



October 2, 2020

Dear Special Education Local Plan Area Directors:

ALTERNATE DISPUTE RESOLUTION COVID-19 GRANT FOR 2020-21

Since 2015, the California Department of Education (CDE), Special Education Division (SED), has monitored two grants for Alternate Dispute Resolution (ADR). One grant was distributed to 10 special education local plan areas (SELPAs) to carry out specific statewide assignments related to ADR and was allocated in varying amounts based on a selection process conducted when the grant was first authorized. The other grant, the ADR Expansion (ADRE) grant, reflected an increase in the amount of funds allocated for ADR purposes by the California Legislature in the 2015 annual Budget Act.

The Budget Act of 2020 appropriated \$8,600,000 to be allocated by the Superintendent of Public Instruction (SSPI) to SELPAs to assist local educational agencies with establishing and improving local alternative dispute resolutions, in anticipation of an increased number of local disputes related to the COVID-19 pandemic and special education distance learning. These additional funds for the ADR COVID-19 grant will be distributed equitably among applicant SELPAs, with grant amounts calculated based on a formula that considers the number of students with disabilities enrolled in each SELPA.

The application package for the 2020-21 ADR COVID-19 Grant, as well as documents related to expenditure reporting and use of funds, are comprised of the following:

1. ADR COVID-19 Grant Funding Application (Due October 21, 2020)

The application form must be completed and returned to the CDE no later than **October 21, 2020**, so the CDE can calculate the number of ADR COVID-19 grant recipients and grant award amounts for the 2020-21 fiscal year.

2. ADR COVID-19 Grant Budget Summary (Due October 21, 2020)

The grant budget summary form must be completed and returned to the CDE no later than **October 21, 2020**. Please use the form to provide an estimate of the expenditures for the ADR COVID-19 Grant for the 2020-21 fiscal year, and summarize program resources in the line item budget provided.

3. ADR COVID–19 Enhancement Plan (Due October 21, 2020)

As outlined in the Budget Act of 2020, prior to the receipt of funds, SELPAs must develop and submit a plan to the SSPI, via the SED, describing the alternative dispute resolution process to be enhanced, augmented, or developed, and how the agency will offer and use the alternative dispute resolution process to address special education complaints filed by families related to COVID-19 and distance learning.

For convenience, and to ensure all required elements are addressed, the CDE has provided a template for reporting this information. SELPAs are not required to use the template; however, applicant SELPAs must ensure that the Enhancement Plan submitted to the CDE adequately addresses the required information.

4. ADR COVID–19 Report to the Superintendent of Public Instruction (Due April 1, 2021)

As a condition of receiving grant funds, grantees are required to submit a report to the SSPI, via the SED, by April 1, 2021, that includes all of the following information:

- The number of cases mediated through alternative dispute resolution services.
- The number of cases totally resolved by agreement,
- The number of cases refusing alternative dispute resolution services and requesting due process.
- A list of the issues that generated the request for dispute resolution services.
- Any recommendations for the workgroup developing the statewide Individualized Education Program addendum for distance learning template to ensure issues resulting from special education and related service delivery during the COVID–19 pandemic and distance learning are considered and addressed in the development of the addendum template.

For convenience, and to ensure all required elements are addressed, the CDE has provided a template for reporting this information. SELPAs are not required to use the template; however, applicant SELPAs must ensure that the ADR COVID–19 Report to the SSPI submitted to the CDE by April 1, 2021 adequately addresses the required information.

5. ADR COVID–19 Grant Expenditure Report

Please use the grant expenditure report form to report actual expenditures from October 1, 2020, through June 30, 2021. To receive a timely reimbursement of funds, submit the Expenditure Report to the CDE **no later than September 1, 2021**.

Because the ADR COVID–19 grant is funded through federal funds, SELPAs have 24 months to expend the grant award received in the 2020–21 fiscal year. If a SELPA does not expend all the funds allocated during the first year of the grant, the Expenditure Report form should be submitted during the second year of the grant, **no later than September 1, 2022**.

6. Guidance for the Use of ADR COVID–19 Grant Funds

This document provides guidance on federal requirements for the use of ADR COVID–19 grant funds.

Process for Requesting ADR COVID–19 Grant Funds

ADR COVID–19 grant application documents must be submitted via **email**. Please see below for signature requirements on each form. All documents must be submitted to the ADR mailbox at: ADR@cde.ca.gov, attention Venetia Davis, Associate Governmental Program Analyst, **by 4:59 pm on Monday, October 21, 2020** in order to be considered for funding.

To request ADR COVID-19 grant funds, the following documents must be submitted to ADR@cde.ca.gov by 4:59 pm on Monday, October 21, 2020:

- 1) ADR COVID–19 Grant Funding Application
 - **Email a scanned copy of the ADR COVID–19 Grant Funding Application with a wet signature.** The original, signed copy of the ADR COVID–19 Grant Funding Application must subsequently be mailed to the CDE pursuant to the instructions on the form.
- 2) ADR COVID-19 Grant Budget Summary
 - Digital signatures will be accepted on the ADR COVID–19 Grant Budget Summary. Alternatively, applicants may email a scanned copy of the ADR COVID–19 Grant Budget Summary with a wet signature.
- 3) ADR COVID–19 Enhancement Plan

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If you have any questions regarding this grant, please contact Michael Wimberly, Education Programs Consultant, Special Education Division, by phone at 916-319-0377 or by email at mwimberly@cde.ca.gov.

Sincerely,

The signed copy of this correspondence is on file at the California Department of Education. To request a signed copy, please contact Venetia Davis at vdavis@cde.ca.gov.

Heather Calomese, Director
Special Education Division

HC:mw
Enclosures