



## Solano County Special Education Local Plan Area

Participants:

Benicia Unified School District  
Dixon Unified School District  
Fairfield-Suisun Unified School District  
Travis Unified School District  
Vacaville Unified School District  
Solano County Office of Education

### Community Advisory Committee (CAC)

Thursday, February 16, 2023

12:00 – 2:00 p.m.

Blue Rock Springs– SCOE

Persons wishing to address any item on the agenda may do so prior to action being taken on the agenda item by filling out a comment request card. Please limit comments to three minutes

### AGENDA

1. **Call to Order**
2. **Approval of Agenda** **ACTION**
3. **Consent Calendar Items** **ACTION**
  - 3.1. Approval of Minutes – January 19, 2023
4. **Alexis Lynch- Conservatorships** **PRESENTATION**
5. **Community Input**

Public groups, site groups, and members of the public may address the CAC at this time. Members of the public will also be allowed the opportunity to speak to specific agenda items prior to CAC action. Statements are generally limited to three (3) minutes.
6. **Reports**
  - 6.1. Representative Reports **INFORMATION**

Benicia USD:  
Dixon USD:  
Fairfield-Suisun USD:  
Travis USD:  
Vacaville USD:  
Northbay Regional Center:  
Solano County Office of ED:
  - 6.2 Assistant Superintendent Report **INFORMATION**
7. **Old Business**
  - 7.1. CAC Budget **INFORMATION**
  - 7.2. Fund Raising Strategy Session/Planning **ACTION/DISCUSSION**
  - 7.3. 2022-23 Presentations **DISCUSSION**
  - 7.4. 2022-23 CAC Recognition Ceremony **DISCUSSION**

7.5. Legislative Information Day

**INFORMATION**

**8. Local Plan Stakeholder Workgroup**

**INFO/DISCUSSION**

Members of the public are welcome to provide input.

**Adjournment**

The next CAC meeting will be held on March 16, 2023

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**Community Advisory Committee Minutes  
January 19, 2023**

**Board Members Attending:** FSUSD: Shawn Hnatko, Nicole Smith  
**BUSD:** Absent SCOE: Ilah Feeney, Siobhan Dill  
**NBRC:** Claudia Calderon (for Deborah Simms) DUSD: Absent  
**TUSD:** Cathy Dailey, Kristie Ballard  
**VUSD:** Monica Hurtado, Angel Hixson  
**SELPA:** Andrew Ownby, Delaney Chapman-Neevel, Shawna Becker

**ABSENT** – Erin Biber, Yadira Rodriguez, Betty Jo Ortiz, Deborah Sims, Brittany Wallace, Kerry Pilley-Purcell

**1. Call to Order** –Andrew Ownby called the meeting to order at 12:02 p.m.

**2. Approval of the Agenda**

Move to approve the agenda  
Motion by Angel Hixson, seconded by Ilah Feeney  
Final Resolution: Motion Carries  
Yea: Kristie Ballard, Cathy Dailey, Angel Hixson, Shawn Hnatko, Monica Hurtado, Nicole Smith, Brittany Wallace

**3. Approval of Minutes of December 15, 2022**

Move to approve the minutes.  
Motion by Nicole Smith, seconded by Kristie Ballard  
Final Resolution: Motion Carries  
Yea: Kristie Ballard, Cathy Dailey, Angel Hixson, Shawn Hnatko, Monica Hurtado, Kerry Pilley-Purcell, Nicole Smith, Brittany Wallace

**4.** Susan Labrecque, Senior Director, Resource Development, Transition & Post Secondary Options for Solano County Office of Education, provided a presentation on Workforce Innovation and Opportunity ACT (WIOA) Title IV as it relates to transition services. She provided copies of the United States Department of Education law related to pre-employment transition services.

**5. Community Input:** Tobias Weare from the State Council on Developmental Disabilities provided an informational printout on the Social Recreation Services provided by North Bay Regional Center and discussed the importance of updating the Individualized Program Plan (IPP) services.

**6. Reports**

**6.1. Representative Reports**

**BUSD** – No Representative

**DUSD** – No Representative

**FSUSD** – Nicole Smith reported, per Stavros Gougoumis, that FSUSD is doing well providing services. They have hired a behaviorist and filled the last three open mental health clinician positions with contracted staff. Itinerant case managers continue covering open caseloads, giving FSUSD full coverage. They have created a 0.5 FTE position for a resource teacher at Rolling Hills to fulfill the increased demand at that site. They continue to backfill open para positions primarily from Maxim, although they have recently gotten some district hires. There is a significant increase in assessments, primarily for preschool. They have procured additional resources to complete these and ensure that they remain compliant.

**TUSD** – Kristie Ballard reported that TUSD is similar to FSUSD. They are continuing to receive lots of assessment requests. They are still looking to fill an SLP, a resource teacher, and an SDC preschool position.

They are continuing to look for paras. Most of their sites are either approaching capacity or almost at full caseloads.

**VUSD** – Angel Hixson reported that the VUSD admin has started looking at planning for the extended school year (ESY) and 23/24. ESY will be from 6/13-7/11 with no school on 6/19, 7/3 & 7/4. They are also experiencing the same staffing issues as the other districts.

**SCOE** – Ilah Feeney reported that SCOE had four adult mid-year graduates in December. They are continuing to work on their staffing, using contractors as needed. They have hired some new paras.

**North Bay Regional Center (NBRC)** – Claudia Calderon sat in for Deborah Simms. NBRC is getting ready for film camp. They have a spreadsheet of information to share with the county.

**6.2 Assistant Superintendent's Report** –Andrew Ownby presented the legislature's new Special Education Indicators. One of the most significant changes was the special education achievement indicator. The four indicators were participation and proficiency in ELA and Math. Now they have expanded it to 24 indicators. The state monitoring for 23-24 has changed as well. There will now be eight categories districts can fall into, not including the cyclic monitoring for small LEAs. CDE will be implementing annual IEP data collection. Andrew gave litigation updates on cases before the supreme court.

## 7. Old Business

**7.1. CAC Budget** – Budget information was provided in the packets. No new information. No questions or concerns were reported.

**7.2. Fund Raising Strategy Session/Planning** – There was a brief conversation about doing a Mary's Pizza Shack fundraiser in April or May. It will be discussed in more detail at a later meeting.

**7.3. 2022-23 Presentations** – CAC presentations are scheduled for February and March. Information was provided in the packets.

**7.4. 2022-23 CAC Recognition Ceremony** – The SELPA has received nominations for students and staff from the Benicia USD, Fairfield-Suisun USD, SCOE, and the community. The deadline for nominations is March 15<sup>th</sup>. There have been no nominations by Travis USD, Dixon USD, or Vacaville USD. SCOE adult transition program will be catering the event. They will provide cookies for about 75 people. They should be sending the quote this month. There was discussion on whether there should be "winners" at the ceremony. The structure and nomination process will be discussed at the February CAC meeting.

**7.5 Legislative Information Day-** Andrew Ownby provided preliminary information regarding Legislative Information Day. It will be in person, although some legislators will still do it virtually. It will be held Wednesday, May 3<sup>rd</sup>. The group that attends will start at Arden Faire Mall and make their way to the Capitol, where they will have the chance to speak with our regional representatives and lobby for the bills that impact special education. We will only be allowed to take a few people; 5 would be the maximum. There was a discussion about wanting students to go to make an impact. With so few representatives allowed, the committee usually takes parents and one child. The suggestion was made for the student representative to be a special education student from one of the comprehensive campus's student council/government.

**7.6 Program Transfers Update** Andrew reported that at the Council of Superintendents (COS) meeting, Vacaville withdrew their request for a program transfer of the extensive support needs (mod/severe) for 23/24. Vacaville then requested the program transfer for the 24/25 school year, pending the results from the FCMAT study. SCOE will provide transportation to students outside of Solano county, mostly NPS students, as long as they have the bus drivers to do so.

**8. Local Plan Stakeholder Workgroup-** A link was provided to all stakeholders to access the Local Plan Narrative before the meeting. This document is also available on the website. The narrative has been updated with input from all directors, so there is unified language throughout.

Meeting adjourned at 1:25 p.m.

Meeting minutes were prepared by Shawna Becker and reviewed by Andrew Ownby.

DRAFT

# Limited Conservatorship



1

## What is a Conservatorship?

A court case where a judge appoints a responsible person (a "conservator") to care for another adult (a "conservatee") who cannot care for her/himself.

### General Conservatorship

Applies to an incapacitated person who does not have a developmental disability (for example, an elderly person with dementia).

### Limited Conservatorship

Applies to an incapacitated person with a developmental disability. The powers granted to the conservator are limited to specific powers allowed by law and chosen by the court.

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## LPS Conservatorship

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- Lanterman-Petris Short Act
- Specific to people with a severe mental health disability
  - Initiated by the County:  
usually the Public Guardian's office initiates  
after multiple 5150 holds because the  
individual is a danger to themselves or others)
- Must be renewed yearly

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## Conservatorship of the Person

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Grants the conservator the power to make non-financial decisions related to the conservatee, such as place of residence, medical treatment, and education.

## Conservatorship of the Estate

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Grants the conservator the power to manage the conservatee's assets other than wages and public benefits.

If your child is receiving public benefits, you have the option to be the representative payee to manage those funds. For more information, visit <http://www.ssa.gov/payee>.

4

## Alternatives to Conservatorship

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- Advanced Health Care Directive
  - Power of Attorney
  - Release of Information
  - Supported Decision Making:  
National Resource Center for Supported Decision Making

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## Standard of Proof

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### Probate Code §1801(a)

A conservator of the person may be appointed for a person who is unable to provide properly for his or her personal needs for physical health, food, clothing, or shelter.

### Probate Code §1801(b)

A conservator of the estate may be appointed for a person who is substantially unable to manage his or her own financial resources or resist fraud or undue influence.

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## What powers can I request under a conservatorship of the person?

Fix the residence or specific dwelling

Have access to confidential records and papers

Contract on her/his behalf and set aside contracts

Consent to medical treatment

Make decisions concerning education

Control social and sexual contacts and relationships

Consent or withhold consent to marriage, or entrance into a registered domestic partnership

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## A conservatorship intends to

Promote and protect the well-being of the individual

Encourage development of maximum self-reliance and independence of the individual

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## Who acts as conservator?

### Family or Friend

You can appoint co-conservators such as parents or siblings

### Professional

There are professional conservators if a family member is not an option

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## The Process

1

File a petition and accompanying documents

2

An attorney is appointed to represent the proposed conservatee. The Regional Center is ordered to prepare a required report.

3

You must mail Notice of Hearing to necessary parties and have the proposed conservatee served with a Citation

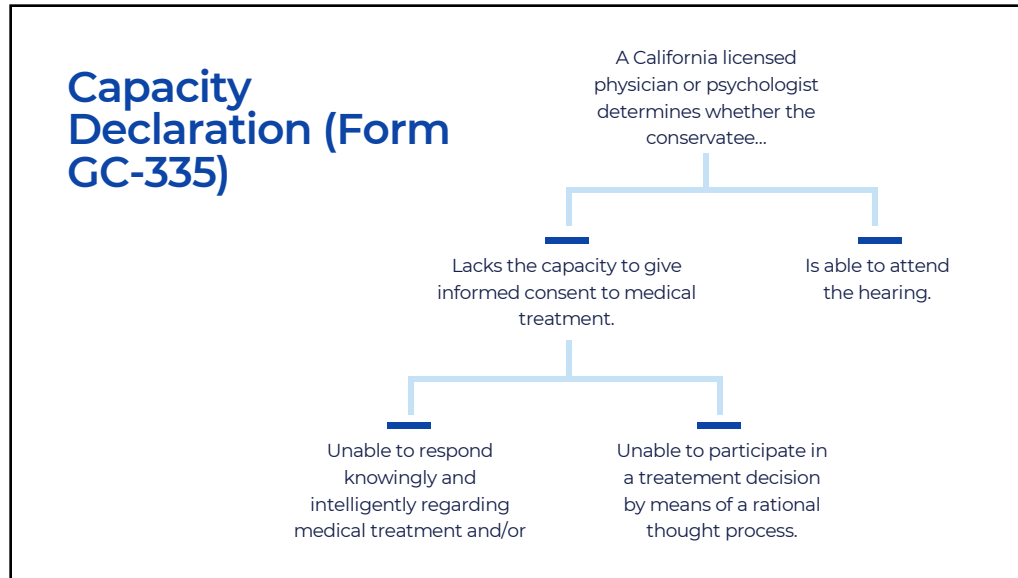
4

The Court Investigator interviews various people and files a report

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The hearing

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## Filing a Petition

<b>Where?</b>	<b>When?</b>	<b>Cost?</b>
At the probate filing office of the county court where the proposed conservatee lives	A conservatorship cannot go into effect until the 18th birthday	\$435-\$465 filing fee unless you file a Request to Waive Court Fees and it is granted

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## Fee Waiver

Form FW-001-GC – Request to Waive Court Fees

Form FW-003-GC – Order on Court Fee Waiver

If the proposed conservatee receives SSI, Medi-Cal or IHSS, fees will be waived

If the proposed conservatee does not receive public benefits but qualifies as low income, the fees will be waived

Fees may not be waived if the proposed conservatee is the beneficiary of a funded special needs trust

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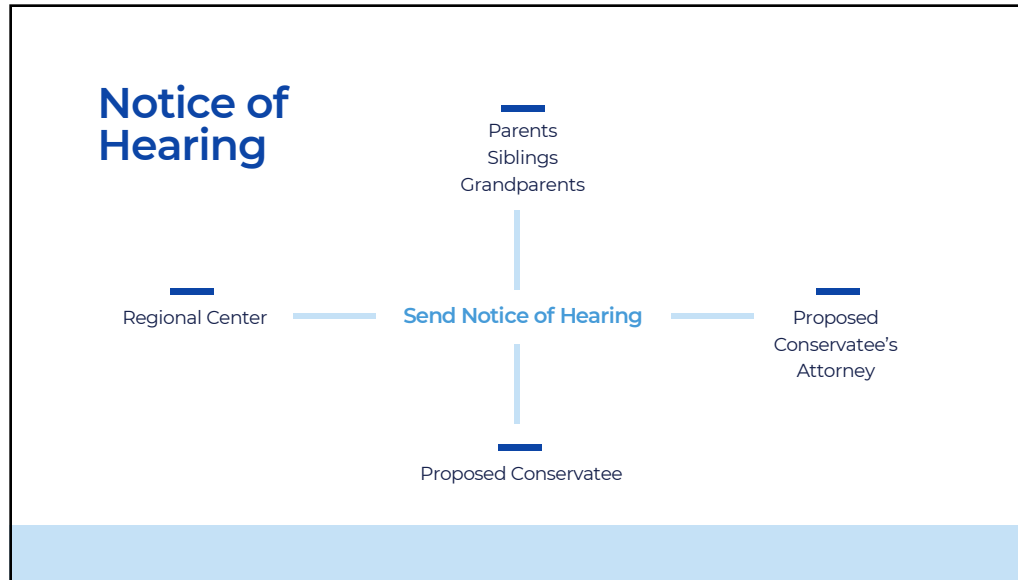
## Petition and Accompanying Documents

1. Petition for Appointment of Probate Conservator (GC-310)
2. Confidential Supplemental Information(GC-312)
3. Confidential Conservator Screening Form (GC-314)
4. Duties of Conservator and Acknowledgment of Receipt of Handbook for Conservators (GC-348)  
<http://www.courts.ca.gov/documents/handbook.pdf>
5. Citation for Conservatorship (GC-320)
6. Notice of Hearing (GC-020) and attachment (GC-020-MA)
7. Capacity Declaration (GC-335)
8. Order Appointing Probate Conservator (GC-340)
9. Letters of Conservatorship (GC-350)

All documents are called Judicial Council Forms and can be found at: <http://www.courts.ca.gov/forms>

Check with your local court to make sure they do not have any required local forms in addition to the judicial council forms

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## Serving the Citation

- The proposed conservatee must be personally served with the Citation and a copy of the petition no later than 15 days prior to the hearing
- Personal service: It cannot be mailed. It must be personally handed to the proposed conservatee.
- The person serving must be 18 or over and not a party to the proceeding

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## The Proposed Conservatee's Attorney

In a limited conservatorship, all proposed conservatees are appointed an attorney by the court. The attorney is either a Public Defender or private counsel depending on the county.

The attorney will visit the proposed conservatee.

In some counties the attorney files a report with the court stating their position, and in other counties the attorney just communicates to the court their position at the hearing.

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## Regional Center

The proposed conservatee is required to be assessed by the Regional Center within 30 days of the filing of the petition

The Regional Center is required to submit a report to the court prior to the hearing

The report will state the Regional Center's recommendation concerning each of the powers requested by the proposed conservator

### **Probate Code §1827.5**

The findings and recommendations of the regional center are not binding upon the court.

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## The Court Investigator Does the Following

Interviews the proposed conservatee and conservator

Interviews other people involved with the proposed conservatee's daily life (family members, day program or school staff, etc.)

Interviews the Regional Center case worker

Runs a background check on the proposed conservators

Files a report with the court detailing her/his findings

Court Investigator fees are around \$850 but will be waived if you have filed a Request to Waive Court Fees and it was granted.

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## Do my child and I need to be at the hearing?

In most counties, you and your child are required to be at the hearing.

The Court Investigator and the attorney will ask your child whether he/she wants to come to the hearing.

The doctor can state on the Capacity Declaration that the proposed conservatee should not attend.

In some cases, the proposed conservatee's attorney will waive his/her appearance.

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## What happens at a hearing?

The proposed conservatee's attorney and your attorney (if you have one) will appear

The judge may ask some questions and usually the attorneys do all the talking

Assuming all is in order, the judge will sign the order

The court will file the order and then issue your Letters of Conservatorship

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## Letters of Conservatorship

This document serves as evidence of the conservator's authority to act on the conservatee's behalf

The powers outlined in the Letters must match those outlined in the Order signed by the judge

There is a \$25(ish) fee for each certified copy you get

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## Documents that Must be Filed after the Hearing

### Notice of Conservatee's Rights

Must be mailed in 30 days to:

- Conservatee
- Conservatee's attorney
- Parents
- Siblings
- Grandparents

Proof of mailing must be filed with the court (Form GC-341)

### Determination of Appropriate Level of Care

Must be filed within 60 days (Form GC-355)

### General Plan

Most counties have their own form which must be filed within 90 days

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## Conservatorship Maintenance

A limited conservatorship lasts for the lifetime of the conservator

The court will terminate the conservatorship if they find that it is no longer necessary

Court reviews – After the first year and every 2 years thereafter

Some counties require a status report be filed by the conservators at the review times

A conservator of the estate is required to file an accounting after the first year and every 2 years thereafter

If the conservatee moves, you must notify the court BEFORE and AFTER the move (Forms GC-079 and GC-080)

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## Down the Road

Nominate a successor conservator in a legal document

Petition for the appointment of a co-conservator that can continue on as sole conservator once you are no longer able to serve

Make sure that any inheritance being left to the conservatee is designated to go to a special needs trust instead of to the conservatee directly

Set up an ABL Account (529A account) for the conservatee

More info on ABL accounts:

<http://tinyurl.com/ABLE10thingstoknow>

<http://www.ablenrc.org>

<https://www.calable.ca.gov/>

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## Thanks! Questions?

Find me at [alexis@alexislynchlaw.com](mailto:alexis@alexislynchlaw.com)

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## 2022-23 CAC Recognition Budget (Approximation)

	Qty. Needed	Cost	Total					
<b>Awards</b>						Proceeds	Carry Over	7/1/2022 \$ 1,917.00
Star Plaque	10	9.10	\$107.50					
Certificates/holders	40	36.00	\$36.00					
<b>Sub-Total Awards</b>			<b>\$143.50</b>					
Power Point supplies/Flash Drives	40.00	121.00	\$121.00					
Sub -Total for Power Point Production			<b>\$121.00</b>			<b>Total Proceeds</b>		<b>\$1,917.00</b>
						Expenses		
Duplication	150.00	45.75						
<b>Sub-Total Duplication</b>			\$45.75					
Refreshments								
<b>Sub-Total Refreshments</b>			\$175.00					
								Minus 5%
Presentation			\$400.00					
<b>Sub-Total Presentation</b>			\$400.00				<b>Total Deductions</b>	<b>0.00</b>
<b>Total</b>			<b>\$885.25</b>		<b>Approx.</b>		<b>Balance Remaining</b>	<b>1,917.00</b>

### 2022-2023 Community Advisory Committee (CAC) Meeting Schedule

Date:	Location:	Administrative Liaison:	Agency/Group Presentation:
September 29, 2022	Blue Rock Springs Room	DUSD – Kim Parrott	City of Vacaville – Therapeutic Programs
October 20, 2022	Blue Rock Springs Room	TUSD – Deanna Brownlee	
November 17, 2022	Blue Rock Springs Room	FSUSD – Stavros Gougoumis	
December 15, 2022	Blue Rock Springs Room	BUSD – Julie Corona	NBRC – Diversity and Equity
January 19, 2023	Blue Rock Springs Room	SCOE – Siobhan Dill	Susan Labrecque on Transition
February 16, 2023	Blue Rock Springs Room	VUSD – Aumrey Moland	Alexis Lynch – Conservatorships
March 16, 2023	Blue Rock Springs Room	SCOE – Siobhan Dill	Tobias Weare – PCP/PCT
April 20, 2023	Blue Rock Springs Room	FSUSD – Stavros Gougoumis	
* <b>Monday</b> , May 1, 2023 Recognition Ceremony	All 3 rooms		
May 18, 2023	Blue Rock Springs Room	DUSD – Kim Parrott	
June 22, 2023 (If needed)	Blue Rock Springs Room		