

1. October 16, 2019 CDEB Meeting Agenda

Documents:

[10-16-2019 AGENDA.PDF](#)

2. October 16, 2019 CDEB Meeting Packet

Documents:

[PACKET 10-16-2019 MEETING.PDF](#)



Walworth County Children with Disabilities Education Board
Wednesday October 16, 2019
4:30 PM.

Walworth County Government Center, County Board Room 114
100 West Walworth St, Elkhorn, WI

Children with Disabilities
Education Board

Dave Weber – Chair, Charlene Staples – Secretary,
Kathy Ingersoll, Supervisor – William Norem, Supervisor – Ken Monroe, Supervisor
Sign language interpreters for the deaf are available if requested in advance

(Posted in compliance with Sec. 19.84, Wis Stats.)

It is possible that a quorum of the County Board or a committee of the County Board could be in attendance

Note: All agenda items are subject to action.

1. Call to order
2. Roll call of committee members
3. Agenda withdrawals, if any
4. Agenda approval
5. Approval of minutes September 11, 2019 CDEB Meeting pp 1-3
6. Public Comment Period

7. Reports and Correspondence
 - CDEB Chair
 - CDEB Director

8. Set time and date of next meeting, November 20, 2019 @ 4:30 PM

Closed Session. The committee may discuss the following topic in open session. The committee may convene in closed session pursuant to the exemption contained in Section 19.85 (1)(f) of the Wisconsin Statutes, “considering medical, social and personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data,” relative to the item(s) listed below

- a) Issues concerning tuition student agreement

The committee will reconvene in open session and may discuss and/or take action on the above referenced agenda item(s).

9. Adjourn

Submitted By Tracy Moate, Director WCCDEB
 Dave Weber, CDEB Chair
 Posted October 10, 2019



Memorandum

Children with Disabilities
Education Board

To: Walworth County Children with Disabilities Education Board (WCCDEB)

Cc: Dave Bretl, County Administrator

From: Tracy L. Moate, Director WCCDEB

Date: October 10, 2019

Re: WCCDEB October Meeting

Fall is in the air! The fields are still very wet from all of the recent rainfalls. Needless to say, the farmers have been delayed in harvesting their crops. This certainly reminds me that so many external "forces" influence all of our good intentions and diligent efforts.

I have included in this packet a handout that outlines the Walworth County Ordinance as it relates to tuition agreements. This information will be helpful in guiding your discussion in the closed session. This is the sole business item for the October CDEB agenda. Due to student information being protected in the Family Educational Rights and Privacy Act of 1974 (FERPA), that information will be shared in your closed session.

There are a few activities/dates on the agenda I would like to share with you. We have our annual Fall Festival on October 24th. This is a carnival type of event where our students host other classes from some of the school districts to help raise awareness of the school and earn dollars for community projects/resources for those in need. Great treats, fun games and a festive environment are sure to be found that day! Additionally, please consider marking your calendar for two December events that promote Lakeland School and our students. On December 7th from 7:30 to 11:30, FOLS will host Waffles with Santa here at the school. On December 13th at 1:00p.m., Lakeland School will present the "Snowmen at Night".

Have a good weekend!

DRAFT

**Walworth County Board of Supervisors
Children with Disabilities Education Board Meeting Minutes
Wednesday, September 11, 2019
Walworth County Government Center
County Board Room 114
100 West Walworth Street, Elkhorn, WI 53121**

Chair David Weber called the meeting to order at 4:35 p.m.

Roll call was conducted, and the following members were present: Chair David Weber, Secretary Charlene Staples, and Supervisors Kathy Ingersoll, Ken Monroe and William Norem. A quorum was declared.

Others in Attendance:

County Board Supervisors: County Board Chair Nancy Russell

County Staff: Director of Special Education Tracy Moate; County Administrator David Bretl

Members of the public: Ellen Weber, Williams Bay, WI

On motion by Secretary Staples, seconded by Supervisor Norem, the agenda was approved by voice vote.

On motion by Supervisor Norem, seconded by Secretary Staples, the July 17, 2019 Children with Disabilities Education Board (CDEB) meeting minutes were approved by voice vote.

Public Comment – There was none.

Unfinished Business

- Change in the adult meal price

Director of Special Education Tracy Moate reported that shortly after student meal prices were approved by this Board, the Department of Public Instruction (DPI) notified the School that the adult meal prices had to be increased to at least \$.67 higher than the student pricing. **Supervisor Ingersoll made a motion, seconded by Supervisor Monroe, to approve the amendment to include the increase in adult meal pricing. Motion carried 5-0.**

- CA Therapy Services in Williams Bay agreement

Moate included the draft policy for therapy services at Lakeland School in the agenda packet. CA Counseling is still waiting for the State to approve its request for a branch office at the School. Moate stated the policy can be put into place before CA Counseling receives state approval, or it can be tabled until she receives their official notification. **Supervisor Monroe made a motion, seconded by Secretary Staples, to approve the draft policy for therapy services, which will be implemented when CA Counseling receives approval from the State and opens its office at the School. Motion carried 5-0.**

New Business

- Discussion of the 2020 Proposed CDEB Budget

Moate distributed her presentation on the 2020 CDEB budget. She gave an overview of the CDEB tax levy from 2009 to the present. This year is the first year the School has a positive impact on the tax levy, which reflects the impact of transferring out of the school districts. Moate's goal is to attain a 0% tax levy impact. She explained the appropriations between Administration, Educational Programs and Support Services, and compared this to the present year. Full-time equivalents have stabilized, and Moate said staffing is at a comfortable level. Proposed 2020 and future capital projects were presented, including funding sources. The most expensive project is the Science, Technology, English and Math (STEM) Lab, which will be used to improve technical skills and provide age-appropriate sensory regulation experiences for middle and high school leveled students. The lab will be financed with existing funds. An infrastructure study will be

performed in 2020 to assess current storage space and develop recommendations to better utilize space throughout the School. Moate discussed tuition agreements, which could increase if the Palmyra School District dissolves and students are enrolled in other schools in Walworth County. The current committed fund balance for future use is \$3,551,515 for building repairs, equipment purchases and replacement; and \$182,562 for sick credit conversion for eligible retiring staff. **Supervisor Norem made a motion, seconded by Supervisor Monroe, to approve the budget presentation and place it on file. Motion carried 5-0.**

- Establish the maximum number of non-resident students that may attend Lakeland School on Tuition Per County ordinance, the maximum number of non-resident students who may attend Lakeland School on tuition needs to be set annually. Specific criteria has been developed over the years, which include space availability by department, transfer enrollment projections, specific health care needs of the requesting student, etc. Before the transition back to the districts, the School had seven classrooms of early childhood students, twice per day. In 2016-2017, after the transition of service, the School dropped to one classroom, with morning and afternoon sessions. Moate said the drop in enrollment in Lakeland's Early Childhood program is the result of appropriately placing students who are better suited to be integrated into the districts. Middle and high school student numbers have increased; by middle school, those students whose learning is delayed are identified and transitioned into Lakeland School as appropriate. At the start of this year, 163 students were enrolled. Since the start of school, 14 students have already transferred in, three more are being processed and awaiting their IEP assessment, and four are ready to transition to the School. By October 1, Moate said there will be an increase of 17 students from the start of the school year. Based upon the maximum projected number of students in the receiving class and in receiving departments, and transfer enrollment projections per department, the maximum school enrollment is recommended at 228 for the 2019-2020 school year. Moate reminded the Board that the maximum numbers of students in each department differ based upon age and need, and the current numbers per receiving class will be considered with each tuition request. **Supervisor Norem made a motion, seconded by Supervisor Ingersoll to accept the recommended maximum school enrollment of 228 for the 2019-2020 school year. Motion carried 5-0.**

- Use and Possession of Products Containing "CBD" on School Premises

Moate said discussion needs to be conducted with regard to developing a policy for use and possession of products containing cannabinoids (CBD) on School premises. Moate included an article from the Wisconsin Association of School Boards regarding use of CBD, and associated legal definitions. Moate said any policy that is established needs to be mindful of parents/guardians who feel the use of the product is beneficial to their students. Studies have stated that CBD has merit, particularly in treating people with autism and seizures. Moate asked the Board how its use could be addressed in the Student Handbook. Chair Weber stated if a student has a prescription for CBD, it should be allowed. He does not feel staff should be responsible for administering the product. CBD products containing less than and 0.3 THC are deemed legal by the federal government. County Administrator David Bretl suggested that the policy be focused on students. Moate said she is still researching the topic and gathering more information on how other schools are handling student use. **Supervisor Ingersoll made a motion, seconded by Supervisor Monroe, to direct staff to further research CBD and established policy and bring the information to a future Board meeting. Motion carried 5-0.**

Reports and Correspondence

- CDEB Chair – There was none.
- CDEB Director
 - Outdoor Education – Moate reported outdoor education was held for three days. There were no incidents, and students enjoyed themselves.

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- Start of the 2020 School Year – Moate said the new teachers are innovative and energetic and are looking forward to their new experiences.

Confirmation of next meeting – The next meeting was confirmed for Wednesday, October 16, 2019 at 4:30 p.m.

Adjournment

On motion by Supervisors Monroe and Norem, Chair Weber adjourned the meeting at 5:20 p.m.

Submitted by Becky Bechtel, Administrative Assistant. Meeting minutes are not considered final until approved by the Board at a regularly scheduled meeting.

Sec. 9-51. - Tuition agreements.

- (a) The Lakeland School is a unique placement option for students with significant special education needs. It was designed to serve students who reside within the taxation district defined in section 9-50 and is funded with taxes levied on property owners of said taxation district. Neither the Lakeland School nor the CDEB are school districts under State law. Attendance at Lakeland School shall be limited to students residing in the CDEB taxation district unless the CDEB authorizes a non-resident student to attend Lakeland School and a tuition agreement has been approved by the CDEB and the sending school district.
- (b) All tuition agreements shall provide for the full recovery of all CDEB costs, both indirect and those directly related to the attendance at Lakeland School of the non-resident student. The determination of direct and indirect costs shall be at the sole discretion of the CDEB and calculated according to generally accepted accounting principles.
- (c) The Director shall annually review each tuition agreement to ensure that all CDEB costs are fully recovered. Any modification to a tuition agreement shall require the approval of the CDEB and sending school district.

(Ord. No. 388-09/06, pt. I, 9-7-06; Ord. No. 510-09/08, pt. II, 9-4-08; Ord. No. 969-02/16, pt. II, 2-9-16)

Sec. 9-52. - Enrollment of non-resident students.

- (a) *Enrollment of non-resident students.*
 - (1) Attendance at Lakeland School shall be limited to students residing in the CDEB taxation district unless the CDEB authorizes attendance of a non-resident student in accordance with the terms of this section and a tuition agreement has been approved in accordance with section 9-51.
 - (2) Maintaining an excellent physical environment is important to the mission of Lakeland School. The CDEB shall establish, annually, a maximum number of resident and non-resident students that may attend Lakeland School. A non-resident student, not already attending Lakeland School, shall not be admitted to Lakeland School when said maximum capacity has been reached. The CDEB shall follow the criteria set forth in section 9-54 when establishing the maximum enrollment of the Lakeland School.

- (3) The sending district will continue to be responsible for the IEP and re-evaluation of any enrolled student and, as appropriate, develop, review and revise such IEP.
 - (4) The County shall not be responsible for any costs associated with the transportation of non-resident students.
 - (5) A non-resident student shall not be permitted to attend Lakeland School in the event of one or more of the following circumstances:
 - a. The educational model at Lakeland will not benefit the student;
 - b. There is insufficient space or there are insufficient resources at Lakeland to adequately support the student;
 - c. Admission of the student would pose a safety risk to the student, other students or to staff.
 - (6) The CDEB reserves the right to terminate the enrollment of such student during the school year for cause. Such cause shall include, but is not limited to a finding by the CDEB of one or more of the following reasons:
 - a. Maximum capacity pursuant to (a)(2) has been reached;
 - b. One or more grounds set forth in (a)(5);
 - c. Non-payment of a tuition agreement.
 - (7) The Director may develop procedures consistent with this section.
- (b) *Criteria for non-admission.* Admission to Lakeland School shall not be available under any circumstance to any non-resident student who meets one or more of the following criteria:
- (1) The student has been expelled from school or has been assigned to an alternative placement option by any school district for any of the following reasons or a disciplinary proceeding involving the student, based on one of the following reasons, is pending:
 - a. Conveying, or causing to be conveyed, any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property.
 - b. Engaging in conduct while at school or while under supervision of a school authority that endangered the health, safety or property of others.

- c. Engaging in conduct while not at school or while not under the supervision of a school authority that endangered the health, safety or property of others.
 - d. Possessing a dangerous weapon, as defined by Wisconsin Statutes.
- (2) The student has not been screened by his/her resident school district to determine if there is reasonable cause to believe that the student is a student with exceptional educational needs or the child has been reported or identified by his/her resident school district but not yet evaluated by a multi-disciplinary team appointed by the resident district.
 - (3) Lakeland School is not able to provide the special education program or related services described in the student's individualized education program utilizing existing staff, services and facilities, or there is no space available in the appropriate special education program. The tuition agreement of the non-resident special education student who exhibits discipline and/or behavior processing difficulties for an extended period of time and to a marked degree (emotional, social, behavioral, and/or judgment lapses that compromise the safety and well-being of others at Lakeland School) may be rejected and/or terminated by the CDEB at any time.
 - (4) The student has not met the academic pre-requisites for participation in a particular program in which the student wishes to enroll.
 - (5) A current tuition agreement covering the student's attendance at Lakeland School has not been executed.

(Ord. No. 510-09/08, pt. III, 9-4-08; Ord. No. 755-12/12, pt. I, 12-11-12; Ord. No. 969-02/16, pt. III, 2-9-16)

Sec. 9-53. - Procedure for non-resident student enrollment.

- (a) A school district may request that a non-resident student be considered for enrollment at Lakeland School. Said admission shall be possible only under a tuition agreement and shall comply with the procedures set forth in (b).
- (b) Requests for admission shall be initiated by the sending district submitting a current copy of the students' IEP (Individual Education Plan) to the Director. Upon receipt of the IEP, the Director or his or her designee shall affix a date stamp (or a

written and initialed date) to the IEP and process the request. Lakeland School reserves the right to request additional information to assist in the review of the enrollment request.

- (c) Upon receipt of the enrollment request, the Director shall review the request using the acceptance/denial criteria set forth in this chapter. If there is sufficient space available and the student meets the remaining acceptance criteria, all such requests shall be approved. All requests for attendance by non-resident students shall be contingent upon approval of a tuition agreement pursuant to section 9-51.
- (d) A waiting list will be created for those non-resident students/districts initially denied due to space availability, maintaining the same order as received from the enrollment/tuition requests. As any spaces become available, requests will be accepted from the waiting list(s).

(Ord. No. 969-02/16, pt. IV, 2-9-16)