

Minutes of the Litchfield Budget Committee Meeting

Held on December 4, 2012

The Litchfield Budget Committee held a meeting on Tuesday, December 4, 2012 at Campbell High School, 1 Highlander Court, Litchfield, NH 03052.

PRESENT: R Peeples (Vice Chairman), B Spencer, A Cutter, C Pascucci, C Couture, D Barka (School Board Representative), G Lambert (Board of Selectmen Representative), B Cochrane (Superintendent), S Martin (Business Administrator), D Bandurski (Director of Special Services)

ABSENT: J Harte (Chairman)

Mr. Peeples called the meeting to order at 7:00 p.m.

1. PLEDGE OF ALLEGIANCE

2. PUBLIC INPUT

There was no public input.

3. PRIOR MEETING MINUTE APPROVAL

MOTION: by Mr. Cutter

Move to approve the minutes of the Litchfield Budget Committee meeting on November 29, 2012 as written

SECOND: Mrs. Couture

VOTE: 6-0-1, with Mr. Lambert abstaining

The motion carried.

4. TOWN BUSINESS

Mr. Lambert reported the Board of Selectmen anticipate 92% return of the official tax receipts/collections.

5. SCHOOL BUSINESS

Mr. Barka reported the Board has not met since November 14.

• SCHOOL DISTRICT BUDGET REVIEW

a) Special Services

Dr. Cochrane commented that Mrs. Bandurski, Director of Special Services, prepared information regarding the special education processes, out of district placements, and Catastrophic Aid for the Budget Committee.

Mrs. Bandurski provided a flow chart that reflects the special education processes. She indicated that according to state and federal regulations there is a process we have to follow. Steps in the process include:

- Referrals:
 - Anyone can make a referral (parents, courts, special education team).

- Information and data pertaining to the referred child must be compiled in order to determine if we can move forward with the referral.
- There are guidelines to follow and team members are specific.
- There are 14 different areas to identify students (i.e. autism, developmental delay, blindness, orthopedic, psychological, speech impaired, traumatic brain injury).
- Disposition of Referral Meeting:
 - Meeting within 15 days of referral.
 - Notification to parents.
 - Team meeting written prior notice.
- Evaluation Planning Team Meeting:
 - Proposal for individual evaluation.
 - Permission to evaluate consent.
 - Written prior notice.
 - Parents have 14 days to agree/disagree.
- Determination of Eligibility:
 - Individual examiner report.
 - Evaluation summary report.
 - Parent's response to special education proposal.
 - Written prior notice.
 - Parents have 14 days to agree/disagree.

Mrs. Bandurski noted that once a determination has been made we have to develop an IEP with appropriate goals and objectives, as well as determine services for the student. She noted that there are rules on what we can provide although a wide array of services are offered.

- IEP Development:
 - Parent notification of special education team meeting 10 days in advance.
 - Documentation of efforts to ensure parent participation in meeting(s).
 - Parent participation in IEP development.
 - IEP – written prior notice – parent's response to special education proposal.
 - Parents have 14 days to agree/disagree.
- Placement:
 - Determine placement in least restrictive environment.
 - Written prior notice.
 - Placement proposal.
 - Parent's response to special education proposal.
 - Parents have 14 days to agree/disagree.

Mrs. Bandurski explained that placements are the decision of the IEP team. The team examines the strengths and weaknesses of the student and determines if classroom support or contracted services are needed. Some of the out of district placements are made by the courts and we are responsible for the education component. Mrs. Bandurski indicated that all services are IEP driven, whether delivered in-district or out of district. She noted that when budgeting for student services, we have to look at the students we have currently and predict out. The variable is if an identified student moves into the district or a student moves into the district and is identified, which could result in additional costs.

Mr. Lambert asked if an out of district placement could include incarceration. Mrs. Bandurski responded that if an identified student of the district is incarcerated and is determined to receive services, we have to provide those services.

Mr. Pascucci asked if a court decides on an out of district placement is the district responsible for the educational and residential costs. Mrs. Bandurski indicated the district is responsible for the education component, but the state pays the residential costs. She noted that there are instances when the district has to pay the residential costs.

Dr. Cochrane commented that in the past significant funds were provided for CHINS services. He noted that those funds are no longer provided and 90% of the students in that program were discharged (and not in school) without services.

Mrs. Bandurski commented that another reason for out of district placements is for services provided that we do not provide. She indicated that the IEP is reviewed and update annually by the IEP team. She explained that if an out of district placement IEP is reviewed, there is a discussion regarding progress of the student and if the placement is still needed.

Mr. Spencer asked if everyone has to agree with the decision regarding an out of district placement. Mrs. Bandurski indicated that parents can disagree and go to due process. She explained that due process goes through the state with mediation and if there is no resolution, it will go to the courts for a decision.

Dr. Cochrane commented that due process is a quasi-judicial process to get a consensus on the student's placement. He explained that if the parent(s) insist, a well written evaluation and well written IEP with data are needed to show the student's issue(s), progress and services. Dr. Cochrane indicated that we would make the case that we are providing for the needs of the student. He noted that an argument can be made to bring the student back into the district.

Mr. Cutter asked if IEP development takes place 30 days from identification. Mrs. Bandurski indicated that once a parent signs the consent form we have 30 days to create the IEP. She commented that the processing time is different for all students. She explained that there could be a comprehensive evaluation with multiple parts that can take 45 days.

Mr. Cutter commented that it could be several months before a child is placed. Mrs. Bandurski commented that the first time a student goes through the process the state monitors the timeframes. The district can be cited if we are not timely.

Mr. Cutter referred to anticipated placements in the budget and asked what the likelihood would be that the court would place a student out of district. Mrs. Bandurski indicated a student can be placed out of district at any point. She explained that there are times when something will come up and we have to act quickly. She noted that there are some instances where placements are too far away and the student cannot be brought in district.

Mr. Martin clarified that "anticipated placements" are student issues of which we are aware.

Dr. Cochrane commented that the data he shared with the Budget Committee last week reflects some impact of programs. He noted that it reflects people moving in and out of the District, which causes the numbers to fluctuate. Dr. Cochrane indicated that some students move into the district and bring an IEP with them, which the district inherits.

Mrs. Bandurski explained when a student with an IEP enrolls, we have to implement the IEP as written to its fullest extent. She noted that the team meets to determine what services we have, if they are working, and what existing programs we have to meet the student's needs.

Mr. Peebles asked if a re-evaluation is necessary. Mrs. Bandurski explained that a re-evaluation is done only if a student is coming from another state as evaluations differ from state to state.

Catastrophic Aid

Mrs. Bandurski explained that Catastrophic Aid is applied once we exceed 3 ½ times the expenditure per pupil. She noted there may be certain services provided to help reach that level of Catastrophic Aid. The cap is 10 times the expenditure per pupil.

Dr. Cochrane mentioned that Catastrophic Aid has been reduced as the percentage started to drop, things that mattered in prior years did not matter anymore. Mr. Martin commented that as the state loses revenue they modify decisions regarding aid. Mrs. Bandurski indicated that the notification of what we will receive comes out later in the year and is not predictable.

Mr. Lambert wanted to know the amount of Catastrophic Aid we requested from the state. Mr. Martin indicated that we do not submit a request. He explained that we submit our cost and they calculate what we qualify for.

Mr. Lambert commented that the state, under the Catastrophic Aid RSA, said they will spend up to a \$250,000 reimbursing the school systems. He indicated that the numbers do not match. Mrs. Bandurski offered to provide specific data regarding what the state will refund each district.

Mr. Cutter asked for an average of what the state returns to the district. Mr. Martin indicated that the amounts can range from \$160,000 to \$250,000 subject to our expenses.

Mrs. Bandurski commented that our numbers were increased when I accepted this position. She noted there are 184 students with disabilities. Mrs. Bandurski explained that we are looking at the programs and services we are providing, the IEPs and what the students need to make progress and what will be needed to sustain their needs. She indicated that there is a request in the budget for two additional positions.

Mr. Pascucci asked about the range of services included in the data provided last week by Dr. Cochrane. Mrs. Bandurski indicated that services can range from case management to more comprehensive services.

Mr. Peebles asked if 504 identified students are included. Mrs. Bandurski indicated that 504 students fall under the American with Disabilities Act (ADA). She explained that these students may have a disorder that does not affect them academically. She noted we have to provide case

management and there are some costs associated with 504 students.

Mr. Barka asked how many students are currently in the referral process. Mrs. Bandurski indicated currently there are 16 referrals.

Mr. Spencer commented that he has been on the Budget Committee for many years and he has yet to see the Committee disagree with any costs budgeted for IEPs. He indicated that typically the Committee asks about how they are funded or if there are expenditures that may or may not be IEP related. He noted that the Budget Committee does not question the number of paraprofessionals or out of district placements; just the associated costs.

Salaries/Benefits

Mr. Martin provided an overview of the budgeting for paraprofessionals in the FY14 School Board Recommended Special Services budget. He explained that the Patient Protection Affordable Care Act (PPACA) affects the eligibility for health insurance for part time employees who work 30 hours or more per week. He indicated in order to save the district from part time employees eligibility for health insurance under these regulations, the district reduced the hours of these part time employees to under 30 per week. Mr. Martin noted that credits (reductions) are listed in the budget detail in those salary line items. He commented that also included are additional part time positions that are intended to fill the gaps for the employees whose hours are being reduced.

Mr. Spencer commented that the budget was prepared with current positions, but there may be a need to hire additional paraprofessionals next year. Mrs. Bandurski indicated that this year we hired additional paraprofessionals that were not budgeted last year are were IEP driven because the of the increase of identified students. She commented that when preparing the FY14 budget, we looked at students tuitioning in and out of district placements to avoid the same scenario next year.

New or Expanded Positions

Mrs. Bandurski reported that there is a need for an Autism & Behavioral Specialist who can provide consultation and services for students with challenging behaviors. She indicated that this type of Specialist can assess what is causing the behavior and recommend what can be put into place to sustain these students in the district as opposed to placing them out of district. She noted that over time with progress made in this programming, we may be able to reduce the need for some paraprofessionals. Mrs. Bandurski indicated that this resource would alleviate the need for out of district placement of students with challenging behaviors.

Mrs. Couture asked how many autistic children would be in district. Mrs. Bandurski indicated that there are 25 students on the autism spectrum and the numbers are increasing. She noted that we are looking at improving the quality of service we can provide to keep students in the district. She explained that this position can work with teams and provide consultation and behavior plans that are consistent.

Mr. Pascucci asked what services, if any, are we currently providing. Mrs. Bandurski indicated that we provide contracted services. She noted that we use different agencies that provide these

services, but currently contract with SERESC. She explained that the contractors pay SERESC for office space.

Mr. Pascucci asked how many hours of service do we pay for per year. Mrs. Bandurski commented that the hours can range from 4 – 6 hours, depending on the consultant. She added that the Behavior Specialist position is a definite need that is not being met. She noted that much work needs to be done in terms of staff capacity and building up the current program. Mrs. Bandurski indicated that this position will help with out of district placements.

Mrs. Couture wanted a comparison of where we are spending this money. Mr. Martin offered to provide purchase order information regarding the consultant.

Mr. Spencer asked about the current cost. Mrs. Bandurski indicated that we are uncovering things we need to fix and services we need to provide. Currently we have a consultant who will work 4 hours per week at a cost of \$125 per hour.

Mrs. Couture asked if there will be any savings with this position that is budgeted at \$58,000. Dr. Cochrane indicated we will save \$71,000 in out of district placement costs with this position.

Mr. Pascucci commented that the person hired for this position would be paid \$27.00 per hour based on the annual salary budgeted.

Dr. Cochrane commented that one mistake is when we see a bright student who is above average academically, but is struggling because of hyperactivity (for example) and we wait a year until a determination is made. He indicated that student is missing about one year of instructional time. He explained that earlier this year we began providing academic support so that such students do not fall behind. These students have case management only and we work with them and their parents. Dr. Cochrane indicated with early intervention we can divert a percentage back into regular classrooms.

Mr. Pascucci asked who identifies these issues in younger grades. Mrs. Bandurski commented that students are identified through the special education process, but many were not identified based on certain criteria and a certain checklist that was used. She indicated that has changed. She explained that some students were placed out of district because the district schools could no longer meet their needs.

Mr. Pascucci asked if this new position would work with identify or work with students daily. Mrs. Bandurski indicated that it would be a combination. The Specialist would work with the student, classroom teacher, and professional staff to ensure the student is successful.

Mr. Barka asked how the role would work. Mrs. Bandurski explained that if we bring a student back in district, the Specialist would provide a recommendation based on the behavior. A behavioral plan would be developed based on where the behavior is coming from, implemented, and sustain student tracking, monitoring and work with the student.

Mr. Pascucci commented that there is no guarantee the student would be brought back in because the parent(s) may disagree. Mrs. Bandurski agreed the parents could disagree, but if we believe we can provide services for the student we can go to due process.

Mr. Spencer commented that this will be a new position next year and the expectation that parents will go along with this service for out of district placements is not sensible. He believes the position would be more supportable as a warrant article.

Mr. Pascucci expressed concern regarding the district meeting students' needs. He agreed with Mr. Spencer.

Mrs. Bandurski commented that if the position is not approved, we will continue to provide services and contract for services we do not provide, which will increase. She noted that out of district costs could definitely increase.

Mr. Pascucci commented that what he is hearing is fiscal concern, but things could change two years out. Dr. Cochrane indicated that in two years there may not be a need for the position. He noted that we believe we are meeting IEP requirements and students' needs.

Mr. Lambert commented that services could be provided earlier if the position were filled with the default budget.

Mr. Spencer queried about the new teachers program. Mrs. Bandurski indicated that the state gave us permission to run a program for students with specific disabilities (not autism), but the program was cut because the teacher that taught started managing cases. She explained that this is a program that works with student with other educational needs as well and provides academic support. She added that the total number of students that can be in the program is 8.

Mr. Spencer asked about the CHS special education teacher salaries. Mr. Martin indicated that the School Board hired an out of budget teacher this year.

Mr. Spencer asked if the District-wide Bilingual salaries are new. Mrs. Bandurski indicated that there was someone in that position last year. She explained that districts are required to provide for students that are English Language Learners. We screen the student and if the student speaks another language or if another language is spoken in the home, we have to provide the services. She noted there are currently 12 students in the district, which reflects the need for a full time teacher. Mrs. Bandurski added the students are assessed every Spring to determine if the student requires further services.

Mrs. Couture queried about District-wide Conferences & Workshops. Mrs. Bandurski explained that the Social Worker conference was added into this area of the budget as there were no funds set aside in the past.

Mr. Lambert asked about Professional Services/Speech & Language. Mrs. Bandurski commented that the line item is for speech/language services that are for students in the district. Special Services Budget

Mr. Spencer commented that Professional Services has historically been under spent. He asked if the money will be spent if it is not reduced. Mrs. Bandurski indicated that if the students continue to stay with the district and need the services, the money will be spent. She explained that services covered under the line item include nurses, hearing, vision, educational consultant, orientation and mobility, adaptive technology, music therapy, youth transition, independent living, augmentative communication, and alternative education.

Committee members questioned if alternative education is a new program and how it was funded in prior years. Mrs. Couture indicated that the state changed the law mandating that students stay in school until age 18.

Mr. Martin commented that when the law changed districts were required to provide more services. He noted that some of these services were funded with the ARRA grant. Dr. Cochrane commented that before the law changed districts saw a higher dropout rate. Alternative plans were developed and some of the dropouts attended night school to complete graduation.

Tutor Services: Mrs. Bandurski explained that these services are for any student that is incarcerated as well as a student at LMS, which is IEP driven.

Handicapped Tuition: Mr. Spencer asked about RESC. Mrs. Bandurski explained the RESC Academy is a specialized school for students with significant learning disabilities that are not successful in neighborhood schools.

Mr. Spencer asked about the total budgeted for anticipated middle school. Mrs. Bandurski indicated that although we are working on programming and providing appropriate resources to try to avoid getting to that point, concerns were raised about the possibility of this being a need.

Mr. Spencer asked how the total tuition of \$71,000 was determined. Mrs. Bandurski explained that we research the rates for the different schools that service these students.

Mr. Spencer asked about the student that is tuitioned to Hudson. Mrs. Bandurski indicated that it is expected that student will come back into the district. We have an agreement for one year and at the end of the year, we anticipated the student will return to Litchfield.

Mr. Cutter asked about I-Pads that have been budgeted. Mrs. Bandurski indicated that we currently use them and they are phenomenal tools. She explained that the staff is sent to class to learn how to use them and update apps.

Mr. Peeples asked how the software is managed. Mr. Martin noted that it is not managed as there is no platform for them in the network. He commented that Mrs. Bandurski is the only one that can approve and purchase requested apps. Mrs. Bandurski explained that the I-Pads are for student use. If a staff member requests an app a request form is submitted and she researches the app, approves it if it is feasible and beneficial to student learning.

Mr. Cutter questioned the budget request for MP3 players. Mrs. Bandurski indicated that these devices provide access to audio books for visually impaired students, which are less expensive than purchasing an I-Pad.

DW Testing Protocols: Mrs. Bandurski explained these are testing assessments necessary for evaluating students.

Mr. Peeples asked about the budget request for file cabinets under Additional Equipment. Mrs. Bandurski noted that these are for protocols that do not go into the student file, but stay with the evaluator and are required to be stored. These files cannot be copied or shared.

Mr. Pascucci queried about Speech Services and asked why it is budgeted for students that are not in district. Mrs. Bandurski indicated that there are two out of district placements that require these services.

Transportation

Mr. Spencer asked why we budgeting for three buses. Mr. Martin commented that the School Board reduced the third bus. He noted that Special Services will have to contract out for those services and the cost was \$25,000.

Mr. Spencer commented that historically this account is significantly under spent. He asked how it is developed and how the two in district buses are used. Mrs. Bandurski indicated that these buses pick up and drop off students to and from our schools. Dr. Cochrane noted that each bus has two runs in the morning and two runs in the afternoon.

Mr. Spencer commented that we use First Student for district, extended year and midday transportation, and RESC, Summit and Austine, which was incorporated into the First Student budget last year.

Mr. Lambert commented that we have students we are contracted to transport to a number of schools. He asked if we go to competitive bid for these services. Mrs. Bandurski indicated that there are four different companies we research for prices since First Student cannot provide service for all the schools, and we contract to the least expensive company.

Mr. Cutter believes that the transportation cost is \$175,000 in excess. Mrs. Bandurski indicated that what is budgeted is based on actual costs we will incur.

Mr. Spencer expressed concern with the transportation costs for RESC, Summit and Austine schools. He commented that historical numbers suggest costs for transportation to these schools is over budgeted.

Mr. Pascucci asked for clarification regarding Special Services transportation. Mr. Martin indicated that we budget up to 21 months in advance. The Director of Special Services budgets according to the information she receives.

Dr. Cochrane offered to re-examine the numbers and provide additional information on Thursday.

Mr. Martin commented that the district has always been committed to returning any special education money to the community. He noted that this is what we have to spend and if we are short, we will get the money from another area of the budget.

Mr. Lambert was concerned that the figures are a guesstimate. Mr. Martin commented that he supports the Special Services Director's numbers. He explained that there students who are sick and do not attend school (or similar situation) contribute to an under spend.

Mr. Peeples noted that the sentiment of the Committee is to take another look at the numbers and bring the information back to the Committee on Thursday.

Committee members thanked Dr. Cochrane, Mr. Martin, and Mrs. Bandurski for their presentation and their time.

6. MEMBER INPUT

Mr. Pascucci commented that, regarding future enrollments, he heard a new report that 2011 had the lowest birth rate nationally in recorded history. He noted that the trend is declining.

Mr. Spencer commented that Litchfield has been stable at 55-60 births per year.

Mr. Cutter indicated that the local day care centers are full and we need to do a better job attracting people to our town.

Mrs. Couture commented that we are concerned about what the projections say for next year and that we cannot plan five years ahead. Mr. Peeples indicated that he had a discussion with Dr. Cochrane regarding projections. He noted that Dr. Cochrane will address the Budget Committee regarding projections three to four years ahead to avoid spikes in the budget.

Mr. Lambert observed that we have a new bridge that changes the commuting pattern for Litchfield, as well as a free toll on that bridge. He commented that if we improve infrastructure and implement workforce housing in town we could have the dynamics to change our community.

Mr. Peeples indicated that we have looked at those things many times in town government. He noted that there is no reason to move to Litchfield without businesses. He commented that the growth going forward is meager.

Mr. Spencer commented that growth in the school district is declining. He mentioned that payment for the CHS bond will be lower next year and will be paid by 2015. Mr. Peeples commented if we can coast through the next two budgets we will stabilize in two years.

7. PUBLIC INPUT

Jason Guerrette, 11 Perry Court, commented that he was impressed with Mrs. Bandurski and noted she handled herself well. He indicated that there have been deficiencies in special education for the last seven years. He commented spending was impacted because we were not servicing students with needs. Mr. Guerrette commented that he has knowledge that we are not meeting the needs of the students. He indicated that he has spoken to parents of students with needs and they will not complain because they do not trust the system.

Mr. Guerrette commented that, with regard to the Behavioral Specialist, parents will not bring their [out of district placement] children back into the district because they had to fight to get what their children need. He mentioned that principals stated during presentations to the School Board that increases in the budget were “catch up” because of the default. He commented that when the CHS bond is paid, the savings should be returned to the taxpayers. Mr. Guerrette mentioned that Mr. Harte’s budget analysis regarding the tax increase next year was daunting. He indicated that presenting the budget to the voters will be a difficult proposition. He commented that budget reviews are an exercise in futility and that spikes help the taxpayers understand.

- **Upcoming meetings**

The next meeting of the Budget Committee will be held on December 6, 2012.

MOTION: by Mr. Cutter

Move to adjourn.

SECOND: Mrs. Couture

VOTE: 8-0-0

The motion carried unanimously.

There being no further business, the meeting adjourned at 10:35 p.m.

Minutes by: *Michele E. Flynn (Recording Secretary)*

Date approved: **December 11, 2012**