

# Appendix F

## Out-of-Home Care Funding

## Out-of-Home Care Funding

From 1997 to 2003/04, COE submitted claims for the cost of NPS tuition for pupils residing in the LCI (Licensed Children's Institution) and the state reimbursed 100% for this cost.

Beginning in 2004-05, the state eliminated this 100% reimbursement and adopted a new funding formula per the requirements of SB 1108. Annually, the state will calculate for each SELPA an amount for "Out-of-home care funding" based on the combination of pupil count, number of beds and bed rate level. The bed rates increase by COLA each year, and the rates for 2016-17 are as following:

- Foster Family Home and Agencies (FFH and FFA): number of children and youth residing on April 1 in FFH or FFA times \$599 for FFH and \$729 for FFA.
- Licensed Group Home (GH): number of bed and severity level for each group home licensed by the State Department of Social Services times the bed level ranging from \$1,714 to \$23,978.
- Skilled Nursing Facilities (SNF): number of children and youth ages 3 through 21 on April 1 referred by the State Department of Developmental Services who are residing in skilled nursing facilities licensed by the State Department of Health Services times a rate level of \$23,978.
- Intermediate Care Facilities (ICF): number of children and youth ages 3 through 21 on April 1 referred by the State Department of Developmental Services who are residing in intermediate care facilities licensed by the State Department of Health Services times a rate level of \$11,303.
- Community Care Facilities (CCF): number of children ages 18 through 21 on April 1 referred by the State Department of Developmental Services who are residing in community care facilities licensed by the State Department of Social Services times a rate level of \$2,998.

The state also provides a two year Hold Harmless provision in which if the state calculated amount is less than the 100% reimbursed amount received by each SELPA in 2002-03, SELPA will receive the 2002-03 amount in fiscal year 2004-05 and 2005-06.

For 2006-07, if the calculated amount is less than the amount received in the prior year, the SELPA will receive the prior amount less 20% of the difference.

For 2007-08, if the calculated amount is less than the amount received in the prior year, the SELPA will receive the prior amount less 25% of the difference.

For 2008-09, if the calculated amount is less than the amount received in the prior year, the SELPA will receive the prior amount less 33% of the difference.

For 2009-10, if the calculated amount is less than the amount received in the prior year, the SELPA will receive the prior amount less 50% of the difference.

Beginning in 2010-2011, the SELPA will receive the amount calculated under the new formula.

Since the new funding formula provides less revenue than the 100% reimbursement, the Santa Clara County has been incurred a deficit each year and the method to share it was approved by Executive Council from all SELPAs. From 2004-05 to 2006-07, the deficit was distributed across all districts of Santa Clara County on an ADA

basis, regardless of where LCI is located. From 2007-08 to 2009-10, the Skill Nursing Facility cost was included in the formula and the deficit was shared countywide on the ADA basis.

Beginning 2010-11, the revenue will continue to be from the current sources, but will be separated by AU for each group's costs. South East SELPA will apply this revenue towards NPS tuition for students who are residing in an LCI first then any excess revenue will be used for education costs provided to other LCI students. All member districts will share a deficit, if any, based on district's ADA percentage to total SELPA ADA.

## Group Home Rate

| Group Home Severity Level                         | 12-13 rate<br>0% COLA | 13-14 rate<br>1.565% COLA | 14-15 rate<br>.85% COLA | 15-16 rate<br>1.02% COLA | 16-17 rate<br>0% COLA |
|---|-----------------------|---------------------------|-------------------------|--------------------------|-----------------------|
| 1 (Foster Family Homes FFH) *                     | 579                   | 588                       | 593                     | 599                      | 599                   |
| 2 (Foster Family Agencies FFA) *                  | 705                   | 716                       | 722                     | 729                      | 729                   |
| 3   | 1,656                 | 1,682                     | 1,696                   | 1,714                    | 1,714                 |
| 4   | 1,903                 | 1,933                     | 1,949                   | 1,969                    | 1,969                 |
| 5   | 2,152                 | 2,186                     | 2,204                   | 2,227                    | 2,227                 |
| 6   | 2,400                 | 2,438                     | 2,458                   | 2,483                    | 2,483                 |
| 7   | 2,649                 | 2,690                     | 2,713                   | 2,741                    | 2,741                 |
| 8 (including Community Care Facilities CCF) *     | 2,897                 | 2,942                     | 2,967                   | 2,998                    | 2,998                 |
| 9   | 6,291                 | 6,389                     | 6,444                   | 6,509                    | 6,509                 |
| 10  | 6,787                 | 6,893                     | 6,952                   | 7,023                    | 7,023                 |
| 11 (including Intermediate Care Facilities ICF) * | 10,924                | 11,095                    | 11,189                  | 11,303                   | 11,303                |
| 12  | 15,559                | 15,802                    | 15,937                  | 16,099                   | 16,099                |
| 13  | 16,552                | 16,811                    | 16,954                  | 17,127                   | 17,127                |
| 14 (including Skilled Nursing Facilities SNF) *   | 23,173                | 23,536                    | 23,736                  | 23,978                   | 23,978                |

\* These facilities are calculated based on # of pupils at April 1  
Group Home are based on # of beds

## Group Home Analysis

|                             | Actual<br>2013-14 | Actual<br>2014-15 | 4/20/16<br>Estimate<br>2015-16 | 4/20/17<br>Budget<br>2015-17 |
|-----------------------------|-------------------|-------------------|--------------------------------|------------------------------|
| Revenue (Bed Count)         | 2,741,552         | 2,814,500         | 2,843,000                      | 2,700,000                    |
| Revenue (RL for NPS/LCI)    | 0                 | 0                 | 0                              | 0                            |
| Revenue (NPS ECP Claims)    | 233,296           | 306,925           | 424,000                        | 300,000                      |
| Revenue (RL P/Y adj)        | 1,038             |                   |                                |                              |
| Revenue (Bed Count P/Y adj) |                   |                   |                                |                              |
| <b>Total Revenue</b>        | <b>2,975,886</b>  | <b>3,121,425</b>  | <b>3,267,000</b>               | <b>3,000,000</b>             |
| Costs (NPS/LCI tuition)     | 3,550,049         | 3,249,313         | 3,500,000                      | 3,500,000                    |
| <b>Total Costs</b>          | <b>3,550,049</b>  | <b>3,249,313</b>  | <b>3,500,000</b>               | <b>3,500,000</b>             |
| <b>Net Revenue - Costs</b>  | <b>(574,163)</b>  | <b>(127,888)</b>  | <b>(233,000)</b>               | <b>(500,000)</b>             |

**Group Home Cost Sharing in SE SELPA**  
**4/20/16**

|                 | Estimate          | Estimate<br>16-17 |             |
|-----------------|-------------------|-------------------|-------------|
|                 | 16-17 ADA         | Cost share        |             |
| Alum Rock       | 10,355.68         | 49,952            | 10%         |
| Berryessa       | 7,230.00          | 34,875            | 7%          |
| East Side       | 23,919.52         | 115,379           | 23%         |
| Evergreen       | 11,634.52         | 56,121            | 11%         |
| Fr-McKinley     | 7,793.00          | 37,591            | 8%          |
| Milpitas        | 10,062.00         | 48,536            | 10%         |
| Mt Pleasant     | 2,396.94          | 11,562            | 2%          |
| Oak Grove       | 10,397.80         | 50,155            | 10%         |
| Orchard         | 894.25            | 4,314             | 1%          |
| Gilroy          | 10,895.73         | 52,557            | 11%         |
| Morgan Hill     | 8,076.42          | 38,958            | 8%          |
| <b>SE SELPA</b> | <b>103,655.86</b> | <b>500,000</b>    | <b>100%</b> |
| Estimate        | 500,000.00        |                   |             |

**REFERRAL PROCESS FOR STUDENTS IN SPECIAL EDUCATION  
RESIDING IN LICENSED CHILDREN’S INSTITUTIONS/  
FOSTER FAMILY HOMES**

The LCI grids below apply to students placed in LCIs by public agencies other than local educational agencies (LEAs). If an LEA places a student in an LCI, that LEA (i.e., the District of parent’s residence) remains responsible for that student’s educational program.

**A. Educational Responsibility for Students Previously Identified as Needing Special Education**

| <b>CATEGORY</b>   | <b>LEA RESPONSIBLE</b>  |
|---|---|
| Student Requires Non-Intensive Program;<br>OK On Comprehensive Campus;<br>IEP May Or May Not Be Current               | DISTRICT IN WHICH LCI IS LOCATED                                    |
| Student Requires Non-Intensive Program;<br>Expelled Or Significant Behavior History;<br>IEP May Or May Not Be Current | DISTRICT IN WHICH LCI IS LOCATED<br><br>(Refer To COE If Needed)    |
| Student Requires Intensive Program;<br>OK On Comprehensive Campus;<br>IEP May Or May Not Be Current                   | DISTRICT IN WHICH LCI IS LOCATED                                    |
| Student Requires Intensive Program;<br>Expelled Or Significant Behavior History;<br>IEP May Or May Not Be Current     | DISTRICT IN WHICH LCI IS LOCATED<br><br>(Refer To COE If Needed)    |
| Student Requires Intensive Program;<br>Currently In NPS   | COE<br>(At 30 IEP Review, invite district In which LCI is located.) |

**B. Initial Assessment for Special Education**

| <b>CATEGORY</b>   | <b>LEA RESPONSIBLE</b>  |
|---|---|
| Student is not Special Ed<br>Student is served in District program either<br>on Comprehensive Campus or in Alternative<br>Program | DISTRICT IN WHICH LCI IS LOCATED                                    |
| Student is not Special Ed<br>Student is served in COE Alternative School<br>Program   | COE TO ASSESS<br><br>District in which LCI is located to attend IEP |

**C. Educational Responsibility when student is residing in LCI prior to IEP requiring NPS placement (i.e., prospective NPS placement is under consideration).**

| <b>CATEGORY</b>   | <b>LEA RESPONSIBLE</b>  |
|---|---|
| Student is served in Special Education program either on Comprehensive Campus or in District Alternative Program and resides in an LCI. | DISTRICT IN WHICH LCI IS LOCATED COMPLETES REFERRAL AND INVITES COE TO IEP.<br><br>Student becomes COE responsibility if placed in NPS. |
| Student lives in LCI and is served in COE ASD program   | COE   |

**D. Educational Responsibility for Students residing in Foster Family Homes (FFH)**

| <b>CATEGORY</b>   | <b>LEA RESPONSIBLE</b>   |
|---|--|
| Student Requires Non-Intensive Program, Intensive Program, or NPS                                     | DISTRICT IN WHICH FFH IS LOCATED   |
| Student Requires a Non-NPS Placement and Remains in the School of Origin Under Education Code 48853.5 | DISTRICT IN WHICH SCHOOL OF ORIGIN IS LOCATED<br>[TRANSPORTATION, IF NECESSARY, TO BE DETERMINED BETWEEN DISTRICT IN WHICH FFH IS LOCATED AND DISTRICT IN WHICH SCHOOL OF ORIGIN IS LOCATED] |