

# Bay Area Collaborative

## Purpose of the Organization

The Bay Area Collaborative (BAC) is a group comprised of member SELPA Directors, one nonpublic agency representative, and one nonpublic school representative selected by the SELPA Directors, whose purpose it is to collectively and collaboratively create an annual Master Contract and negotiate rates for the nonpublic school and agency preferred providers of special education services.

## Annual Objectives and Tasks of the Organization

Team members collaborate through a series of meetings to accomplish the following tasks:

- Develop the Master Contract for use by member SELPAs/districts and contracting nonpublic agency/schools
- Update language in the Master Contract and other relevant documents to address compliance and/or litigious issues
- Negotiate rates with preferred nonpublic agency/schools
- Review rate increase appeals from preferred nonpublic agency/schools
- Maintain and distribute lists of current preferred nonpublic agency/schools
- Maintain and publish rate bands and other relevant information regarding preferred nonpublic agency/schools
- Communicate COLA increases available to preferred providers
- Continuously receive, review, and determine eligibility of applications from potential new preferred nonpublic agency/schools
- Technical assistance will be offered to preferred nonpublic agency/school providers upon request

## Member SELPAs

The BAC is open to SELPAs in the Greater San Francisco Bay Area. SELPAs voluntarily participate in the collaborative. Member SELPAs who wish to no longer participate will give notice by June 30<sup>th</sup> of the year prior to leaving the collaborative. Member SELPAs who wish to join the collaborative will give notice by June 30<sup>th</sup> of the year prior to joining the collaborative.

## Preferred Providers

Preferred Providers are a nonpublic school/agency that has been reviewed and approved by the BAC. Preferred providers status, rate schedule, and contact information will be shared with all collaborative members and be available on our website, [www.solanocountyselpa.net/governance/bac](http://www.solanocountyselpa.net/governance/bac). Preferred providers agree to adhere to the BAC operating guidelines, including the rate increase process and use of the BAC Master Contract. Preferred providers agree to respond to the BAC Chair request for information annually to maintain their active status as a Preferred Provider. Failure to respond to requests for information or violating the operating guidelines may result in the removal from Preferred Provider status.

## Role of the Chair and/or Co-Chair

The SELPA serving as the Chair and/or Co-Chair of the BAC is responsible for the following tasks:

1. Communicate meeting dates and agendas to BAC members
2. Convene meetings throughout the year to:
  - Update the Master Contract
  - Conduct rate negotiations and address rate negotiation appeals

- Other meetings as needed
3. Publish on the BAC website:
    - Lists of preferred nonpublic agency/school providers
    - Rate sheets, rate bands, and other documents
  4. Maintain historical data related to the BAC's operations
  5. Share information between BAC members and preferred nonpublic agency/school representatives regarding statewide or regional issues

**Rate Increase Request Process** Preferred Provider nonpublic agency/schools will complete and submit the rate increase request to provide information on increased expansion, overhead, staffing and other costs.

- BAC panel representatives will review data and ask relevant questions.
- Additional consideration as to whether the requested rate increase will significantly skew the rate band outside of the 10% accepted margin.
- At the conclusion of the panel, information will be shared and a recommendation will be made to the Collaborative members in order to inform them regarding the rate increase request.
- The members of the BAC will discuss and determine through a vote if the rate increase is approved or denied.

**New Member Applications**

Any nonpublic agency/school wishing to become a preferred member of the BAC will submit an application to the Chair and Co-Chair to provide information regarding services offered and proposed rates. In addition, state certification and insurance information will also be submitted along with the application.

1. Once received, the Chair and Co-Chair will notify the BAC member representatives of the request to join and upon request will provide documentation provided.
2. Input will be solicited from BAC members regarding suitability for preferred member status.
3. If there are no objections within ten days of the email notification the applicant will be added to the preferred member list at their published rates.

If a BAC member representative objects to the new member obtaining preferred provider status, a panel consisting of three SELPA member representatives and one nonpublic agency/school member representative will be convened within 15 days of the objection to review the status. The objecting member will participate in the panel. The decision of the panel will be final.

//  
//  
//  
//

## Annual Activity Calendar

September	BAC SELPA representatives will select preferred provider nonpublic agency/school representatives.
September	The BAC members will be provided with meeting dates for the year.
December	<p>The BAC convenes the first meeting to develop the Master Contract for the subsequent school year; including, but not limited to reviewing language in the current BAC Master Contract and State SELPA Master Contract.</p> <p>Member representatives may be assigned areas to research and bring back information for consideration by the group at the following meeting.</p>
January	Following the release of the governor’s proposed budget, SELPA member representatives meet to review recommended changes to the Master Contract and Individual Service Agreements for the upcoming year.
January	<p>By the end of the month, the SELPA serving as Chair of the BAC will notify and provide preferred providers:</p> <ul style="list-style-type: none"><li>● A link to the draft Master Contract for the subsequent school</li><li>● Cost of Living Adjustment (COLA)<ul style="list-style-type: none"><li>○ Based on the prior year’s funded special education COLA</li><li>○ Applied to existing rates for the subsequent school year, and</li><li>○ Available upon request of the preferred provider during the allocated timeline</li></ul></li></ul> <p>BAC members meet to update the Master Contract using input from researching members and input from all members.</p>
February	BAC meets to review and finalize the Master Contract for the upcoming year.
February	<p>By the 15<sup>th</sup> of the month, but not sooner than two weeks after the documents were provided to them, the preferred nonpublic agency/schools that wish to request a rate increase above the Cost-of-Living Adjustment will submit complete rate increase request documents to Chair and Co-Chair. Requests for COLA-only increases are also due at this time.</p> <p>By the end of the month, the BAC reviews and finalizes:</p> <ol style="list-style-type: none"><li>1. the Master Contract and Individual Service Agreements for the subsequent school year and</li><li>2. the rate increase request documents to be used in the upcoming rate negotiation process.</li></ol> <p>Note: In accordance with the Master Contract, NPS/A that are not preferred providers must submit rate increase requests to the contracting LEA by March 1<sup>st</sup>.</p>

- March Chair and Co-Chairs review rate increase requests for completeness. NPS/A submitting incomplete rate increase request documents will be advised and may provide complete information at the panel hearing.
- March By the 20<sup>th</sup> of the month, panel meetings will be convened during which the BAC will meet with representatives of preferred nonpublic agency/schools to discuss the reasons for requested rate increases. At the conclusion of panel meetings, the member representatives will meet as a whole to discuss the information presented and make a determination regarding the rate request increase.
- March By the end of the month, preferred nonpublic agency/school will be notified of rate request increases approval or denial and opportunity to appeal if they disagree with the determination.
- April Within ten days of notification, appeals for decisions regarding rate increase requests are due to the Chair and Co-Chair. Upon receipt of an appeal, the Chair and Co-Chair will schedule an appeal panel to be held within 15 days, which may be extended by the chair, if necessary.
- The appeal panel will consist of three SELPA representatives and 1 nonpublic agency/school representative. If possible, one SELPA BAC representative on the appeals panel will be from a SELPA in which the requesting provider operates. The panel will review any additional information and make a determination regarding rate increases.
- May By the 31<sup>st</sup> of the month, the Chair and Co-Chair notify BAC and preferred provider nonpublic agency/school representatives the following documents are posted on the Bay Area Collaborative section of the Solano County SELPA's website:
- Master Contracts
  - Individual Service Agreements
  - Rate Band
  - Preferred Provider nonpublic agency/school lists