

# Bay Area Collaborative

## Purpose of the Organization

The Bay Area Collaborative 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 rate sheet for the preferred providers of specialized special education services.

## Objectives and Tasks of the Organization

The collaborative team members work together through a series of meetings to accomplish the following tasks:

- Develop annually a Master Contract to be used by member SELPAs/districts and nonpublic agency/schools
- Develop common language in Master Contract and other documents pertaining to emerging compliance and/or litigious topics
- Annually negotiate rates with preferred nonpublic agency/schools
- Maintain and disseminate lists of current preferred nonpublic agency/schools who have completed the annual negotiation process
- Maintain and disseminate rate bands and other relevant information regarding preferred nonpublic agency/schools
- Annually conduct reconsideration of rate increase appeals for preferred nonpublic agency/schools
- Annually calculate and disseminate information regarding COLA increases available to preferred nonpublic agency/schools
- Regularly meet to review applications from potential new preferred nonpublic agency/schools

## Member SELPAs

The Bay Area Collaborative 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.

## Role of the Chair and Co-Chair

Each year a Chair and Co-Chair will be selected to serve the Bay Area Collaborative.

The Chair and the Co-Chair will be responsible for the following tasks:

- convene of meetings throughout the year for the purposes of updating the master contract, conducting rate negotiations, address rate negotiation appeals and other meetings as needed;
- disseminate lists of preferred nonpublic agency/school providers, rate sheets, rate bands and other documents to Bay Area Collaborative member representatives;
- communicate to Bay Area Collaborative members dates and agendas of upcoming meetings;
- maintain and store records related to operations of the Bay Area Collaborative;
- facilitate of meetings of the Bay Area Collaborative including establishing location and notifying member SELPA and preferred nonpublic agency/schools representatives;
- order lunch and snacks using funds contributed by preferred nonpublic agency/schools;

- provide copies of documents to preferred nonpublic agency/schools upon request throughout the year; and
- regularly share information between SELPAs and preferred nonpublic agency/school representatives regarding statewide or regional issues.

**Timeframe for the process**

September	Bay Area Collaborative SELPA representatives will select preferred provider nonpublic agency/school representatives.
September	The Bay Area Collaborative member will be provided with meeting dates for the year.
December	First meeting of the Master Contract for the upcoming year with the purpose of beginning initial brainstorm and discussion of ideas for changes and assign members to research topics.
January	After 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 Chair and Co-Chair will send notice to preferred providers, including:</p> <ul style="list-style-type: none"> <li>• Where the preferred provider may access a draft of the Master Contract for the upcoming year</li> <li>• Where the preferred provider may access the current rate band of preferred providers</li> <li>• Notification of the date of rate negotiation panel meetings</li> <li>• Cost of Living Adjustment (based on prior year funded special education COLA) to be applied to existing rates for the upcoming year, upon request of the preferred provider</li> </ul> <p>Technical assistance will be offered to preferred nonpublic agency/school providers upon request.</p>
February	Bay Area Collaborative member representatives meet to review and finalize the Master Contract for the upcoming year.
February	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.

Note: In accordance with the Master Contract, documents from non-preferred nonpublic agency/school providers must be provided to individual SELPAs by March 1<sup>st</sup>.

March	Chair and Co-Chairs review rate increase requests for completeness and schedule panel appointments with Bay Area Collaborative member representatives for consideration and discussions. 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 Bay Area Collaborative member representatives 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	<p>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.</p> <p>The appeal panel will consist of three SELPA member representatives and 1 nonpublic agency/school representative. If possible, one SELPA member 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.</p>
May	<p>By the 31<sup>st</sup> of the month, the Chair and Co-Chair notify Bay Area Collaborative member representatives 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:</p> <ul style="list-style-type: none"> <li>• Master Contracts</li> <li>• Individual Service Agreements</li> <li>• Rate Band</li> <li>• Preferred Provider nonpublic agency/school lists</li> </ul>

**Annual Master Contract updating/review**

The Master Contract will be updated annually in a three part process using the following timelines:

December	Review language in current Bay Area Collaborative Master Contract and State SELPA Master Contract and propose additional areas for changes. Member representatives may be assigned areas to research and bring back information for consideration by the group at the following meeting.
January	Bay Area Collaborative member representatives meet to update the Master Contract using input from researching members and input from all members. In

addition, a determination will be made regarding the prior year COLA which will be applied to the rates of members who request it in writing by the deadline.

February By the end of the month, member representatives review and finalize the draft Master Contract, Individual Service Agreements for the following school year and rate increase request documents to be used in the upcoming rate negotiation process.

### **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.

Bay Area Collaborative 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.

Factors will be weighted according to a formula developed by the Bay Area Collaborative member representatives.

At the conclusion of the panel, information will be shared and a recommendation will be made to the Collaborative members in order to inform regarding the rate increase request.

The members of the Collaborative will discuss and determine through a vote if the rate increase is approved or denied.

### **New Member Applications**

1. Any nonpublic agency/school wishing to become a preferred member of the Bay Area Collaborative 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.
2. Once received, the Chair and Co-Chair will notify the Bay Area Collaborative member representatives of the request to join and upon request will provide documentation provided.
3. Input will be solicited from Bay Area Collaborative members regarding suitability for preferred member status.
4. 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.
5. If a Bay Area Collaborative 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.

