legislation prior to the enactment of the 2009-10 Budget Act.

SECTION 2. Section _____ is added to the Education Code to read:

[section number]

- (a) The Superintendent of Public Instruction shall determine the statewide total average daily attendance used for the purposes of section 56836.08 for the 2008-09 fiscal year. For the purposes of this calculation, the 2008-09 second principal average daily attendance for the court, community school, and special education programs served by the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area shall be used in lieu of the average daily attendance used for that agency for the purposes of section 56836.08.
- (b) The Superintendent shall divide sixty-five million dollars (\$65,000,000), by the amount determined pursuant to subdivision (a).
- (c) For each special education local plan area, the Superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 for the 2009-10 fiscal year by the quotient determined pursuant to subdivision (b). This increase shall be effective, beginning in the 2009-10 fiscal year.
- (d) Notwithstanding subdivision (c), for the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the superintendent shall permanently increase the amount per unit of average daily attendance determined pursuant to subdivision (b) of section 56836.08 by the ratio of the amount determined pursuant to subdivision (b) to the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2008-09 fiscal year. This increase shall be effective beginning in the 2009-10 fiscal year.

- (e) The Superintendent shall increase the statewide target per unit of average daily attendance determined pursuant to section 56836.11 for the 2009-10 fiscal year by the amount determined pursuant to subdivision (b).
- (f) The funds provided in subdivisions (a)-(e) above are to be considered in full satisfaction of, and are in lieu of, any reimbursable mandate claims for the Behavioral Intervention Plans Mandated Cost Claim. By providing this funding, the State in no way concedes the existence of any unfunded reimbursable mandate with regard to Section 56523 and its regulations in California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. These funds shall be used exclusively for programs operated under this part and, as a first priority, for the programs and services required under Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008. By virtue of these funds, Section 56523 and its regulations, California Code of Regulations, title 5, sections 3001, subdivisions (c), (d), (e), (f), and (aa), and 3052 as those sections and subdivisions read on July 1, 2008 shall be deemed to be fully funded within the meaning of Government Code Section 17556(e).
- (g) Within the meaning of Government Code section 17556(e), the funds appropriated for purposes of this section are not specifically intended to fund any state-mandated special education programs and services resulting from amendments enacted after July 1, 2008, to any of the following statutes and regulations:
 - (1) The Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), if such amendments result in circumstances where state law exceeds federal law;
 - (2) Federal regulations implementing the Individuals with Disabilities Education Act (34 C.F.R. Parts 300 and 303), if such amendments result in circumstances where state law exceeds federal law;
 - (3) Part 30 (commencing with section 56000); and
 - (4) Sections 3000 through 4671, inclusive, of Title 5 of the California Code of Regulations.
- (h) State funds otherwise allocated to each special education local plan area pursuant to Chapter 7.2 (commencing with section 56836) of Part 30 and appropriated through the annual Budget Act shall supplement and not supplant these funds. These funds shall be in addition to the level of COLA provided for this program in the annual Budget Act.

SECTION 3. Section XXXXX is added to the Education Code, to read:

- (a) Commencing with the 2011-12 fiscal year and each fiscal year through the 2016-17 fiscal year, the amount of eighty-five million dollars (\$85,000,000), shall be appropriated, on a one-time basis each fiscal year, from the General Fund for allocation to school districts on a per-pupil basis. The Superintendent of Public Instruction shall compute the amount per pupil by dividing eighty-five million dollars (\$85,000,000), by the total average daily attendance, excluding attendance for regional occupation centers and programs, adult education, and programs operated by the county superintendents of schools, for all pupils in kindergarten through grade twelve in all school districts as used by the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. Each school district's allocation shall equal the per-pupil amount times the district's average daily attendance as reported to the Superintendent of Public Instruction for the second principal apportionment for the 2007-08 fiscal year. The amount allocated to each school district shall be the same in all subsequent fiscal years as it is in the first fiscal year.

(1) Notwithstanding the provisions of subdivision (a) above, the State, in its discretion, may cause to be appropriated and allocated amounts in excess of eighty-five million dollars (\$85,000,000) annually in the period 2011-12 through 2016-17 for the purpose of discharging the obligation in advance of the six year period, so long as the total amount appropriated and allocated under this section is five hundred ten million dollars (\$510,000,000).

(2) In any fiscal year after 2011-12 in which the provisions of Article XVI, section 8, paragraph (b)(3), of the California constitution are operative, the annual appropriation shall not be required to be made.

(3) The Director of Finance shall notify, in writing, the fiscal committees of both Houses of the Legislature, the Controller, and the Superintendent of Public Instruction no later than May 14, that the appropriation for the following fiscal year is not required, pursuant to paragraph (c). If any appropriation is not made for a specific fiscal year, or years, it shall instead be made in the fiscal year, or years, immediately succeeding the final payment pursuant to paragraph (a).

(4) These funds shall be in addition to the level of COLA provided to school districts in the annual Budget Act.

(b) From the funds appropriated for purposes of this section in subdivision (b) of Section 4 of the act adding this section, the Superintendent of Public Instruction shall allocate the following:

(1) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of one million five hundred thousand dollars (\$1,500,000) shall be allocated by the Superintendent to county offices of education on an equal per-pupil amount. The Superintendent shall determine the per-pupil amount by dividing one million five hundred thousand dollars (\$1,500,000) by the total statewide county special education pupil count only, reported by county offices of education as of December 2007. The allotment for each county office of education shall be the per-pupil amount times the county's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each county office of education is at least five thousand dollars (\$5,000).

(2) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of six million dollars (\$6,000,000) shall be allocated by the Superintendent to SELPAs that existed for the 2007-08 fiscal year. The Superintendent shall determine the amount of each agency's allotment by dividing the six million dollars (\$6,000,000) by the statewide special education pupil count reported as of December 2007. The allotment for each agency shall be the statewide per-pupil amount times the SELPA's special education pupil count reported as of December 2007. The Superintendent shall adjust the computations in such a manner as to ensure that the minimum allotment to each SELPA is at least ten thousand dollars (\$10,000).

(3) From the appropriation provided by subdivision (b) of Section 4 of the act adding this section, the amount of two million five hundred thousand dollars (\$2,500,000) shall be allocated by the Superintendent to the San Joaquin County Office of Education.

(c) The amounts appropriated by subdivisions (a), (b), and (c) of Section 4 of the act adding this section are in full satisfaction and in lieu of mandate claims resulting from the Commission on State Mandates' Statement of Decision CSM 4464, "Behavioral Intervention Plans."

SECTION 4.

(a) The amount of sixty-five million dollars (\$65,000,000), is hereby appropriated from the General Fund in augmentation of Item 6110-161-0001 of 2009-10 Budget Act to the Superintendent of Public Instruction

for the purposes of Section 56836.08 of the Education Code. It is the intent of the Legislature that such funding be included in the annual budget act in subsequent fiscal years.

(b)

(1) The amount of ten million dollars (\$10,000,000), is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation on a one-time basis to county offices of education, and special education local plan areas (SELPAs), as specified in subdivision (b) of section _____ of the Education Code. These funds shall be in addition to the level of COLA provided for county offices of education and special education local plan areas in the annual Budget Act.

(2) For the purposes of making the computations required by article XVI, section 8, of the California Constitution, this appropriation shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (a) of section 41202 of the Education Code, for the 2007-08 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of section 41202 of the Education Code, for the 2007-08 fiscal year.

SECTION 5. This Act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety with the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting this necessity are: In order to alleviate the fiscal hardship to local educational agencies caused by the persistent shortfalls in federal funding for special education; to increase state funding for the special education program, thereby reducing encroachment; to facilitate the settlement of current litigation regarding those programs and the funding thereof; to obviate new litigation; and to resolve related school finance issues, it is necessary for this Act to take effect immediately.

00334.00100/108552.1

Case Name: Department of Finance v. CSM

Case No. 03CS01432
CSM #03-L-02

Court Superior

Volume No. 1

INDEX OF COURT DOCUMENTS

<u>Item</u>	<u>Date</u>	<u>Document</u>	<u>Notes</u>
1.	9/26/03	Petition for Administrative Mandamus	
2.	9/29/03	Notice of Motion for Peremptory Writ of Mandamus (Filed Copy)	
3.	10/20/03	Notice of Motion for Peremptory Writ of Mandamus (Filed Copy); Diligence Statement	
4.	11/18/03	Notice of Filing Exhibit A to Petition for Administrative Mandamus	
5.	12/05/03	Letter from Jill Bowers to Superior Court regarding hearing	
6.	10/15/07	Letter from Jill Bowers to Arthur Palkowitz	
7.	10/16/07	AG's Office Transmittal	
8.	05/05/08	[Proposed] Order Extending Time to Bring Matter to Trial. 050508	
9.	05/05/08	Joint Response to Order to Show Cause Re: Dismissal; Stipulation to Extend Time to Hear Petition on Writ of Mandate. 050508	
10.	05/27/08	Notice of Entry of Order Extending Time to Bring Matter to Trial 052708	
11.	09/03/08	Notice of Case Assignment 090308	
12.	09/08/08	Notice of Case Assignment and Guide to the Procedures for Prosecuting Petitions for Prerogative Writs 090808	

13. 10/15/08 Second Stipulation to Extend Time to Hear Petition for Administrative Mandamus 101508
14. 11/20/08 Third Stipulation to Extend Time to Hear Petition for Administrative Mandamus 112008
15. 12/11/08 Notice of Change of Attorney of Record for Petitioner Department of Finance 121108
16. 12/15/08 Third Stipulation to Extend Time to Hear Petition for Administrative Mandamus (Filed Copy) 121508
17. 1/28/09 Real Parties' in Interest Answer to Petition for Writ of Mandate 012809
18. 1/29/09 Settlement and Release Agreement 012909

June 21, 2007

State-Local Working Group Proposal to Improve the Mandate Process

LEGISLATIVE ANALYST'S OFFICE





Concerns With Mandate Process

- Process takes a long time, posing difficulties for state and local governments.
 - Currently takes over five years from local government “test claim” filing to final action by Commission on State Mandates.
 - During this time, local governments do not receive reimbursements and state liabilities mount.
 - Length of process also complicates state policy review because the Legislature receives a mandate’s cost information years after the debate regarding its imposition has concluded.

- Claiming reimbursement is exceedingly complicated.
 - Most mandates are not complete programs, but impose increased requirements on ongoing local programs. Measuring the cost to carry out these marginal changes is complex.
 - Instead of relying on unit costs or other approximations of local costs, reimbursement methodologies (or “parameters and guidelines”) typically require local governments to document their actual costs to carry out each element of the mandate.
 - The documentation required makes it difficult for local governments to file claims and leads to disputes with the State Controller’s Office.
 - Because the commission bases its estimate of a mandate’s costs on initial claims submitted by local governments, the commission’s estimates typically are inaccurate. Over time, local governments increase their ability to comply with the reimbursement methodology and claims increase substantially.



Working Group Proposal Overview

- Goals and focus:
 - Simplify and expedite the mandate determination process.
 - Procedural reform, focusing on period between imposition of a mandate and the report of the mandate to the Legislature.
 - Avoid “tilting the scales” to favor state or local interests, or giving greater authority to the administration, Legislature, or local governments.

- Includes three alternatives—use of any alternative would require the consent of the local government claimant and Department of Finance.

- Proposal is in the form of amendments to AB 1222 (Laird).



First Change: Amend the Reasonable Reimbursement Methodology Statute

- Expand the use of unit-based and other simple claiming methodologies by clarifying the type of easy-to-administer methodologies that the Legislature envisioned when it enacted this statute.

- Greater reliance on simple claiming methodologies would reduce:
 - Local costs to file claims.
 - State costs to process and audit claims.
 - Disputes regarding mandate claims and appeals to the commission regarding State Controller claim reductions. Reducing commission work to hear appeals would give it more time to focus on mandate determinations.



Second Change: Allow Reimbursement Methodologies to Be Developed Through Negotiations

- Create a process whereby local governments and the department jointly develop a mandate's reimbursement methodology and estimate its costs.

- Department of Finance and claimant responsibilities:
 - Propose a negotiations work plan. Plan must ensure that costs from a representative sample of local claimants are considered.
 - Jointly review local cost data.
 - Develop a reasonable reimbursement methodology. Assess local support. Modify methodology to secure local support. Specify a date when the department and test claimant will reconsider methodology to ensure that it remains useful over time.
 - Use the methodology to provide the Legislature an estimate of its statewide costs.

- Commission on State Mandates responsibilities.
 - Review methodology to ensure that parties considered costs from a representative sample of local governments and that the methodology is supported by a wide range of local governments.
 - Review the methodology for general consistency with the underlying Statement of Decision.
 - Adopt the methodology and report statewide costs.

- Advantages of negotiated process.
 - Realizes all of the benefits of the reasonable reimbursement methodology approach previously described.
 - Trims at least a year from the current five-year mandate process.



Third Change: Authorize Fast Track Legislative Mandate Determinations

- Create a process whereby local governments and the department may jointly propose that a state requirement be declared a “legislatively determined mandate” and propose a reimbursement methodology. The commission would not play a role in this alternative.

- Joint Department of Finance and claimant responsibilities:
 - Identify state requirements to propose for legislatively determined mandate.
 - Propose a reimbursement methodology and estimate of statewide costs.
 - Provide Legislature evidence of local support for reimbursement methodology.

- Legislature’s alternatives:
 - May adopt proposal, or amend and adopt proposal. Enact a statute declaring the state requirement to be a legislatively determined mandate and specifying the reimbursement methodology. Appropriate required funding.
 - May reject proposal.
 - May repeal, suspend, or modify the mandate.



Third Change: Authorize Fast Track Legislative Mandate Determinations

(Continued)



Local government options:

- May accept funding provided for mandate. Such an action signifies that the local government accepts the methodology as reimbursement for the funding period (say, five years). During this time, the local government may not file a test claim or accept other reimbursement for this mandate, unless the state does not provide the funding specified in statute. At the end of the funding period, works with the department to update the reimbursement methodology.
- May reject funding and file a test claim with the commission.



Advantages of process.

- Realizes all of the benefits of the reasonable reimbursement methodology approach previously described.
- Resolves mandate claims in about a year, four years less than current process.
- Reduces the commission's caseload, freeing up time for it to focus on other claims.

California Jurisprudence 3d
Database updated November 2012

Evidence

George Blum, J.D., John A. Gebauer, J.D., Rachel M. Kane, M.A., J.D., Leslie Larsen, J.D., Willilam Lindsely, J.D., Anne E. Melley, J.D., LL.M., Mary Babb Morris, J.D., Anne M. Payne, J.D., Eric C. Surette, J.D., Elizabeth Williams, J.D., Nancy Yuenger, J.D.

XII. Opinion Testimony
A. In General

[Topic Summary](#) [Correlation Table](#) [References](#)

§ 613. Opinion rule

West's Key Number Digest

West's Key Number Digest, [Witnesses k250](#)

As a general rule, witnesses must testify to facts and not to their opinions. Inferences or deductions from particular facts may be drawn only by the jury or by the court acting without a jury and not by witnesses. When the inquiry relates to a subject the nature of which is not such as to require any peculiar knowledge in order to qualify one to understand it or when the facts on which an opinion is founded can be ascertained and made intelligible to court or jury, then under what is sometimes termed the "opinion rule," the opinion of a witness may not be received in evidence.^[1] In other words, if the relation between the facts and their probable results can be determined on the basis of common experience, without any special skill or training, and may be understood by the jury, the facts themselves must be given in evidence, and the conclusions or inferences must be drawn by the jury and not by the witness.^[2] The opinion rule requires that witnesses express themselves at the lowest possible level of abstraction and, whenever feasible, "concluding" should be left to the jury.^[3] For example, the ultimate fact of negligence is an inference to be drawn by the jury and is not to be established by the opinions of witnesses.^[4] Likewise, a witness may not express an opinion as to the probative effect of a fact.^[5] Neither may the witness, except in an action for libel or slander,^[6] state his or her understanding of what another person meant in making an obscure statement^[7] or in employing a commonly used expression.^[8]

The rule excluding opinion evidence is applicable to testimony given by affidavit as well as to oral testimony. In addition, an affiant's general expression of an opinion or belief, without the facts on which it is founded, is in no sense legal evidence.^[9]

While opinion evidence is thus, as a general rule, inadmissible, the testimony of a witness is not always to be excluded merely because it is a statement of such opinion or conclusion. The Evidence Code permits the admission of opinion evidence if given by experts within certain limits relating to subject matter and basis of the opinion.^[10] In addition, the Code permits a lay witness to give testimony in the form of an opinion but limits this form of testimony to such an opinion as is permitted by law, including but not limited to an opinion that is both rationally based on the perception of the witness and helpful to a clear understanding of his or her testimony.^[11] Thus, for example, a defendant may introduce opinion evidence of his or her character to show a nondisposition to commit an offense.^[12]

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The Code provisions thus give expression to the judicially established exceptions to the general rule excluding opinion evidence.^[13]

A trial judge has wide discretion to admit or reject opinion evidence pursuant to these exceptions, and an appellate court has no power to interfere with the ruling unless there is an obvious and pronounced abuse of discretion.^[14]

Observation:

An appellate court may not disturb the trial court's ruling on the admissibility of opinion evidence absent an abuse of discretion.^[15]

^[FN1] [Murphy v. Davids](#), 181 Cal. 706, 186 P. 143 (1919); [Northern California Power Co. v. Waller](#), 174 Cal. 377, 163 P. 214 (1917); [Parkin v. Grayson-Owen Co.](#), 157 Cal. 41, 106 P. 210 (1909); [Hogan v. Miller](#), 153 Cal. App. 2d 107, 314 P.2d 230 (2d Dist. 1957).

^[FN2] [Redfield v. Oakland Consol. St. Ry. Co.](#), 112 Cal. 220, 43 P. 1117 (1896); [Sappenfield v. Main St. & A.P.R. Co.](#), 91 Cal. 48, 27 P. 590 (1891).

^[FN3] [Bartlett v. State of California](#), 199 Cal. App. 3d 392, 245 Cal. Rptr. 32 (2d Dist. 1988), opinion modified, (Mar. 8, 1988); [Angelus Chevrolet v. State of California](#), 115 Cal. App. 3d 995, 171 Cal. Rptr. 801 (2d Dist. 1981); [People v. Hurlic](#), 14 Cal. App. 3d 122, 92 Cal. Rptr. 55 (2d Dist. 1971).

^[FN4] [Sampson v. Hughes](#), 147 Cal. 62, 81 P. 292 (1905); [Largan v. Central R. Co.](#), 40 Cal. 272, 1870 WL 904 (1870); [Albrecht v. Broughton](#), 6 Cal. App. 3d 173, 85 Cal. Rptr. 659 (1st Dist. 1970).

^[FN5] [Burlingame v. Rowland](#), 77 Cal. 315, 19 P. 526 (1888).

^[FN6] [Russell v. Kelly](#), 44 Cal. 641, 1872 WL 1341 (1872).

^[FN7] [Robinson v. Robinson](#), 159 Cal. 203, 113 P. 155 (1911); [People v. Moan](#), 65 Cal. 532, 4 P. 545 (1884).

^[FN8] [Patton v. Royal Industries, Inc.](#), 263 Cal. App. 2d 760, 70 Cal. Rptr. 44 (2d Dist. 1968) (the meaning to the average reader of a statement in a letter that former employees "had been terminated" was not a question for the opinion of an expert in the English language).

^[FN9] [In re Hancock's Estate](#), 156 Cal. 804, 106 P. 58 (1909).

^[FN10] §§ 619 to 653.

^[FN11] §§ 616 to 618.

^[FN12] [People v. Guerra](#), 37 Cal. 4th 1067, 40 Cal. Rptr. 3d 118, 129 P.3d 321 (2006).

^[FN13] [Dyas v. Southern Pac. Co.](#), 140 Cal. 296, 73 P. 972 (1903); [Silveira v. Iversen](#), 128 Cal. 187, 60 P. 687 (1900) (disapproved of on other grounds by, [Lane v. Pacific Greyhound Lines](#), 26 Cal. 2d 575, 160 P.2d 21 (1945)); [Holland v. Zollner](#), 102 Cal. 633, 36 P. 930 (1894), *aff'd*, 102 Cal. 633, 37 P. 231 (1894).



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[\[FN14\] People v. Clark, 6 Cal. App. 3d 658, 86 Cal. Rptr. 106 \(5th Dist. 1970\).](#)

For discussion of the scope of review as to matters within the trial court's discretion, see [Cal. Jur. 3d, Appellate Review § 302](#).

[\[FN15\] Caloroso v. Hathaway, 122 Cal. App. 4th 922, 19 Cal. Rptr. 3d 254 \(2d Dist. 2004\).](#)

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CAJUR EVIDENCE § 613

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