



# County of San Mateo

## Inter-Departmental Correspondence

**Department:** COUNTY MANAGER

**File #:** 20-759

Board Meeting Date: 10/6/2020

**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Michael P. Callagy, County Manager

**Subject:** Use of District-Discretionary **Measure K** Funds - Supervisorial District 1

### **RECOMMENDATION:**

**Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$30,000, to IEP Collaborative for special education rights training workshops, limited scope special education legal consultation clinics for youth (ages 3-21) with disabilities and their families, COVID-19 distance learning program development, and technology equipment, and authorizing the County Manager, or the County Manager's designee, to execute the grant agreement.

### **BACKGROUND:**

**Measure K** is the half-cent general sales tax initially approved by San Mateo County voters in November 2012 and extended in November 2016 for a total of thirty years.

On February 12, 2019, the Board of Supervisors (Board) held a study session on **Measure K** expenditures and anticipated revenue for fiscal years (FY) 2019-21. The Board-appointed **Measure K** sub-committee, consisting of Supervisor Pine and Supervisor Canepa, convened the study session to, among other things, work with staff to facilitate the Board's development of **Measure K** priorities and continuing initiatives for FY 2019-21. The Board approved \$3.75 million in one-time loans or grants each fiscal year for FY 2019-21, divided equally among the five supervisorial districts, for district-discretionary needs and projects. District 1 has submitted a request to use its district-discretionary **Measure K** funds as shown below and described in the Project Summary section of this memorandum:

District/Project	Amount
District 1 (Supervisor Dave Pine) - IEP Collaborative (IEPC) for special education rights training workshops, limited scope special education legal consultation clinics for youth (ages 3-21) with disabilities and their families, COVID-19 distance learning program development, and technology equipment	\$30,000

This item is consistent with the criteria for district-discretionary **Measure K** funds approved by the Board in December 2018.

### **PROJECT SUMMARY:**

This is a request to authorize a grant to IEPC, and resulting grant agreement, in an amount not to exceed \$30,000, to provide for special education rights training workshops, limited scope special education legal consultation clinics for youth (ages 3-21) with disabilities and their families, COVID-19 distance learning program development, and technology equipment. Measure K funding will not be used to fund or support extended legal representation or litigation. The County Manager's Office will administer and manage the proposed agreement.

IEP Collaborative is a nonprofit public interest law corporation providing free legal services for California's special needs students and their families, and empowering parents and students to engage in self advocacy and collaboration around appropriate and uniquely tailored Individual Education Plan (IEP) (the Individuals with Disabilities Education Act) and Section 504 Plan (the Rehabilitation Act of 1973) special education programming to facilitate measurable student progress. IEPC empowers and educates families through special education rights trainings, legal consultation and representation.

Since launching services in April 2019, IEPC has assisted over 50 local families navigate their special education rights without litigation. 2020 operating expenses were funded by late 2019 donation drives. The COVID-19 crisis hit as IEPC was launching a development plan to expand operations.

In response to the COVID-19 crisis, IEPC seeks to ensure students with disabilities continue to receive a free and appropriate public education (FAPE) consistent with their IEPs and relevant federal and state law. Until shelter-in-place orders lift, all of IEPC's services are delivered remotely via video teleconference or telephone and webinar format. The consultations are offered by video conference or telephone. Webinars can be accessed from a variety of devices, including smart phones. Accordingly, individuals with access to a smart phone can participate even if they don't have access to a computer or tablet and/or Wi-Fi. IEPC has successfully used remote methods to serve clients outside San Mateo County, even prior to the COVID-19 crisis, when geographic distance made use of these methods more cost effective. Accordingly, IEPC is comfortable using alternative methods to deliver the services below until shelter-in-place orders lift.

During school closures and throughout the duration of distance learning protocols, IEPC accelerated intake of special education students and their families in San Mateo County with existing IEP or 504 Plans via video teleconference or telephone. Rights Training Webinars scheduled in the near term have been converted to online format, webinars focused on navigating distance education protocols are being added, and further webinars are planned regarding collaborative resolution on issues schools, parents and students with disabilities will face when traditional in-person education returns.

<b>IEPC Measure K Proposed Budget</b>		
Special Education Rights Trainings (Program Development during COVID-19 distance learning - 30 hours)	\$720.00	4 sessions will be delivered in San Mateo County by 10/30/21
Legal Consultation	\$12,493.00	300 hours for COVID-19 Distance Learning Matters

COVID-19 Program Administrative Support	\$5,741.00	134 hours
Occupancy (Rent, utilities, etc.)	\$1,770.00	
Professional Fees (Translation, etc..)	\$4,596.00	Translation of new COVID-19 rights trainings materials & content, as well as interpretive services during legal representation and consultation.
Technology/Software (LexusNexus, Email, Webhost, Zoom, etc...)	\$1,650.00	Zoom license, webhost license, email license & file storage, etc.
Upgraded Computer Hardware (2 computers, printer/scanner, etc...)	\$2,130.00	Purchase of business laptops for two employees, as well as a scanner/copier/printer to allow for electronic file sharing with clients.
Mandatory Continuing Legal Education and Conferences	\$900.00	Specifically related to special education law & distance learning in light of COVID-19.
<b>TOTAL</b>	<b>\$30,000</b>	

### **Total Measure K Request: Not to Exceed \$30,000**

The release of funds will be contingent on the execution of an agreement providing for the County's confirmation of the expenditure of funds during FY 2020-21 for the purposes stated herein. The County will disburse the funds to the following organization for the purposes described above:

Karen Bettucchi, Development Director  
 IEP Collaborative, Inc.  
 851 N San Mateo Dr., Suite H-4  
 San Mateo, CA 94401  
 Phone: 650-455-3609  
 Email: kbettucchi@iepcollaborative.org

### **PERFORMANCE MEASURES:**

<b>Description</b>	<b>Target</b>
Special Education Rights Trainings (Program Development during COVID-19 distance learning - 30 hours): 4 sessions will be delivered in San Mateo County	October 30, 2021
Legal Consultation (300 hours for Covid-19 Distance Learning Matters)	

County Counsel has reviewed and approved the agreement and resolution as to form.

### **FISCAL IMPACT:**

There are sufficient **Measure K** funds for this specific FY 2020-21 **Measure K** request. These funds are budgeted in the Non-Departmental Services FY 2020-21 Adopted Budget.