#### California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING March 25, 2021 – 1:00 p.m. Virtual via Teleconference

Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## AGENDA

**NOTICE**: This meeting will be held virtually only. If members of the public wish to participate in the meeting and/or make public comment, please follow the instructions below to participate telephonically:

#### **PARTICIPATE BY PHONE:**

Dial Access Number: 1-415-655-0003 When prompted - enter Access Code: 133 253 0688 Follow directions as a Participant; an Attendee I.D. is not required to participate.

If you wish to make a public comment at this meeting, prior to the meeting please submit a request to address the Steering and Finance Committee to the recording secretary via fax at 1-760-242-5363 or email <u>jamie.adkins@cahelp.org</u>. Please include your name, contact information and which item you want to address.

<u>Reasonable Accommodation</u>: if you wish to request reasonable accommodation to participate in the meeting telephonically, please contact the recording secretary (via contact information noted above) at least 48 hours prior to the meeting.

#### 1.0 CALL TO ORDER

#### 2.0 ROLL CALL

#### **3.0 PUBLIC PARTICIPATION**

The public is encouraged to participate in the deliberation of the Desert/Mountain Charter SELPA Steering Committee. Several opportunities are available during the meeting for the Council to receive oral communication regarding the presentations of any items listed on the agenda. Please ask for recognition either before a presentation or after the presentation has been completed. Please complete and submit a "Registration Card to Address the Desert/Mountain Charter SELPA Steering Committee" to the Recording Secretary and adhere to the provisions described therein.

#### 4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that the March 25, 2021 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda be approved as presented.

#### 5.0 INFORMATION/ACTION

5.1 Desert/Mountain Charter SELPA D/M 127 Assistive Technology Assessment Referral (ACTION)

Forms used in the operations of special education programs within the Desert/Mountain Charter SELPA are developed, reviewed and revised throughout the year upon the recommendation of the Program Team. Forms are modified as necessary in order to support the operations of special

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education programs in an efficient, effective and legally compliant manner. Suggested revisions to SELPA Forms are submitted to the D/M Charter SELPA Steering Committee for consideration and approval.

5.1.1 **BE IT RESOLVED** that the Desert/Mountain Charter D/M 127 Assistive Technology Assessment Referral be approved as presented.

#### 6.0 CONSENT ITEMS

It is recommended that the Charter Steering Committee consider approving several Agenda items as a Consent list. Consent Items are routine in nature and can be enacted in one motion without further discussion. Consent items may be called up by any Committee Member at the meeting for clarification, discussion, or change.

- 6.1 **BE IT RESOLVED** that the following Consent Items be approved as presented:
  - 6.1.1 Approve the February 18, 2021 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

#### 7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates

Jenae Holtz will present the latest in State and Federal law related to students with disabilities and school law.

7.2 State SELPA Administrators Updates for Monitoring

Jenae Holtz will provide information from State SELPA Administrator's Updates for Monitoring

7.3 Running Reports in Web IEP/Web DA

Jenae Holtz will present information on running reports in Web IEP/Web DA.

7.4 Desert/Mountain Children's Center Client Services Reports

Linda Llamas will present the Desert/Mountain Children's Center Client Services monthly reports.

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- 7.5 Youth Mental Health First Aid (YMHFA) TrainingLinda Llamas will present information on the upcoming Youth Mental Health First Aid (YMHFA) Training.
- 7.6 Professional Learning Summary and Update

Heidi Chavez will present the D/M Charter SELPA's Professional Learning Summary.

7.7 Resolution Support Services Summary

Kathleen Peters will present the D/M Charter SELPA's Resolution Support Services Summary.

7.8 Office of Administrative Hearings Decisions

Kathleen Peters will review Office of Administrative Hearings (OAH) decisions.

7.9 Face Mask Guidance

Kathleen Peters will share legal guidance for face mask compliance in the schools.

7.10 Learning Loss Mitigation

Kathleen Peters will lead a conversation on Learning Loss Mitigation.

7.11 Alternative Dispute Resolution (ADR) Planning Committee Update: ADR Tiered Systems of Support

Kathleen Peters will share updates to ADR planning including draft tiered interventions.

7.12 You Be the Judge

Kathleen Peters will present a You Be the Judge scenario for audience participation.

- 7.13 Career Technical Education Career Day FlyerAdrienne Shepherd-Myles will present Career Technical Education (CTE) Career Day Flyer.
- 7.14 Prevention and Intervention Updates

Kami Murphy will present Prevention and Intervention Updates.

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#### 7.15 Compliance Update

Peggy Dunn will present an update on compliance items from the California Department of Education (CDE).

#### 8.0 FINANCE COMMITTEE REPORTS

#### 9.0 INFORMATION ITEMS

- 9.1 Monthly Occupational & Physical Therapy Services Reports
- 9.2 Upcoming Professional Learning Opportunities

#### **10.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS**

#### **11.0 CEO COMMENTS**

#### **12.0 MATTERS BROUGHT BY THE PUBLIC**

This is the time during the agenda when the Desert/Mountain Charter SELPA Steering Committee is again prepared to receive the comments of the public regarding items on this agenda or any school related special education issue.

When coming to the podium, speakers are requested to give their name and limit their remarks to three minutes.

Persons wishing to make complaints against Desert/Mountain Charter SELPA Steering Committee personnel must have filed an appropriate complaint form prior to the meeting.

When the Desert/Mountain Charter SELPA Steering Committee goes into Closed Session, there will be no further opportunity for citizens to address the Council on items under consideration.

#### **13.0 ADJOURNMENT**

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, April 15, 2021, at 1:00 p.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

Individuals requiring special accommodations for disabilities are requested to contact Jamie Adkins at (760) 955-3555, at least seven days prior to the date of this meeting.

#### **DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA** 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX



### Assistive Technology Assessment Referral

	STUDENT INFOR	MATION			
Student Name:		Date of Birth:			
Medi-Cal No:	Gra	le:	Gender: 🗌 Male 🗌 Female		
Disability:		Medical Diagnosis:			
School Site:					
		LEA of Residence:			
Parent/Guardian:					
Home Phone:	Work Phone:	Othe	er Phone:		
Street Address:		State:			
Mailing Address:					
Current special education services/placement:					
Current special education services/placement:					
Time/day student can be observed performing skill	Vactivity of compound				
Time/day student can be observed performing skin	activity of concern:				
Contact Person:	Contact Phone:		Email:		
	ADDITIONAL INFORMAT	ION REQUIRED			
1. Describe the following area(s) of concern:					
a. Switch Access:		9			
b. Computer Access:					
	X		i		
c. Augmentative Communication:	c. Augmentative Communication:				
2. What question(s) is an Assistive Technology	Assessment intended to answ	ver?			
C V I					
3. Please mark the adaptive equipment current					
		Stander	Communication Device		
		Hand Splints Other:	Body Jacket		
Additional comments: (For example: emotional/b	behavior concerns: medical is	ues: hearing or vision im	pairments. etc.)		
Referred By:	r	Title:			
Contact Phone:	Email Address:				
Special Education Director Signature:					
· · · · · · · · · · · · · · · · · · ·					
ATTACH A COPY OF THE STUDENT'S LAT					
INFORMATION SUCH AS DOCTOR REPORTS, SI	ndegi/danguagerkepor	S, PREVIOUS OF AND/O	K FT REPORTS, ETC.		
<u>PLEASE NOTE</u> : INCOMPLETE REFERRALS WI	LL BE RETURNED FOR COM	PLETION AND RESUBM	ISSION.		

#### California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING February 18, 2021 – 1:00 p.m. Virtual via Teleconference

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#### D/M CHARTER SELPA MEMBERS PRESENT:

Allegiance STEAM – Callie Moreno, Aveson Global – Kelly Jung, Aveson School of Leaders – Chantell Butler, Ballington Academy – Doreen Mulz, Gisella Wong, Desert Trails Preparatory Academy (DTPA) – Sarah Ballard, Debbie Tarver, Elite Academic Academy – Jen Edick, Encore Jr/Sr High – Esther Haskins, Julia Lee Performing Arts Academy – Mikaleen Klepper, LaVerne Elementary Prep (LEPA) – Sarah Ballard, Debbie Tarver, Leonardo da Vinci – Josh Stepner, Odyssey Charter – Chasityflame Price, Pasadena Rosebud Academy – Shawn Brumfield, Taylion High Desert – Brenda Congo and Virtual Prep Academy in Lucerne – Michelle Romaine.

#### CAHELP, SELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Heidi Chavez, Craig Cleveland, Danielle Cote, Peggy Dunn, Adrien Faamausili, Thomas Flores, Bonnie Garcia, Colette Garland, Jenae Holtz, Linda Llamas, Maurica Manibusan, Robin McMullen, Angela Mgbeke, Kami Murphy, Lisa Nash, Sheila Parisian, Kathleen Peters, Karina Quezada, Daria Raines, Jennifer Rountree, Veronica Rousseau, Natalie Sedano, Adrienne Shepherd-Myles, Pamela Strigglers, Theresa Vaughan, and Charis Washington.

#### 1.0 CALL TO ORDER

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Desert/Mountain Charter SELPA Steering and Finance Committee Meeting was called to order by Chairperson Jenae Holtz, at 1:02 p.m., at the Desert/Mountain Educational Service Center, Apple Valley.

#### 2.0 ROLL CALL

#### 3.0 PUBLIC PARTICIPATION

None.

#### 4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that a motion was made by Chantell Butler, seconded by Debbie Tarver, to approve the February 18, 2021 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda as presented. A vote was taken and the following carried 14:0: Ayes: Brumfield, Butler, Congo, Edick, Haskins, Jung, Klepper, Moreno, Price, Romaine, Stepner, Tarver (DTPA), Tarver (LEPA), and Wong. Nays: None, Abstentions: None.

#### 5.0 CONSENT ITEMS

It is recommended that the Charter Steering Committee consider approving several Agenda items as a Consent list. Consent Items are routine in nature and can be enacted in one motion without further discussion. Consent items may be called up by any Committee Member at the meeting for clarification, discussion, or change.

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- 5.1 **BE IT RESOLVED** that a motion was made by Mikaleen Klepper, seconded by Debbie Tarver, to approve the following Consent Items as presented. A vote was taken and the following carried 14:0: Ayes: Brumfield, Butler, Congo, Edick, Haskins, Jung, Klepper, Moreno, Price, Romaine, Stepner, Tarver (DTPA), Tarver (LEPA), and Wong. Nays: None, Abstentions: None.
  - 5.1.1 Approve the January 14, 2021 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

#### 6.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

6.1 Legislative Updates

Jenae Holtz presented the latest in State and Federal law related to students with disabilities and school law. Jenae first presented the 2021-22 Governor's Budget Education Omnibus Trailer Bill. She said there is much talk about the governor's push for preschool and expanded transitional kindergarten along with moneys towards that. There is also information about grants for different opportunities including professional development on social emotional learning and trauma informed practices. Jenae said there will be opportunities in the upcoming year to look at some more funding to help support the LEAs in those areas. Jenae encouraged the committee members to review the document so they are aware of the cleanup language and changes that were discussed at the previous month's meeting including distance learning.

Jenae also spoke about the Legislative Analyst Office: The 2021-22 Budget, Special Education Proposals. It is more information regarding the governor being invested in expanding finances and opportunities for preschool age children.

Jenae shared information from the legal panel that was presented at the February 9, 2021 State SELPA Administrators meeting. She said the information in the PowerPoint provided insight into what is happening in California regarding distance learning and how the LEAs can prepare to avoid due process. Jenae reported the attorneys explained to the administrators to look at COVID-19 and free appropriate public education (FAPE) during two different date ranges: March 13, 2020 through the end of that school year then look at the beginning of this school year and the rest of 2021. The reason is because all schools closed on March 12, 2020 and then decisions were made about when distance learning would start or not start which impacts some of the cases more than others.

Jenae shared information from Atkinson, Andelson, Loya, Ruud, and Romo (AALRR) regarding the case of Student vs Norris School District in which the parent said the district failed to implement the student's IEP by failing to provide appropriately tailored special education or related services to the student from March 18, 2020 through the end of the school year. The school district argued that it complied with state and federal mandates and provided students education

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using appropriate alternative supports and services given the school closure. Jenae stated the Office of Administrative Hearings (OAH) held that the district was obligated to ensure that it provided special education related services identified in the IEP and developed under Individuals with Disabilities Education Act (IDEA) to the extent possible even if direct delivery of those services and supports were delayed or required modification by government directives. Because it did not do so, the district denied the student FAPE. Jenae continued the student also proved that during the relevant time, the district committed procedural violations that significantly impeded the parent's opportunity to participate in the decision-making process and the student's alternate educational program. OAH found the LEA was obligated to provide the parents with Prior Written Notice (PWN) explaining how the LEA proposed to change or modify the student's IEP as an alternate mode of delivery of instruction during the school closure. OAH also said the PWNs could not be a blanket letter to all parents of students with disabilities but instead specific to each child including the impact it would have to their specific education. OAH continued that the LEA should have held an IEP meeting and noted the CDE's guidance provided on April 9, 2020 that there may be instances when amending the IEP to reflect the change to distance learning might be necessary and/or appropriate. OAH did find that the student made academic progress during the 2018-19 and 2019-20 academic school years which justified reducing the compensatory academic hours by a small amount. Jenae said the teacher documenting the ability to test and assess for progress showed that even though the parents were saying the student's rights were violated, the student did show progress. The most important takeaway of this case is the importance of providing notice of the distance learning program.

Jenae then spoke on Student vs Long Beach Unified School District which pertains to the importance of honoring timelines. There were several complaints in the case including the LEA not providing FAPE by failing to implement the consented to IEP services after March 13, 2020 and by failing to convene an IEP team meeting to discuss the implantation of services during school closures in March 2020. The judge found the LEA was out of compliance in holding the IEP meeting but cited it was not that big violation. Jenae stated that timing is significant and that LEAs who immediately began distance learning are being held more accountable for ensuring IEPs were implemented and that there were not many changes. The case findings continued that the student did not show the delivery model was inappropriate or materially different from her October 2019 IEP offer. The judge did find Long Beach USD denied the student FAPE because it did not implement 20% of the students specialized academic instruction for three school days from April 23, 2020 to April 28, 2020. The takeaway in this case is the importance of implementing all P minutes and documenting those minutes.

Jenae reported it is unclear if judges are ordering minute-for-minute compensatory education so it is not known how to calculate what relief might be ordered in a case. She said that is important when presenting the learning loss to stay away from the words compensatory education because that identifies failing to provide FAPE but if it is looked at differently and consists of involving parents in the decisions about recovering some of the loss, it may reduce some filings.

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Jenae continued by providing information from Fagen, Friedman, and Fulfrost in which they provided federal and state guidance on compensatory education, learning loss or compensatory educations, and preparing IEP teams, and proactive steps. CDE guidance on March 20, 2020 was that in exceptional circumstances that affected how a particular service is provided under a student's IEP, the IEP team will need to make individualized decisions regarding whether compensatory services are required when the regular provision of services resumes. Based on federal and state guidance, compensatory education is a term generally sued to describe equitable remedy for the denial of a student's right to FAPE and is ordered as a result of either noncompliance or the demonstration of fault at a due process hearing. This attorney emphasized that the IEP teams should talk about learning loss with parent involvement to assess what kind of learning loss may have occurred. The assumption should be the child is on track and doing well but if there is learning loss, it must be captured. In conversations with the parents, LEAs can show an understanding of the parents frustrations as this has been a hard time for everybody. LEAs can also show that they are open to making up for any learning loss there may be without going through due process. Jenae said this may consist of moving up triennials if it is possible as model references for providing in-person assessments has been provided at previous meetings. Jenae continue that if there are any new concerns, provide student assessment even if a full reassessment is not possible. It is important to have documentation of what parts of the IEP have been implemented during distance learning including what services were been provided, how much time a teacher is spending with the child, was the entire IEP implemented, was the student able to access services, was the student available, what accommodation or adjustments were made to facilitate engagement, was there parent input, and was the LEA trying to get input or waiting for the parent to make contact. Jenae continued that it is also important to be clear on progress or regression on goals. If the IEP team concludes services may need to be increased or additional services needed for a discrete period of time to support learning recovery and not ongoing, clearly state the temporary nature of services on the IEP, including the service page. This includes the specific dates so it is clear to the parent it is not an ongoing increase in services and will be assessed again.

Jenae briefly reviewed the included document from Lozano Smith pertaining to the physical reopening of schools and what is being required to do so. She said guidance has changed since the document was released based on the new federal guidance. This is causing some confusion about where schools are headed and how we are going to get there. Jenae said for California there is still a financial incentive for schools to open as much as possible to get children back in school. The document provides checklist that can be used by LEAs to determine if they are ready to bring students back on campus, what will need to be in place, and if the LEAs will make staff vaccines mandatory. Jenae stated LEA administrators, superintendents, and boards can make the decision whether vaccines are a requirement of employment. The document also included a guide on how to do assessments. Jenae stressed that it is important that if assessments will be done virtually, to research if the assessment is available on the internet and if there are any virtual norms and what the recommendations are as this is part of due diligence in case of due process.

#### California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING February 18, 2021 – 1:00 p.m. Virtual via Teleconference

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#### 6.2 CALPADS Reports for Special Education Directors

Jenae Holtz provided information on a learning opportunity *CALPADS Reports for Special Education Directors*. Jenae encouraged all directors to attend the meeting that is scheduled for February 26, 2021 at 8:00am-9:00am. She said it will be facilitated by Heather DiFede who is a SELPA administrator and is well versed in CalPads and CASEMIS. There is no registration required but it is limited to the first 300 participants.

Colette Garland said it is great opportunity to come together and learn about the CalPads reports.

#### 6.3 California State Testing Update

Jenae Holtz called on Karina Quezada to present the latest California state testing update. Karina said as of this today, we are under the guidance last provided by CDE and Educational Testing Service (ETS) based on the January 27, 2021 meeting stating that state testing will continue remotely. Karina said the documents in the meeting materials pertain to alternate assessments including California Alternate Assessment (CAA) and Ventura County Comprehensive Alternate Language Proficiency Survey (VCCALPS). It is being recommended these alternate assessments be administered in-person following local health guidelines. The reason is that these assessments require many modifications that are not able to be done remotely. Karina said trainings have been provided to testing coordinators to assist them in becoming familiar with the technology that will be required.

Karina shared that as of February 10, 2021 the State Board of Education agenda had an item that would suspend state testing but the item was removed and the meeting cancelled. Karina said the website had a notice that the meeting will be rescheduled once they receive notification from the Federal Department of Education as to whether state testing will be suspended this year. She said the CDE was expecting the testing to be suspended but since it has not, Karina advised to expect state testing to be required and make preparations for training. She reminded the committee the English Language Proficiencies Assessment for California (ELPAC) window opened February 1, 2021. Karina said to test the systems because some LEAs are having issues.

Karina confirmed that the in-person option has been removed for both the ELA and math portions of state testing for this school year.

Karina also confirmed that if a parent does not want their child to participate in the in-person alternate assessment, they have the right to opt out of California Assessment of Student Performance and Progress (CAASPP) including CAA. However, parents do not have the right to opt out of federal mandated testing such as ELPAC. Karina said if parents express that they do not want their child to participate in in-person testing, assure them the LEA is following all procedures and precautions required by local health authority to keep their children and staff safe.

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Karina shared that if there is not a certain percentage of participation in testing, the LEA is at risk of being out of compliance and may have to write a Special Education Plan (SEP).

Jenae Holtz said if a parent states they do not want their child to participate in testing because of COVID-19, have them put it in writing. A written statement from the parent that they do not want their child to participate in this period of testing due to COVID-19 can be shown to the state proving the LEA made attempts. She said this does not apply to parents who simply do not want their children to take the assessments. Jenae shared that it is about conversations with parents and explaining what is being done to keep their children safe during in-person assessments.

When asked about providing non-embedded accommodations for remote testing, Karina responded that she did view the platform and non-embedded accommodations would need creative thinking. She said that physical resources such as different paper types, may have to be mailed or dropped off to the child. Karina confirmed with ETS that Read Aloud cannot be done in virtual administration of testing and they recommend to instead use text-to-talk.

6.4 Inclusion Collaborative-Ways 2 Equity

Jenae Holtz provided information regarding Inclusion Collaborative-Ways 2 Equity. She said they have a very helpful tool book to help schools in changing equitable and inequitable practices. Jenae reported the correct link is www.Inclusioncollaborative.org and then Ways 2 Equity is available.

6.5 Desert/Mountain Children's Center Client Services Reports

Linda Llamas presented the Desert/Mountain Children's Center Client (DMCC) Services monthly reports. She asked to be contacted if any discrepancies were found. Linda stated DMCC continues to accept referrals and provide services remotely and in some instances, in-person. Linda said to contact her with any questions about DMCC services.

6.6 Critical Incident Skills Management (CISM) Virtual Protocol

Linda Llamas called on Robin McMullen to present on the virtual implementation of Critical Incident Skills Management/Crisis Response. Robin McMullen reported the outline of both LEA and DMCC responsibilities during this time of virtual services. Robin stated the difference between the in-person and virtual, is that parental consent is need in the virtual setting. She said the reason for the parental agreement is to ensure the safety of the student during the debriefing in case the student digresses, becomes emotionally distressed or if they present as a danger to themselves or others. The LEA staff and/or administrators is to collect the parental signature on the document. Robin presented the sample letter that can be provided on the LEA letterhead to let parents know when a critical incident has occurred. She said the school administrator or designee must have the parental agreement form must be signed by the parent prior to DMCC providing

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virtual services for the critical incident. The LEA must know the location of the student and in advance of the debriefing, the parent has agreed to provide a responsible adult that will remain on the premises of the child throughout the entire debriefing time to provide supervision and safety for the child in case the child becomes extremely distressed or presents as a danger to themselves or others. The form collects the name and physical location of the student, the name and the phone number of the person who will be present for the child. Robin stressed the adult who is on premises will not attend the Zoom sessions with the child but is available in case of an emergency to be contacted by the LEA faculty or someone from the Critical Incident Response Intervention Team.

6.7 Professional Learning Summary and Updates

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary and Updates. Heidi highlighted there will be a Directors' Training on Social Emotional Health after D/M SELPA Steering and Finance Committee which is approximately 11:00am on February 19, 2021. She asked those who plan to attend to register. Heidi said she emailed a survey to the directors asking for input on professional learning topics for the 2021-22 school year and asked directors who have not completed the survey to please do so in order to help with planning.

#### 6.8 Resolution Support Services Summary

Kathleen Peters presented the D/M Charter SELPA's Resolution Support Services Summary. Kathleen shared D/M Charter SELPA does not have any new cases and she attributes that to having great relationships and communications with the parents as well as being able to look at alternative approaches to learning. Kathleen shared the Alternative Dispute Resolutions Process Committee has great representation from both D/M Charter SELPA and D/M SELPA LEAs including Lisa Nash, Adrien Faamausili, LaDay Smith, Vici Miller, Matt Fedders, Tanya Benitez, Debbie Tarver, and Keith Belton. During the first meeting, they discussed and defined facilitated IEP meeting and local resolution meeting. Kathleen said alternate dispute resolution previously referred to what is now being called local resolution. She explained the reason for the change is dispute resolution is a phrase used in due process and causes confusion when at the local level. Kathleen stated as an organization, we will consider alternative dispute resolution as the umbrella for solving conflicts, alternative methods being the facilitated IEP and the local resolution meeting prior to or separate from due process filings. She defined Facilitated IEP as a meeting in which a neutral facilitator from SELPA guides the LEA team through an IEP from beginning to end with the program specialist working closely with the LEA case carrier or special education director to build parent trust and create solutions with the parent. Kathleen then defined the local resolution meeting as being needed in instances of a disagreement on a specific provision of FAPE. She said currently program specialist Karina Quezada is the person who brings the parties together that have a direct impact on the specific piece of the IEP that is in dispute and guides them through the process of coming to a mutual understanding and compromise on the services that will be provided. Kathleen said the definitions of the meeting types will be part of the policies and procedures after going through the approval process but wanted to ensure the committee member were made aware of the

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language. Kathleen shared that in the planning committee meeting, they also discussed the different training opportunities the program specialists have participated in to keep their facilitation skills sharp and ready to support as needed. Kathleen reported the next ADR Planning Committee meeting is scheduled for February 24, 2021 at 1:00pm and asked for anyone interested in attending the meeting to contact her so she can share the meeting link. Kathleen shared the meeting will consist of developing a tiered intervention system of supports as an ADR continuum that will include at the first level, steps for intervention at the LEA level. She said the tier one level is intended to provide guidance to the LEAs in addressing parent concerns immediately before reaching out to the ADR team.

Kathleen shared there was a great School Psychologist Collaborative training earlier in the week with Rekesha Lane of Best, Best, and Krieger presenting on defensible assessment reports. She said there were participants from many of our LEAs in attendance which shows they are interested in learning about writing this type of reports. Kathleen reported the D/M SELPA and Charter SELPA team is developing a new training to address assessment writing to be implemented next year.

Lisa Nash shared You be the Judge from Special Education Connection pertaining to an Office for Civil Rights (OCR) bullying complaint involving Pajaro Valley USD in California. Lisa explained OCR is a department within the United States Department of Education that has broad enforcement rights over many different civil rights laws such as Section 504, Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act, and Title IX. She said that any educational agency or other agency that receives federal funding through the Department of Education is subject to OCR enforcement. Lisa reported that though the school had a bullying protocol and did appropriate investigation into the claims of bullying, they failed to convene an IEP team meeting to address how the child might have been affected by the bullying and to make modification to his educational program as a result of those affects. She shared that in prior school years, OCR has been involved in bullying cases as they are commonly related to disability discrimination.

#### 6.9 Office of Administrative Hearings Decisions

Kathleen Peters reported there are no new Office of Administrative Hearings (OAH) decisions to be presented. She also shared information from AALRR including a Federal and State Court Hierarchy tier. The lower level of the tiers is OAH and when those cases are appealed, they move up to the Ninth Circuit or State Appellate Court then from there, cases go to the Supreme Court.

Kathleen continued in the AALRR information to the Student vs LAUSD case and stated that when IEP goals are written for a student, it is important that goals are not environment specific but instead focus on the necessary skill that needs to be addressed.

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#### 6.10 Mitigating Learning Loss Risk in COVID-19

Kathleen Peters provided information on mitigating learning loss risk in COVID-19 by sharing a PowerPoint presentation. She stated learning loss is not from failure to provide FAPE. It could be from an LEA being unable to provide all services in the IEP through remote learning, when all services are provided remotely but not as effectively as if provided in-person, and as a result of school closure. Kathleen included explanations of Compensatory Education and Learning Loss Recovery in her PowerPoint to assist in educating LEA staff. She said that it is not too early for LEAs to provide interventions to close the learning loss gap. Kathleen said the first step is evaluating each child's academic progress toward their goals and how their current level compares to an earlier assessment. She said to look at the data to compare what the child was expected to gain with actual progress. Kathleen suggested considering the availability and ability level of the student, regression in skills, and services and supports that the student needs to bridge the gap. She continued that LEAs will need to look outside of the box for ways to provide student support in non-traditional ways. Kathleen reported there are multiple data points that will need to be reviewed and pointed out LEAs that provided Extended School Year (ESY) provided additional opportunities can count that towards efforts in providing for learning loss. Data will come from teacher data logs, reports on progress towards goals, diagnostic assessments, service provider data logs, evaluation of student engagement levels, as well as parent input. Kathleen stated that fiscal resources will need to be designated to bridge the learning loss gap so each LEA will need to determine their own budget. She said IEP meetings must be held but the information can be included in an IEP meeting already scheduled. IEP teams must present the information on the student's learning loss including the data, facts, and what plans the LEA has to bridge the gap and how the parents can contribute to the plan as well. Kathleen said it is important to determine if IEPs were implemented as written and if it was not, take the time to become compliant and write the appropriate PWNs. She continued that if a provision of FAPE was changed and document in a distance learning plan, the needs to be a change to the IEP. Kathleen said to consider what new concerns may have surfaced during virtual instruction including in the are of mental health and get a system put in place right away. Kathleen stated that parents want to know the LEAs have a plan for when the students return to in-person instruction and that their children's needs will not be ignored. Kathleen pointed out that LEAs must consider if learning loss for students in special education was beyond that of the general education population and stated it is the LEAs responsibility to provided for the learning loss within the scope of what general education also lost. Kathleen highlighted possibilities for provision of learning loss services including possibly additional instructional assistants in classrooms, providing afterschool small group instruction, increasing daily hours or length of ESY. This will bolster support that is already in existence and can only be considered learning loss recoupment or service recoupment if it goes above and beyond what would have already been provided. Kathleen said judges can find that if LEA staff cannot provide services, non-public agencies should be utilized. She emphasized the importance of providing additional supports to students and to continually update and monitor student progress.

### **MINUTES**

#### 6.11 Addressing Assessment Requests During COVID-19

Kathleen Peters called on Sheila Parisian to address assessment requests during COVID-19. Sheila said that there has been in increase in assessments as students who were not previously identified for special education are having challenges with virtual learning. As parents are seeing a decline in their child's engagement and grades, they are requesting assessments. She continued that students with 504 plans are requesting additional supports as well because they are also facing additional challenges. Sheila stated Senate Bill 117 does not waive special education timelines imposed by federal law. This means LEAs must move forward with Child Find obligations as there are no exceptions for delaying or not assessing. Sheila reported if there is a delay in assessing, the LEAs will still be inundated with assessments when in-person learning resumes. She continued that some school psychologists and teachers are not moving forward because they cannot assess in-person or in the child's educational environment. Sheila said that at the SELPA Educational Psychologist meeting on 02/17/2021, they were instructed to treat distance learning as the student's current educational environment and note how the student interacts with peers, how the student is engaging and how they are participating during distance learning. These observations are to be done in multiple subject areas to include area where students are being successful and unsuccessful so data can be compared accurately. She also said if using an instrument for assessment that is not normal for virtual, ensure the assessor notates a disclaimer or validity statement that the instrument used is not normal for virtual, but is used as an information gathering tool. Sheila continued that if the assessor believes any results and/or interpretation of the results were impacted by the virtual assessment then it should be clearly documented in the testing section. Sheila provided instruction for triennials to continue to conduct parts of the assessment that can be done virtually to document the continued presence of a disability and the need for special academic services to access curriculum. If there is an area that cannot be assessed virtually, work with the parents to provide interim supports to assist the child now then make a notation in the report that once in-person resumes, those missing assessments will be completed. The notes are to state why an assessment cannot be completed virtually and why the interim supports were selected. Sheila cited the following resources: CDE posted frequent Special Education guidance updates COVID-19. for https://www.cde.ca.gov/ls/he/hn/specialedcovid19guidance.asp. USDOE continues to provide updates and Special Education guidance for COVID-19. https://sites.ed.gov/idea/topicareas/#COVID-19. School Psychology Practice during COVID Series#1-Assessment Guidance https://casponline.org/pdfs/publications/covid/CASP%20Online%20Assessment%20Resource% 20Paper.pdf.

#### 6.12 GenerationGo! Program

Adrienne Shepherd-Myles shared the GenerationGo! is a program with Workforce Development Department and is in its third year. The program provides students with paid work experience and is able to pay for vocational training including cosmetology, certified nurse assistant (CNA), pharmacy technician and others. The students must be 16 to 24 years of age and out of school.

### **MINUTES**

Adrienne said the program is not only for students with disabilities but also provides opportunity to students who have dropped out of school, been incarcerated, are parenting youth, foster youth, and homeless youth. Adrienne asked the committee to share with anyone who may fit the criteria and would be interested in the opportunity. She shared there are currently 19 spots open and if they do fill up, there will be a wait list for the upcoming school year.

6.13 Prevention and Intervention Mid-Year Reports and Updates

Kami Murphy presented Prevention and Intervention Mid-Year Reports and updates. She shared that the Prevention and Intervention department receives funding from different sources and the mid-year reports are provided to them. Kami highlighted a few items that showed that even in the scope of virtual training, the team is providing supports. She reported that last year there were 2,223 participants and that will be much larger with virtual climate this year. She continued that a large portion of the support that has been provided this year has been customized with 59% being in a coaching format. Kami also highlighted the outreach team is doing large amounts of family engagement across the whole organization with different partners from different areas. She said there have also been many cultural responsiveness trainings offered as it has been one of the top requested trainings. Kami reminded the committee that the School Climate Survey is available for all LEAs as discussed at the January 14, 2021 D/M Charter SELPA Steering and Finance Committee Meeting.

Kami shared the California PBIS Virtual Conference will be held on March 2, 2021 with two keynote speakers that will speak on equity. The information provided is research-based and the registration fee is \$40.00.

Kami presented information on *Getting to Know Us: CAHELP Program and Services, Discover What we Have to Offer.* Kami said our organization has numerous departments and will be sharing the different areas in the organization and how to better access all there is. It is scheduled for March 10, 2021 from 1:00pm-2:30pm and is free.

Natalie Sedano presented information on *Work Life Balance: Being Mindful of the Present Moment.* She shared it is about self-care and how it can be incorporated into all of our lives as adults and for our students. It is scheduled for March 16, 2021 from 2:00pm-3:30pm and is free to attend.

#### 6.14 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She said she received an email last week from CDE that the review of the D/M SELPA and Charter SELPA Special Education Plans (SEP) have been completed. There were five charter LEAs that need minor corrections and Peggy has notified those special education directors as well as the appropriate program specialists. The corrections are due back to CDE by February

### **MINUTES**

22, 2021 so Peggy would like them submitted to her by February 19, 2021 for review before resubmitting to CDE. Peggy said the full SEP is to be submitted, not just the corrections. Peggy asked to be contacted with any questions.

Colette Garland reported that CDE continues to want a reduction of 20% in Data Identified NonCompliance (DINCS). CDE is focusing on Plan 30s which are IEPs with signed assessment plans but the initial meeting has not happened yet. Colette shared the data pull was done on January 25, 2021 which was right before certification. She is hopeful those meetings have now taken place and will be going to CalPads after the data pull. Colette said she has not seen the student lists yet because they were mailed directly to the special education directors. Colette reported there was a programmer meeting today and it was found out that if a parent revoked the IEP process so the LEA was not able to move forward with the meeting, it needs to be removed from CalPads. Colette asked to be notified so she can work with the CalPads coordinator to remove the record.

Colette reported CalPads certification is completed and all of the charters were certified by the February deadline. She shared that common errors across the state are 0438 and 132. Colette said it is important CalPads to be checked for each new student to ensure there are no special education records the LEA has not been notified of. Colette said CalPads jobs must be submitted daily and not held.

Colette shared that some commonly requested reports from Web DA and Web IEP will be made available for the LEAs to access without having to wait for her or Terri Nelson. She said these reports will include student lists and class lists as well as reviews so the LEAs can see where their overdue annuals and triennials are falling. She added there are Web IEP status reports that will allow LEAs to see which IEPs are showing as past due or in progress. Colette reported she and Terri will still be available to assist and support LEAs but also wants the LEAs to have easy access. Colette explained there is a booklet with all needed information that will be emailed no later than February 23, 2021.

Jenae Holtz said in talking with the Peggy Dunn, Colette, and the programmer about the requests for reports that are received, it is important for the LEAs to have the independence to be able to run CalPads reports for information needed immediately without having to wait for a response. Jenae said we are still here to support the LEAs and answer questions but also wanted to empower the LEAs.

#### 7.0 FINANCE COMMITTEE REPORTS

#### 8.0 INFORMATION ITEMS

8.1 Monthly Occupational & Physical Therapy Services Reports

### **MINUTES**

#### 8.2 Upcoming Professional Learning Opportunities

The following trainings were highlighted: Forms and Facts 101, Present Levels of Performance (PLOPs), Goals, and Educational Benefit, Crisis Prevention Institute (CPI) Flex-Blended Learning, Arts Integration: Leveraging the ART of Learning, Student Discipline: Manifestation Determination, Universal Design for Learning in a Flash, and Social Justice for Students-A Behavioral Perspective.

#### 9.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

#### **10.0 CEO COMMENTS**

Jenae Holtz said the organization is here to support and walk alongside the LEAs as we go through these times.

#### 11.0 MATTERS BROUGHT BY THE PUBLIC

None.

#### **12.0 ADJOURNMENT**

Having no further business to discuss, a motion was made by Debbie Tarver, seconded by Shawn Brumfield, to adjourn the meeting. A vote was taken and the following carried 14:0: Ayes: Brumfield, Butler, Congo, Edick, Haskins, Jung, Klepper, Moreno, Price, Romaine, Stepner, Tarver (DTPA), Tarver (LEPA), and Wong. Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, March 18, 2021, at 1:00 p.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

Individuals requiring special accommodations for disabilities are requested to contact Jamie Adkins at (760) 955-3555, at least seven days prior to the date of this meeting.

# SELPA Administrators March Legislative Update

Alice Kessler, Greenberg Traurig

Erin Evans-Fudem, Lighthouse Public Affairs

## **Legislative Calendar**

- The bill introduction deadline was February 19<sup>th</sup>
- Entering busy season for policy and budget committees
- Spring Recess is from March 25th April 5<sup>th</sup>
- April 30<sup>th</sup> is the last day for policy committees to meet and report to fiscal committees fiscal bills introduced in their house of origin

## **Support Bills**

AB 126 (E. Garcia) – Special Education Programs: Family Empowerment Centers

Status: Awaiting a hearing date in Assembly Education Committee

## **Bills of Interest**

- AB 86 (Committee on Budget) School Reopening; Governor to sign this morning
- SB 328 (Portantino) school start time clean-up; expresses the intent of the Legislature to define "rural school district" and "rural charter school" for the purposes of exemption
- AB 552 (Quirk-Silva) Integrated School-Based Behavioral Health Partnership Program
- AB 555 (Lackey) Special Education Assistive Technology
- AB 586 (O'Donnell) Pupil Health: Mental Health Services Funding
- AB 967 (Frazier) Special Education spot bill likely ADR vehicle

## Bills of interest

- SB 237 (Portantino) Dyslexia Risk Screening
- SB 291 (Stern) ACSE Pupil Advisory Council
- SB 508 (Stern) Mental health Coverage: School-Based Services
- SB 692 (Cortese) LCAP State Priorities: LRE

## **Education Budget Update**

- School Reopening deal dragged on longer than anticipated; start dates about 3 weeks later than hoped for
- Per AB 86, a total of \$6.6 billion in one-time Proposition 98 General Fund for In-Person Instruction and Expanded Learning Opportunities Grants
  - \$2B in incentives for schools that reopen for special needs and other students
  - \$4.6B in Expanded Learning Opportunities Grants for programs such as summer school, tutoring, professional development, and social-emotional wellbeing supports

# Questions?

## **SELPA Updates for Monitoring**

Shiyloh Duncan-Becerril, Associate Director Jack Brimhall, Monitoring Administrator



TONY THURMOND State Superintendent of Public Instruction

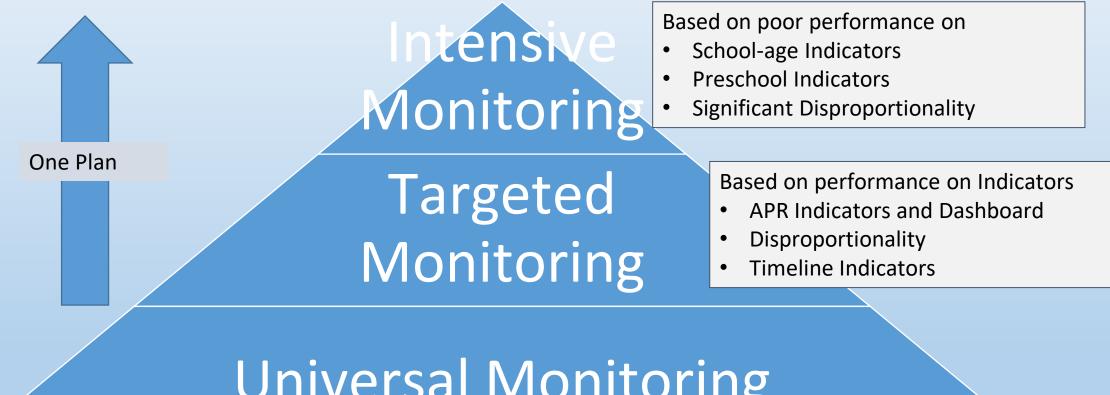
## What we know

- Monitoring will continue this Spring and Fall with modifications
- Focus on monitoring will be in two key areas:
  - Initial Assessments of Eligibility (Spring 2021) and Annual IEPs/Triennials (Fall 2021)
  - Disproportionality-Federal requirement

## Monitoring for the rest of the school year



## CDE's Monitoring Structure (as Designed)

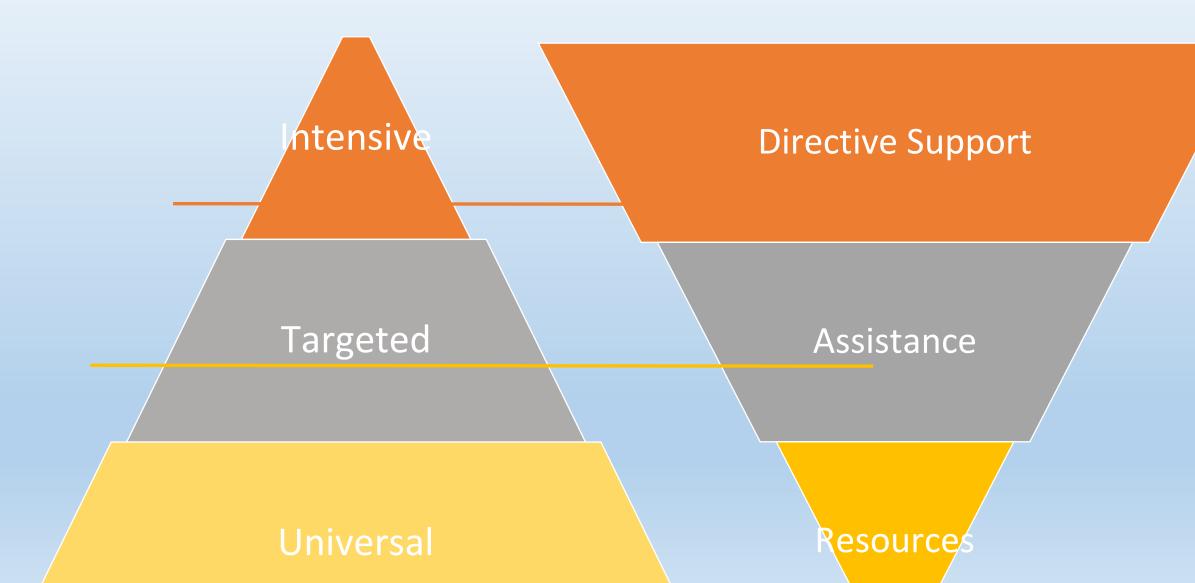


## **Universal Monitoring**

## What we know for Monitoring next year

- Data for selection will continue to be an issue
- Assessment data will not be used for accountability
  - The CDE will not use it for monitoring
- Tiers of monitoring will remain the same...but LEAs selection for each Tier will be different
  - How LEAs are in Tiers will differ
    - LEAs with lots of overdue assessments and IEPs will climb to the top of the pyramid
    - LEAs unable to hold IEPs and assessments will climb to the top of the pyramid
    - LEAs with students with LONG overdue IEPS and assessments will climb to the top of the pyramid
- The focus of monitoring will be on building high-quality, responsive IEPs designed to address the needs of the child and improve their outcomes.
- The CDE will match the top tier of monitoring with technical assistance.

## Monitoring in the 2021-22



# Other questions?

<u>SELPA System II/Management Information System (WebDA/WebIEP)</u>

## **MANAGEMENT INFORMATION SYSTEMS (MIS)**

## WEBDA AND WEBIEP

## **STANDARD REPORTS**



HEALTH & EDUCATION LINKED PROFESSIONS

## Within each report are criteria to be selected to produce report(s) for specified segments of the special education population. Some of the criteria choices include:

Attending School	Specific Teacher	Range of Grade Levels	Range of Ages
Specific Dist. of Service	Specific Dist. of Residence	Specific Disability	Specific Service Code(s)
Specific Ethnicity	Specific Gender	Range of IEP Dates	Range of Triennial Dates

These are some of the criteria options that can be used when running reports. Please refer to the actual report screen for more details.

## **Standard Reports located in WebDA:**

1

Attendance Report	This report produces a form that may be used for taking attendance in the		
	classroom. Both primary and duplicate attendance forms are available.		
Testing Participation	California Assessment of Student Performance and Progress (formerly the STAR		
Reports	Tests) This report will produce serval types of reports.		
	1. CAASPP and Science Exception List		
	2. CAASPP and Science Participation Report		
	3. Count of Students by School and Grade		
	4. CAASPP and Science Participation with Residence		
	5. Labels		
CAHSEE Participation	This report produces three different types of reports.		
(Test suspended)	1. CAHSEE Exception List		
	2. CAHSEE Participation List		
	3. Labels		
CALPADS Reports	1. By Disability Codes (By Count)		
(formerly CASEMIS)	2. By Services (could be duplicates)		
	3. Student List		
	4. CALPADS Student Verification		
Class Lists	This report can show duplicate students. The student will appear on this list for		
	each service that is being provided. This report produces several types of reports.		
	1. Standard Class list with a "remarks" line for each student		
	2. Standard Class list with all services listed		
	3. Detailed Standard Class list showing interval, minutes, and frequency		
X	4. Service Provider List		
	5. Student Roster – similar to class list		
	6. Class list with Review dates		
	<ol> <li>Home School Report shows the student's home school and district of residence</li> </ol>		

<b>Compliance Reports</b>	These reports produce information regarding the 60-day timeline.
	1. List all students with delay of more than 60 days between consent and
	initial
	2. List of all students whose initial IEP occurred AFTER 3 <sup>rd</sup> birthday
	3. By Count, By District
Discipline Reports	These reports produce four different types of reports pertaining to expulsion and
(tracked by CALPADS)	suspension incidents for any given time period
	1. Discipline Report (by district)
	2. Discipline List
	3. Suspension Days Report
	4. Detailed discipline Report
	5. Discipline SDT
	6. Discipline SDT Blank
DRDP Reports	These reports produce information on the Desired Results Developmental Project
(Submission Online)	(DRDP) for students being served in the preschool grade
	<ol> <li>Students with DRDP's (Spring and Fall Submission)</li> <li>DRDP Verification</li> </ol>
	<ol> <li>DRDP verification</li> <li>Students with Errors</li> </ol>
	4. No DRDPs
Entry Date Reports	This report produces an Entry Date list showing all students with an original Sp.
Life y Date Reports	Ed. Entry date in a specific date range
Exit Date Reports	This set of reports produces the following types of reports for students with an exit
<i> </i>	date in a specific date range
	1. Summary Exit List
	2. Exit Report
	3. Labels
Labels	A variety of mailing labels in various sizes may be printed, addressed to one of the
	following
	1. To The Parents Of: (student name w/ address)
	2. Parent Name and Address
	3. Student Name and Address
	<ol> <li>Student Name Only</li> <li>Parent Name Only</li> </ol>
LCI Reports	These reports produce information on students living in LCIs. The four types of
LCI Reports	reports are:
	1. All Students (unduplicated)
	2. By District
	3. By Residency
	4. By LCI Name
OCR Reports	These reports are configured to produce tables as required by the <i>Office of Civil</i>
	<i>Rights</i> . The reports will be updated annually to reflect requirements by the Office
7	Of Civil Rights (OCR). At the present time the following are available
	1. Table 7
	2. Table 10
	3. Table 11
	4. Teacher List

2 Faucette Micro Systems with Desert/Mountain SELPA and Desert/Mountain Charter SELPA – Revised 1/2020

Performance Indicators	<ul> <li>This group of reports will produce in the format of a Student List or a Student List by School for the following performance indicators <ol> <li>Ages 6 to 22, % of time our of regular classroom</li> <li>Ages 3 to 5, preschool setting codes</li> <li>Ages 0 to 22, 60 day timeline showing: <ol> <li>Plan Type, Last IEP, Last Tri, Entry Date, Exit Date, Referral date, Parent</li> <li>Consent date, 60 Day Timeline, Date of Initial Evaluation</li> </ol> </li> <li>3<sup>rd</sup> Birthday timeline showing: <ol> <li>Last IEP, Last Tri, Entry Date, Exit Date, Date Dirth date, 2<sup>rd</sup></li> </ol> </li> </ol></li></ul>
	<ul> <li>Last IEP, Last Tri, Entry Date, Exit Date, Referral Date, Birthdate, 3<sup>rd</sup></li> <li>Birthday Timeline, Delay Reason</li> <li>Transition services for Ages 16 and over showing:         <ul> <li>Plan Type, Last IEP, Last Tri, Entry Date, Transition Service</li> </ul> </li> </ul>
Plan Type 70, 80, 90	<ul> <li>This report will produce reports for students whose plans are</li> <li>70 - Eligible No Plan Parentally placed in private school/parent declines offer</li> <li>80 - Eligible No Plan - Other Reasons</li> <li>90 - Not Eligible for special education <ol> <li>Labels</li> <li>Student Addresses</li> <li>Student Lists</li> </ol> </li> </ul>
Post-Secondary Reports <u>Reminder:</u> Always for prior year.	<ul> <li>These reports are designed to assist districts in reporting on students that have left high school and post secondary classes. There are four reports available,</li> <li>1. Student Lists</li> <li>2. Student Reports</li> <li>3. Mailing Labels</li> <li>4. Post Secondary Letter (can be printed on district letterhead and mailed out)</li> </ul>
Future Services Report <u>(formerly</u> <u>Promote Reports)</u>	<ul> <li>There are several reports and lists that can be produced based on the data contained in the "Promote" screen of the student record.</li> <li>1. Projected Promote reports: Class List, Standard Class List, Detailed Class List, Student List, Student Addresses</li> <li>2. Retained Student Lists</li> <li>3. Promote Exception List</li> <li>4. Projected Pupil Count (by School and/or Teacher)</li> <li>5. Home School Report</li> <li>6. Labels</li> </ul>
Pupil Primary Service Report	These reports will show the primary service for each student and group by primary service to show totals for each type of primary service by school.

Reviews	These reports show the IEP and Triennial review dates for each student. There are several reports to show out of compliance and/or future review dates. 1. Annual Reviews 2. Triennial Reviews 3. Combo Annual/Triennial Reviews 4. Non-Current IEP/Tri Review 5. IEP/Tri Future List 6. IEP/Tri with Teacher Name 7. Annual/Triennial reviews her District of Pacidenee (Service)
	<ol> <li>Annual/Triennial reviews by District of Residence/Service</li> <li>Count of Overdue Reviews by Site</li> </ol>
Served Out of District	<ul> <li>These reports are to show all students attending programs outside of their resident district.</li> <li>1. Student List</li> <li>2. Non-Residence Services</li> <li>3. Detailed List</li> <li>4. Address List</li> </ul>
Service History Report	This report will show all service, both past and present, received by a student (current or exited).
Site Table Report	This report will print a list of all sites in the MIS system for any particular district. Simple or detailed list can be obtained.
SSID Report/SSID Requests	<ul> <li>This report will produce information on the Statewide Student Identifier (SSID) for any student. THIS WILL BE REQUIRED FOR ALL PUPIL COUNTS <ol> <li>Has ID</li> <li>No ID</li> <li>Not Filtered (all students)</li> <li>Per District</li> </ol> </li> </ul>
Student Addresses	<ul> <li>This simple student listing report is available in four different format</li> <li>1. List including student home address</li> <li>2. List including home address and phone number</li> <li>3. List including home address and resident school</li> <li>4. List of students, sorted by attending school/residence address</li> </ul>
Student Data Transmittal Form	This will print out an SDT form for each student. The SDT may be printed individually or for various groups depending on criteria chosen. You may also print out a blank SDT form. There is also a set of CASEMIS codes available here
Student Lists	This report is the most used report in the MIS system. The student list report is an UNDUPLICATED list of students in your district.
Teacher Reports	<ul> <li>These reports are produced to give you teacher/class number information</li> <li>1. Teacher List/Labels</li> <li>2. Teacher Caseload Report (duplicated and unduplicated)</li> <li>3. Teacher/Class Numbers</li> <li>4. Teacher/Student Count</li> </ul>

Transition Reports	These reports are produced to give the user access to the Transition data as reported							
	to CDE. TRAN REG Options #1-8 are in grid format.							
	1. Student List							
	2. Student Report							
	3. District of Service Count							
	4. District of Service/School Count							
	1. Reports default to students greater than or equal to 14 but age range can							
	also be selected in the criteria. Users also have the option of retrieving							
	missing data only. SELPA to run utility to populate data from WebIEP to							
	DA on a monthly basis.							
<b>Transportation Reports</b>	These reports will produce information on student transportation with the							
	following available formats. SELPA WILL RUN CUSTOM REPORT ON							
	MONTHLY BASIS.							
	2. Bus Service Request (BSR)							
	3. BSR Blanks							
	4. BSR Summary List							
	1. BSR Detailed Report							
Verification Reports	There are various verification reports available to help detect errors in the data for							
_	the student records							
	2. Student Verification Report							
	3. Discipline Verification Report							
	4. Low Incidence Exception Report							
	Post-Secondary Verification Report							

When Choosing Reports, click on the **REPORT** button at the home WebDA screen as shown below:

	Benet	
SELPA System II Web DA System	Select the Report then press	Menu the Report Button Close
Students Add Student Reports My Account Admin Utilities About WebDA Logout	Attendance Reports     CAHSEE Participation     CAHSEE Participation     CAHSEE Participation     CAHSEE Participation     Cany Lists     Compliance Reports     Menu     Discipline Reports     Discipline Reports     Dist Date Reports     Labels     CAR parts     OCR Reports     OCR Reports     OCR Reports     OCR Reports     OCR Reports     Performance Indicators Reports     Promot Reports     Promote Reports     Pupul Primary Service Reports     Reviews	Served Out of District Reports Service History Reports Still Table Reports SSID Reports SSID Requests Student Uata Transmittal Forms Student Lista Teacher Reports Transition Reports Transition Reports Transportation Reports - DM Verification Menu

The next screen will bring you to the option of choosing from any of the standard reports available in the MIS system. These are what we call "Canned" reports. There are, however, additional criteria that can be added to the existing reports. See "Additional Criteria" for details.

#### **Additional Criteria**

In addition to the standard criteria available, the Additional Criteria option is a means to further narrow down the results of any SELPA System II Report. To access the Additional Criteria page, choose "Show Additional Criteria" at the bottom of the criteria screen.

Then the Additional Criteria page will appear:

 $\langle \rangle$ 

	Additional Criteria	
Behavior BIP: Not Filt	ered 🗸	
Behavior BSP: Not Filt	ered 🗸	
District ID:	$\sim$	
English Learner (EL):	$\checkmark$	
Extended Year:	$\checkmark$	
Graduation Plan:	$\checkmark$	
Graduation Plan 10/20:		
Health Waiver:	$\checkmark$	
Hispanic:	$\sim$	
Interpreter:	$\sim$	
Medi-Cal:	$\sim$	
Mental Health Eligibility:		
Mental Health Language:		
Migrant:	$\sim$	
Plan Type 70 - Priv. Sch: Exclude	· · · ·	
Plan Type 80 - Eligible, No Plan: Exclude	· · · ·	
Plan Type 90 - Not Eligible: Exclude	· · · · ·	
Private School:	$\checkmark$	
Severely Disabled (SH):	$\checkmark$	
Social Security Number:	$\checkmark$	
Special Transportation:	$\checkmark$	
Summer School:	$\checkmark$	
Transportation Record Exists:	$\checkmark$	
Wheel Chair:	$\checkmark$	
True/False 1:	$\checkmark$	
True/False 2:	$\checkmark$	
Bad	k to Top	

#### **Additional Options**

Other additional options include:

- 1. Page Breaks (True or False)
- 2. Report Date
- 3. Print the Criteria
- 4. Student ID or SSID Printed on Report
- 5. MIS to Excel Conversion

#### **MIS to Excel Conversion**

Dumping data into an Excel spreadsheet format:

If you would like to "dump" your data from the MIS report format into an Excel spreadsheet, you can with only a few steps. By dumping in raw data into an Excel spreadsheet, for example, you can create reports, pivot tables, and manipulate the data for your specific purpose. Once you have the criteria you want – such as in the student list – and you want to dump into Excel instead of choosing Spreadsheet Format (csv) True or False. This option is available for most, but not all canned reports.

Standard Class Lists with Rema	rks
Standard Class Lists with Service	es
Detailed Class Lists with Service	es
Service Provider List	
Student Roster	
Class Lists with Review Dates	
Home School Report	

Once data is in an Excel Spreadsheet you can edit the data into the format you need, removing extra columns, lines, etc.

You can also take this same Excel spreadsheet and turn it into a Pivot Table which is very handy when dealing with large data sets.

#### **WebIEP Reports**

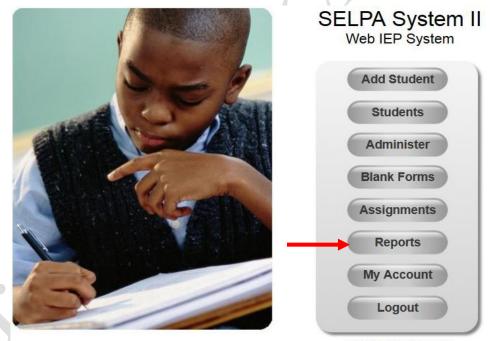


### SELPA System II WebIEP Login

User ID		
Password		
Note: Pas	swords are case se	nsitive
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Faucette Micro Systems, Inc. Version 2.0.1.3

Re	port	Menu			
Help Continue		Close			
-Select Report				1	
Bridge - Date of Transfer					
○ Bridge - Student List in Bridge IEP					
$\bigcirc$ Compare Names and Birthdates					
O District Access Class List					
○ District Access Review Dates					
○ District Access Student List					
○ Extended Year Reports					
○ IEP Signed Status					
$\bigcirc$ New IEPs Started Report - Student Listing					
$\bigcirc$ New IEPs Started Report - User Listing					
$\bigcirc$ Pending Student List (Plan Type 30)					
$\bigcirc$ Signed Assessment Plan Not Received					
$\bigcirc$ Spanish - No Translations Started					
$\bigcirc$ Spanish - Translations Completed					
$\bigcirc$ Spanish - Translations in Queue	0	Student Access Report - By Stu	dent		
○ Spanish - Student Report	0	Student Access Report - By Use	er Name		
O Spanish - Translator Report	0	WebIEP Status Report			

Bridge Reports	Date of Transfer and Student List on Bridge allows the user to see which students have been bridged into WebDA. This report will be revised and is for those that do NOT use Autobridge. Soon this report will combine students that are bridged either manually or autobidged.
Compare Names and Birthdates	This report is used to compare Student Names, Student IDs, and Birthdates between WebDA and WebIEP. These two programs need to be the same and if not, adjustments need to be made to ensure the information is correct. Merging records is not available.
District Access Class List	This report pulls <b>BASIC</b> class list information from the WebDA. This report can show duplicate students. The student could appear on this list more than once based on the number of services provided.
District Access Review Dates	This report pulls <b>BASIC</b> Annual/Triennial due date information from the WebDA
District Access Student List	This report pulls data from the database of students with completed IEPs from WebDA (provided Bridge process has been completed).
WebIEP Status Report	This report shows the current status of students within the WebIEP system based on various status options such as <b>IP</b> – In Progress, <b>PD</b> – Past Due, <b>FNS</b> – Final Not Signed, <b>CVC</b> – Completed Verbal Consent, <b>PM</b> – Pending, Meeting Held Reconvene.
Extended Year Reports	This report pulls list of student extended year services.
New IEPs Stared Report – Student Listing	This report will show which IEPs have been started. Can be sorted by District of Service, Attending School, Meeting Date and IEP Types. Meeting Date Range is also available.

Faucette Micro Systems with Desert/Mountain SELPA and Desert/Mountain Charter SELPA – Revised 3/2021

New IEPs Started Report – User Listing	This report will show which IEPs have been started by User. Can be sorted by District of Service, Attending School, Meeting Date, and IEP Types. Meeting Date Range is also available.
Pending Student List – Plan 30/300	This report will show "pending" students that have been marked as plan type 30/300 and have not yet completed their Assessment to determine eligibility.
Signed Assessment Plan Not Received	This report will show which students have a signed Assessment Plan sent, but have not been received by the LEA. This report will assist with tracking of legal timelines.
Spanish – No Translations Started	For those IEPs where Educational Rights Holders have requested translation. This report will show if Spanish Translation has started
Spanish – Translation Completed	For those IEPs where Educational Rights Holders have requested translation. This report will show if Spanish Translation has been completed.
Spanish – Translation in Queue	For those IEPs where Educational Rights Holders have requested translation. IEP has been put into Spanish Mode and is ready for translation.
Spanish – Translator Report	Information on Translator and can be sorted by District of Service, Availability to Translator, Translator Name, etc.
Student Access Report – By Student	This report will show WebIEP Student record access by Student Name. Can be sorted by District of Service
Student Access Report – By User Name	This report will show WebIEP Student access by User. Can be sorted by District of Service
WebIEP Status Report	This report will show current status of WebIEP Student Record including additional criteria such as District of Service, Attending School, Grade, Original Entry Date, Exit Date, Meeting Type, Case Manager and multiple Status Types.

If you get to a point and you are not getting the results you are looking for, please feel free to contact the SELPA office and speak with the MIS Support Analyst and/or MIS Program Technician. A custom report/Excel Spreadsheet/Pivot Table can be created with many of the fields located in the SELPA System II (MIS). Next will be instructions on how to build a report from the MIS program to an Excel Spreadsheet and Pivot Tables.

Colette Garland MIS Support Analyst (760) 955-3565 colette.garland@cahelp.org

Terri Nelson MIS Program Technician (760) 955-3557 terri.nelson@cahelp.org





WebDA and WebIEP Reports Workshop

**Presented By** Colette Garland, MIS Support Analyst

Date

March 23, 2021

#### Time

Training time 10:00 - 11:30 a.m.

#### Description

This workshop will provide information on how to run basic reports within the WebIEP and WebDA systems. This will allow for LEAs to run various student data reports by school site, teacher, Annual and Triennial meeting dates, type of disability, and many other options as it pertains to tracking, monitoring, compliance, and future program determination. All participants who may need to run these reports are encouraged to attend. Participants will be able to give their input on how to revise and improve reports currently available in WebIEP and WebDA.

#### Audience

Management Information System contacts, SPED directors/coordinators, and IEP team members

**Cost** Free

#### Location

Virtual training, a link will be sent to each participant prior to the training date. This training may be recorded.

#### Registration

Please register online at: https://sbcss.k12oms.org/52-200179

#### Special Accommodation

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.

Get in **Touch** 

Address : 17800 Highway 18, Apple Valley, CA 92307 Phone : (760) 955-3557 Email:terri.nelson@cahelp.orgWebsite:www.cahelp.org



Desert / Mountain Children's Center 17800 Highway 18 Apple Valley, CA 92307-1219 P 760-552-6700

F 760-946-0819

W www.dmchildrenscenter.org

### MEMORANDUM

DATE: March 17, 2021

TO: Special Education Directors

FROM: Linda Llamas, Director

SUBJECT: Desert/Mountain Children's Center Client Reports

Attached are the opened and closed cases for the following services:

- Screening, Assessment, Referral and Treatment (SART)
- Early Identification Intervention Services (EIIS)
- School-Age Treatment Services (SATS)
- Student Assistance Program (SAP)
- Speech and occupational therapy

If you should have any questions, please contact me at (760) 955-3606 or by email at <u>linda.llamas@cahelp.org</u>



# Youth Mental Health First Aid

In the wake of COVID-19, Youth Mental Health First Aid (YMHFA) is offering new tools to help people support themselves, their families, and their friends. YMHFA teaches a five-step action plan to offer initial help to young people, elementary age to 18 years of age, showing signs of a mental illness or in a crisis and non-crisis situations and connect them with the appropriate professional, peer, social, or self-help care. Certification in YMHFA virtual will allow you to practice physical distancing while helping your community support those in need no matter your role.

Certification in the new curricula will give you up-todate information about trauma and self-care that can help you as a "First Aider" to #BeTheDifference. Materials for synchronous and asynchronous learning is included. Participants will be required to complete a 2hour, self-paced online course prior to the 5.5-hour, instructor-led video conference.

### **Presented By**

Belinda Jauregui, LCSW, RPT-S Clinical Counselor

Natalie Sedano, Prevention and Intervention Lead Specialist

**Date** May 21, 2021

### Time

8:00 a.m. - 2:00 p.m.

### Location

Virtual training, a link will be sent to each participant prior to the training date.

#### This training may be recorded.



### Cost

\$25 Registration \$50 Registration plus Continued Education Units (CEU's)

### Registration

Please register online at: https://sbcss.k12oms.org/52-200199

### **Special Accommodations**

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.

### **CEU Credit**

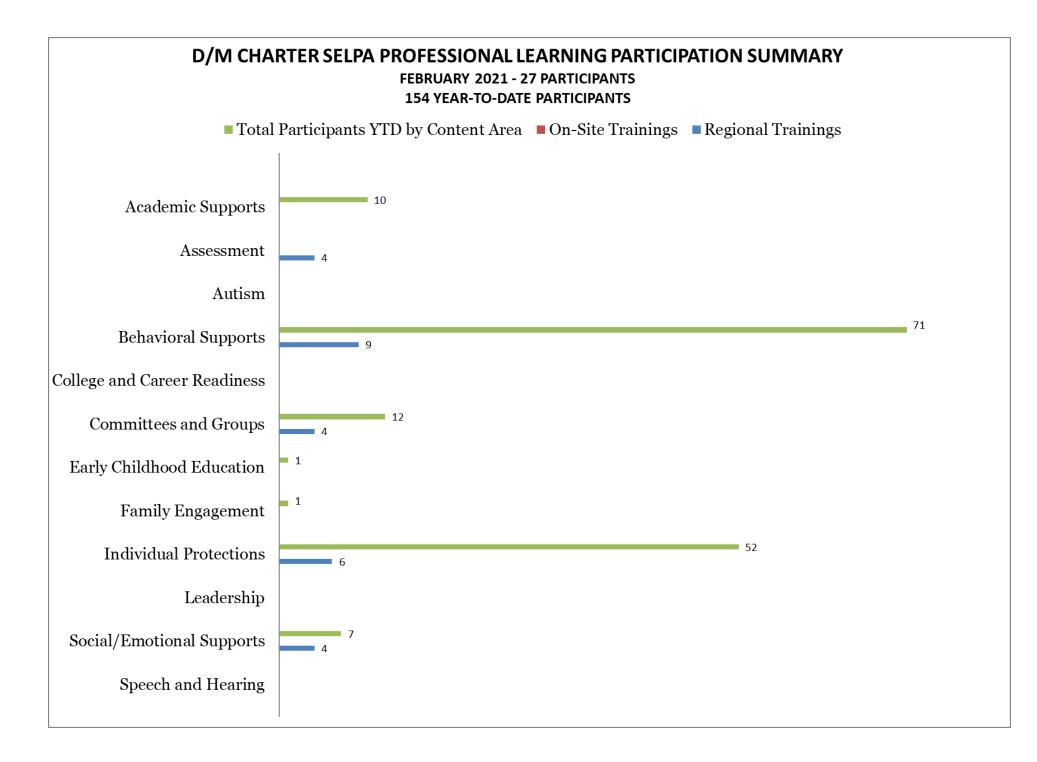
Desert/Mountain Children's Center (DMCC), provider #131660, is board recognized as an approved continuing education provider (CEPA) for social work, marriage and family therapist, licensed professional clinical counselor, licensed educational psychologist by the California Association of Marriage and Family Therapists. Participants must attend the entire 5.5 hours of instructor led video conference training (must sign in at the beginning and end of the training day). An electronic signature is acceptable to receive continuing education credit. 4.5 hours of CEU's is for direct instruction time, and does not include meals and other break times. DMCC maintains responsibility for this program/course and its content.

### Audience

Paraprofessionals, general and special education teachers, site administrators, school psychologists, office staff, bus drivers, and counselors.

Get in **Touch** 

Address:17800 Highway 18, Apple Valley, CA 92307Email:Mallory.Wilkes@cahelp.orgPhone:(442) 292-5094, ext. 214Website:www.cahelp.org



### Desert/Mountain Charter SELPA Due Process Summary July 1, 2020 - March 25, 2021

					·				·	D = Com	plaint Dismi	ssed W = C	Complaint W	ithdrawn
DISTRICT										CASE A	ACTIVITY	FOR CUR	RENT YE	AR
	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	Total	D/W	Resolution	Mediation	Settled	Hearing
Allegiance STEAM Acad - Thrive	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
Aveson Global Leadership Acad	N/A	N/A	2	1	5	1.5	0	0	9.5	0	0	0	0	0
Aveson School of Leaders	N/A	N/A	0	3	1	1.5	0	0	5.5	0	0	0	0	0
Ballington Acad for Arts & Sci	N/A	N/A	N/A	N/A	0	2	0	0	0	0	0	0	0	0
Desert Trails Prep Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Elite Academic Acad - Lucerne	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
Encore Junior/Senior High School	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Encore High School, Riverside	N/A	N/A	0	0	0	1	1	0	2	0	0	0	0	0
Julia Lee Performing Arts Acad	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
LaVerne Elem Preparatory	0	0	0	0	0	0.5	0	0	0.5	0	0	0	0	0
Leonardo da Vinci Health Sci	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Odyssey Charter School	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0
Odyssey Charter School - South	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
Pasadena Rosebud Academy	N/A	N/A	N/A	N/A	N/A	1	0	0	1	0	0	0	0	0
Pathways to College	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taylion High Desert Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Virtual Prep Academy at Lucerne	N/A	0	0	0	0	0	0	0						
SELPA-WIDE TOTALS	0	0	2	4	6	7.5	1	0	18.5	0	0	0	0	0

### Desert/Mountain Charter SELPA Due Process Activity Summary July 1, 2020 – March 25, 2021

LEA	Issue(s)	Date	Resolution	Mediation	Pre-Hearing		Status
Case Number		Filed	Scheduled	Scheduled	Conference	Hearing	
1.							
LEA							
Case No. 2020							
2.							
Case No. 2020							
3.							
Case No. 2020							
4.							
Case No. 2020							

Desert /Mountain Charter SELPA Legal Expense Summary As of March 25, 2021

2000-2001	0.00
2001-2002	0.00
2002-2003	0.00
2003-2004	0.00
2004-2005	0.00
2005-2006	0.00
2006-2007	0.00
2007-2008	0.00
2008-2009	0.00
2009-2010	0.00
2010-2011	0.00
2011-2012	0.00
2012-2013	0.00
2013-2014	0.00
2014-2015	0.00
2015-2016	7,378.00
2016-2017	33,886.61
2017-2018	70,994.67
2018-2019	113,834.81
2019-2020	58,033.90
2020-2021	6,099.00

#### CAHELP Steering/Charter Steering, March 2021 Summarized selected OAH decisions from February 2021

#### CASE NO. 2020060885; 2020060931 – Elsa H. Jones, ALJ Parent on behalf of Student vs. Pacific Charter Institute and Valley View Charter Prep

Student Issue #1: Did Charter Schools deprive Student FAPE by failing to timely respond to requests dated July 23, 2019 and April 22, 2020 for a psychoeducational IEE by failing to take action either through funding the IEE or filing a Due Process to defend the appropriateness of the evaluation?

Valley View Charter Prep Issue #1: Did Valley View respond to requests for an IEE without unnecessary delay such that the Student is not entitled to an IEE at public expense?

- 9<sup>th</sup> grade student, 15 years old
- Home-based program, continuously enrolled since 5<sup>th</sup> grade
- SLD identified Special Education staff provide special education instruction and services

#### Obligation to file or fund without necessary delay, 34 C.F.R., 300.502(a)(3)(i).

**Parents** contends FAPE was denied from the LEA not filing to defend or fund the IEE because

- parents endured uncertainty as to whether they should incur the costs of obtaining the assessment on their own
- they did not have the information necessary to ascertain and understand Student's unique need to participate fully in developing an IEP to meet those needs

**Charter School** contends that Valley View did not unreasonably delay in filing to defend because

- the parties agreed to proceed with visual and auditory processing evaluations during a telephone conversation on October 2, 2019
- IEP held to review the processing evaluations; recommendations therein not adopted
- the operative request for an IEE occurred when Parents again requested an IEE in late April 2020
- Valley View filed to defend the assessments on June 26, 2020, two months there after

#### Unnecessary Delay as defined by case-law

- Allows for a reasonable flexible though normally brief period-of-time that could accommodate good faith discussions and negotiations between the parties over the need for and arrangement for an independent evaluation (OSEP Letter to Anonymous, August 13, 2021, 56 IDLER 175)
- Determining "unnecessary delay" is a question of fact based on the circumstances of the case (J.P. v. Ripon Unified School District, E.D> Cal., April 15, 2009)
  - Determined two-month delay was timely
  - The parties were communicating about the request during that time
  - o Did not come to impasse until less than three weeks before the District's filing
  - Winter break began immediately after the IEE request first came in
- L.S. v. Abington District (E.D. Pa. Sept. 30, 2007)
  - o 10-week delay in filing to defend was not a violation of IDEA
  - Evidence of ongoing efforts during that time to resolve the matter, including numerous emails and the holding of a resolution meeting
- Pajaro Valley Unified School District v. J.S. (N.D> Cal. Dec. 15, 2006)

- $\circ$   $\;$  Did not file to defend until 11 weeks after request for IEE
- Offered no explanation for the delay or why it was necessary
- "Unexplained and unnecessary delays in filing for a due process hearing waived its right to contest request for an independent evaluation at public expense, and by itself warranted entry of judgment in favor of Student" (Id. at p. 3) (emphasis added)

#### Student's Issue #1 - Finding

#### Student prevailed

Finding: Valley View did not file a due process complaint to defend the appropriateness of its assessment until June 26, 2020, nearly a year after the first request, and a day after Student filed his own complaint seeking to recover reimbursement for the IEE.

Student demonstrated that Valley View unnecessarily delayed in filing its complaint... they dispute that ... parents withdrew their request for an IEE and the depth of discussion around parent's email of "September 3, 2019... unfortunately, the Charter Schools did not confirm the contents of the telephone call in writing, in violation of the policy and spirit, if not the letter, of the IDEA... mandated procedural safeguards ... (includes) prior written notice. "

#### **Prior Written Notice**

Prior written notice shall be given to parents whenever the district proposes to initiate or change or refuses to initiate or change, "the identification, evaluation, or educational placement of the child, or the provision of a FAPE to the child." (Title 20, US Code Section 1415(b)(3), (c)(1)

The courts enforced this statute in Union v. Smith (9<sup>th</sup> Circuit 1994 15 F.3d 1519:

"this formal requirement has an important purpose that is not merely technical and we therefore believe it should be enforced rigorously. The requirement of a formal, written offer creates a clear record that will do much to eliminate troublesome factual disputes many years later about when placements were offered, what placements were offered, and what additional educational assistance was offered to supplement a placement if any."

Had Charter Schools promptly sent Parents a PWN or simply a letter after the telephone conversation confirming that they would fund the two processing assessments and would not fund an IEE because parents had withdrawn their request, there would have likely been no need for this factual dispute; parents would have clarified and VV would have known it had to quickly file to defend.

This finding makes Valley View Charter Prep's Issue #1 moot.

Parent vs San Jose Unified School District CASE NO. 2020090906 CASE NO. 2020060078

#### SAN JOSE'S ISSUE

Did San Jose appropriately conduct its functional behavior assessment of Student, called an FBA, dated December 18, 2019?

#### **STUDENT'S ISSUES**

**1**. Did San Jose deny Student a free appropriate public education, called a FAPE, by failing to appropriately conduct Student's FBA dated December 18, 2019?

2. Did San Jose deny Student a FAPE by failing to provide Parent a copy of the protocols and data for Student's FBA dated December 18, 2019, following Parent's February 2020 request for Student's educational records?

Student was 11 years old and attending a San Jose sixth-grade general education class at the time of hearing. Student was eligible for special education under the categories of autism, and speech or language impairment. Student resided with Parent within San Jose's geographic boundaries at all relevant times.

#### PRELIMINARY ISSUE: IS AN FBA AN "EVALUATION" AS TO WHICH PARENTS MAY REQUEST AND OBTAIN AN INDEPENDENT EDUCATIONAL ASSESSMENT?

- San Jose sought a determination that it is not required to file a due process hearing
  request to prove the assessment was conducted appropriately and because FBA does
  not account for IEE at public expense. San Jose contends an FBA does not qualify as an
  evaluation that triggers a parent's right to obtain an IEE at public expense, because an
  FBA is not designed or intended to be used for the purpose of comprehensively
  determining whether a child has a disability, or the content of the child's IEP.
- Student contends, under the California Education Code Parent is entitled to obtain an independent FBA of Student at public expense unless San Jose proves at hearing that its FBA was appropriate.

Consistent with the IDEA and the Department of Education's interpretation of its regulations, local educational agencies routinely conduct reevaluations limited in scope to those areas of suspected need that require new or additional assessment, following discussion with parents and development of an assessment plan.

Several District Court decisions have affirmed administrative determinations awarding IEEs for single-area assessments, including cases involving FBAs. FBA is essential to addressing a child's behavioral difficulties and plays an integral role in the development of an individualized IEP.

The Department of Education's consistent interpretation of its regulations that FBA's and other assessments in a single area should be considered a reevaluation for purposes of determining a parent's right to an IEE is both persuasive and controlling.

In Letter to Christiansen (OSEP February 9, 2007) 48 IDELR 161, OSEP explained that an FBA would be considered a reevaluation if conducted to assist in determining whether the child was a child with a disability, and the nature and extent of special education and related services that the child needs, or to develop or modify a behavior intervention plan for the child. In its Questions and Answers on Discipline Procedures (OSERS June 1, 2009) 23 IDELR 565, OSERS reiterated that an FBA would be considered a reevaluation or part of a reevaluation because it was an individualized evaluation conducted to develop an appropriate IEP for the child. (Id., response to Question E-5.) OSERS specifically noted this would be the case even if the FBA had not been identified as part of an initial evaluation, was not included as part of the required triennial reevaluation and was not done in response to a disciplinary removal. (Ibid.) OSERS concluded, "a parent who disagrees with an FBA that is conducted in order to develop an appropriate IEP also is entitled to request an IEE." (Ibid.)

#### SAN JOSE'S ISSUE: DID SAN JOSE APPROPRIATELY CONDUCT ITS FUNCTIONAL BEHAVIOR ASSESSMENT OF STUDENT, CALLED AN FBA, DATED DECEMBER 18, 2019?

Student contends San Jose did not conduct its FBA of Student appropriately, because San Jose failed to obtain Parent's input in conducting the FBA and failed to assess all of Student's problematic behaviors, and Student is therefore entitled to an independent FBA at public expense in accordance with Education Code section 56329, subdivision (b).

San Jose stated that the Behavior Specialist called the parent and left a message to call her back. The parent emailed the district the next day and explained he did not know who this person was and did not feel comfortable talking about his child at the moment and to let him know if there is additional information that is required. District should not have interpreted this parent's email as him not wanting to speak with the Specialist and not wanting to participate.

San Jose did not conduct its FBA of Student appropriately, because it unreasonably failed to obtain Parent's input in conducting the FBA. Assessors are required to gather relevant information from parents when conducting assessments. (Ed. Code § 56320, subd. (b); 20 U.S.C. § 1414 (b)(2)(A).) Additionally, districts are required to afford parents the opportunity to participate in meetings with respect to the evaluation of their child. As San Jose did not prove that its FBA was appropriate, Parent has the statutory right to obtain an independent FBA of Student at public expense.

Although there are circumstances in which a Parent's clear failure to cooperate with a district will excuse procedural violations of the IDEA, Parent's emails in this matter do not support such a result here.

#### STUDENT'S ISSUE 1 DID SAN JOSE DENY STUDENT A FREE APPROPRIATE PUBLIC EDUCATION, CALLED A FAPE, BY FAILING TO APPROPRIATELY CONDUCT STUDENT'S FBA DATED DECEMBER 18, 2019?

Student did not prove or prevail on this issue.

Though student proved San Jose's FBA was inappropriate because San Jose unreasonably failed to obtain Parent's input in conducting the FBA, Student did not prove this procedural violation impeded Student's right to a FAPE, or caused a deprivation of Student's educational benefits. The district offered an IEP to review the results and develop the IEP but parent refused to attend thus the filing to implement.

A district's failure to obtain a parent's participation in an evaluation will significantly impede the parent's opportunity to participate in the decision-making process and deny the Student a FAPE, <u>if it prevents the parent from providing information to the district that could have</u> <u>materially affected the results of the evaluation, or if it prevents the parent from learning</u> <u>information regarding the evaluation necessary for the parent to participate "fully, effectively, and in an informed manner" in the development of their child's IEP.</u>

#### STUDENT'S ISSUE 2: DID SAN JOSE DENY STUDENT A FAPE BY FAILING TO PROVIDE PARENT A COPY OF THE PROTOCOLS AND DATA FOR STUDENT'S FBA DATED DECEMBER 18, 2019, FOLLOWING PARENT'S FEBRUARY 2020 REQUEST FOR STUDENT'S EDUCATIONAL RECORDS?

Parent did not show that he was deprived of assessment data necessary to advocate for Student.

Only relief for student was an IEE all other relief denied.

#### Face Masks

In connection with the COVID-19 pandemic, and pursuant to applicable public health guidelines, the Hesperia Unified School District ("District"), will require all students to wear face coverings when attending in-person learning on campus.

#### Face Masks Exemptions

The District recognizes that some students may have medical conditions or disabilities that prevent them from wearing a face mask or face covering. It is important to note that in order to be exempt from wearing a face mask, the <u>medical condition or disability must impede</u> <u>the student from properly wearing a face covering</u>.<sup>1</sup> A medical condition or disability does not automatically exempt a student from wearing a face covering. If a student wants to assert a face mask exemption, based on a medical condition, mental health condition, or disability, they should contact the school prior to returning to in-person instruction.

According to the Official California State Government Website, "students in all grade levels K-12 are required to wear face coverings at all times, while at school, unless exempted."<sup>2</sup> CDPH states exempt from the mask requirements are "persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes those with rare medical conditions for whom wearing a face covering could obstruct breathing, or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance.<sup>3"</sup> The Centers for Disease Control ("CDC") notes that persons with asthma *can* wear a mask.<sup>4</sup> If a student has asthma, they can ask to wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it. Students who have a communication disability, or whom a face covering would inhibit communication with a person who is hearing impaired, can wear an alternative option such a clear mask or a cloth mask with clear panel, as long as their condition permits it.

(https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-

(https://www.cde.ca.gov/sp/se/lr/om021121.asp)

<sup>&</sup>lt;sup>1</sup> The California Department of Public Health released "COVID-19 Reopening In-Person Instruction Framework & Public Health Guidance for K-12 Schools in California, 2020-2021 School Year on January 14, 2021 discusses face mask requirements in schools.

<sup>&</sup>lt;u>19/Consolidated Schools Guidance.pdf</u>). More information can be found on the California Department of Education website, which released a statement on February 11, 2021 regarding COVID-19: Students with Disabilities and Face Coverings.

<sup>&</sup>lt;sup>2</sup> The California State Government guidance on masks and personal protective equipment can be found on the state website. (https://covid19.ca.gov/masks-and-ppe/)

<sup>&</sup>lt;sup>3</sup> The California Department of Public Health released Guidance for the Use of Face Coverings to all Californians on November 16, 2020. This guidance is also referenced in the "Guidance for K-12 Schools in California." It also states "a face covering is required at all times when outside of the home, with some exceptions."

<sup>&</sup>lt;sup>4</sup> The Centers for Disease Control ("CDC") also published Guidance for Wearing Masks, including information regarding mask adaptations and alternatives. (See <u>COVID-19</u>: <u>Considerations for Wearing Masks</u> | <u>CDC</u>; <u>https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html#mask-adaptations-alternatives</u>).

Parent or Student Asks for Face Mask Exemption on the Basis of a Medical Condition/Mental Health Condition or Disability

If a student or Parent asks for their child to be exempt from wearing a face mask, you should consider offering a 504 assessment to determine eligibility under Section 504, if not otherwise eligible under Section 504 or IDEA.

Kindly ask the parent for the basis for the exemption. For example, "students in all grade levels K-12 are required to wear face coverings at all times, while at school, unless exempted."<sup>5</sup> According to the California Department of Public Health, those exempt from the mask requirements are "persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes those with rare medical conditions for whom wearing a face covering could obstruct breathing, or who are unconscious, incapacitated or otherwise unable to remove a face covering without assistance." Furthermore, the guidance states that persons exempted from wearing a face covering due to a medical condition, as confirmed by school district health team and therapists, must wear a non-restrictive alternative, such as a face shield with a drape on the bottom, as long as their condition permits it.

Please note, at this time, the CDPH has not given any guidance as to determine what members of a school district are required for a "school district health team and therapists." The recommendation is to include parents/guardians, school medical professional (i.e., nurse), medical provider asserting existence of medication condition/disability, site administrator, teacher, and any "therapist" relevant to reason why the student cannot wear a mask (i.e. psychologist, mental health clinician, SLP, OT, etc.).

Similarly, no guidance is given as to what a "school district health team and therapists" must have to "confirm" as to the (i) existence of a medical condition; and (ii) that due to the medical condition proper wearing or handling of the face mask would be impeded. The recommendation is to review any and all medical documentation provided, request an exchange of information with health provider recommending the exemption, any and all health documentation on file at the school (previous and current) documenting health condition, discuss observations of student's abilities, and whether alternatives are available.

If the student already has an Individualized Education Plan ("IEP") or Section 504-Plan, then schedule a meeting to discuss the requested exemption. Ask the Parent/Guardian to invite the medical provider asserting the existence of a medical condition/mental health condition or disability, as the basis for the exemption. Also, invite school medical professional (i.e., school nurse), site administrator, Student's general education teacher, any direct service providers (OT, PT, SLP, RSP, psychologist, mental health clinician, etc.)

<sup>&</sup>lt;sup>5</sup> The California State Government guidance on masks and personal protective equipment can be found on the state website. (https://covid19.ca.gov/masks-and-ppe/)

If the Student is a student with an IEP, then the student is entitled to FAPE in the least restrictive environment. The IEP team should request an exchange of information with the doctor or medical professional who is requesting the exemption. Invite the doctor or medical professional to come to the IEP or 504 meeting. Have the school district "health team and therapists" (i.e., school nurse, and all other relevant service providers as described above) come to the meeting to discuss the Student's request for an exemption, discuss possible alternatives, reasonable accommodations, etc. The following are a list of some things you may consider or discuss at the meeting:

- Non-restrictive alternatives; such as a face shield with a drape on the bottom edge;
- Working with the service providers to engage in learning how to properly wear a face mask;
- Discuss behaviors or observations that occur surrounding the student wearing the face mask;
- Determine how long the student can tolerate the face mask (collecting or determining some form of baseline);
- Possible development of positive behavioral interventions;
  - Token economy system around mask wearing;
  - o Allowing the student to have access to preferred items while wearing the mask;
  - Mask breaks; and
- Consider incorporating the discussion and practice of wearing face masks into part of the daily routine so the Student can become more comfortable with the concept, etc.

Following the IEP or 504 discussion, send the parent or guardian a prior written notice stating what options were discussed at the meeting and what plan was developed, modify the IEP or section 504-plan to reflect the discussion, and state the District is ready, willing and able to bring Student back in accordance with the IEP or 504. If Parent still refuses, continue to provide services through the distance learning model or even offer for student to receive in person related services (with use of mask) in person and attend general education classes remotely.

Depending on how the meeting goes and the specific circumstances, the prior written notice or offer of FAPE may differ, but the process should remain generally the same: (1) have a meeting to discuss eligibility or accommodations; (2) engage all relevant parties in possible accommodations or alternatives; (3) send a prior written notice with proposed plan; (4) continue to offer/provide services in person (with the use of face covering and accommodations), or continue providing services through the distance learning model; or some hybrid.

Please note that guidance is subject to change if the State of California releases new guidance regarding face coverings. Also, please find a general overview based on the most recent "Guidance for K-12 Schools in California," dated January 14, 2021, and "the Guidance for the Use of Face Coverings" dated November 16, 2020.

#### GENERAL OVERVIEW REGARDING FACE MASK EXEMPTIONS

- 1. Does the Student have a medical condition, mental health condition, or disability?
  - No  $\rightarrow$  Not exempt.
  - Yes  $\rightarrow$  What is their medical condition, mental health condition, or disability?  $\rightarrow$  See question 2.

2. Does the medical condition, mental health condition, or disability impede the person from properly wearing or handling a face covering?

- If yes,

#### - How so?

- Is the person unconscious, incapacitated, or otherwise unable to remove a face covering without assistance?
   If yes, then exempt.
- If a medical condition for whom wearing a face cover could obstruct breathing, determine whether this is for al face coverings, or certain face coverings.

CDC notes that persons with asthma *can* wear a mask. Options:

- 1. Student has asthma and can wear a face covering.
- 2. Student has asthma and can wear a non-restrictive alternative such as a face shield with a drape on the bottom edge, as long as their condition permits it.
- Does the person have a communication disability, or would a face covering inhibit communication with a person who is hearing impaired?

Options:

- 1. Student can wear a face covering.
- 2. Student can wear an alternative option such as a clear mask or cloth mask with clear panel.
- Has the medical condition, mental health condition, or disability been confirmed by school district health team and therapists?

#### No $\rightarrow$ No exemption

Yes  $\rightarrow$  Student still must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.

- If no, no exemption.

7.10 Learning Loss Mitigation Verbal report, no materials



School Site Level of Resolution Support Teacher (Educational/curriculum/behavior/classroom) Site Administrator (School safety/program/personnel) School Psychologist (Behavior/program/placement)

Site level systems and practices establish a foundation of regular, proactive support for staff training in facilitation skills, de-escalation strategies, communication expectations, staff roles, site specific procedures

- ✓ Office staff are trained in their role with special education systems and establish open communication between the school and parent at the time of enrollment
- ✓ Introductions are made to administration and office staff; parents are connected to the case-carrier upon enrollment
- ✓ Parents are provided brochures, are informed of available resources and points of contact
- ✓ Parents know their role in the IEP process as an advocate for their child and equal team member, what to expect in an IEP, where to go with their concerns
- ✓ Site level staff attend the ADR and legal pathway trainings offered by DMSELPA
- ✓ Staff are trained in their role in the IEP process, of parents' role as child advocate and as an equal IEP team member
- ✓ General education teachers are trained to implement and participate in IEPs
- ✓ Staff are trained in conflict resolution including de-escalation strategies
- ✓ Administration allocates the resources needed to adhere to timelines and hold IEP meeting. This may include providing flexible blocks of time, substitute teachers, planning time, time to develop relationships with parents
- ✓ Staff are well planned and prepared to run facilitated IEPs with complete teams, present levels and drafted goals
- ✓ Staff debrief after IEP meetings to obtain insight into meeting effectiveness, status of relationships, to capture concerns, ensure compliance and determine needs
- ✓ Staff are proactive in identifying and responding timely to parents concerns
  - A system is used for identifying unsigned IEPs
  - A protocol is in place for reaching out to parents and resolving conflict at the lowest level of leadership
    - Case-carrier
    - Site administrator
    - District administrator
- ✓ A system is in place for debriefing with parents after ADR or Due Procress is used to support communication and positive relationships
- ✓ Other provisions specific to District:
  - 0

DMSELPA ADR Planning Team 2020-2021



 District Level of Resolution Support

 District Program Specialist or Coordinator

 (Program concerns)

 Director of Special Education

 (Educational/program/placement issues)

 District Superintendent Designee

 (Site/personnel/program/educational issues)

District level practices provide systematic standards for holding productive IEP meetings such as staff training, meeting supports and resources, Director involvement, meeting protocols and performance expectations, for resolving conflict

- ✓ Resources are allocated for IEP implementation
  - Time sufficient to conduct IEP without a rushed environment with opportunities to seek input from parents and allow them to express their concerns and needs
  - Time for case carriers to prepare IEPs and connect with families and staff prior to meetings
- ✓ Brochures are provided informing parents of the IEP process and how to resolve conflict/issues specific to the district
- ✓ Training is provided to site administrators, case carriers, and school psychologists on the process of Facilitated IEPs
  - SELPA ADR Pathway
- ✓ District or site administrators have been identified to serve as ADR leads
- ✓ District level protocols and expectations are required for IEP practices
- ✓ Directors address IEP cases that have gone unresolved by contacting parents directly and/or by attending IEPs
- ✓ Directors work with staff and parents to build bridges of communication
- ✓ Directors review IEP completion or open IEP reports on a monthly bases and communicate needs to principals
- ✓ Districts hold a local Special Ed Community Advisory Committee
- ✓ Special Education information is available in community resource centers
- ✓ Directors connect parents to Community resources as needed
  - o Brochures
  - Online resources (video)
  - Community meetings (similar to CAC)
- ✓ Other provisions specific to District member:
  - 0



#### DMSELPA Level of Resolution Support Program Specialist (Facilitated IEP, Local Resolution Meeting) Resolution Support Services Manager/Designee (Due Process Procedures including: Resolutions, Mediations, and Hearings)

DMSELPA provides training and interventions for intense IEP related conflicts with interventions such as staff training, alignment of support strategies, parent contact with a neutral versus supportive role, protocols, immediate response time, Program Specialists support ...

- ✓ DMSELPA clearly communicates the expectation that all LEAs operate a system to resolve conflicts at the lowest level
- ✓ Provides legal references and language upon member request
- Provides updated procedures and communications from California and Federal Departments of Education
- ✓ Alternate Dispute Resolution (ADR) policies and procedures are updated, readily available and clearly communicated
- ✓ DMSELPA Program Specialists receive updated training and are readily available to provide support for Alternate Dispute Resolution through the facilitation of IEPs and Local Resolution Meetings (LRM)
- ✓ Resolution Support Services staff receive updated training and are readily available to provide support for legal concerns
- ✓ ADR brochures are digitally updated and readily available
- ✓ ADR trainings are provided yearly both in person and virtually
- ✓ Legal trainings are provided each year to special education directors and representatives with updates on state and federal education codes and court decisions
- ✓ Standardized intake procedures are followed with requests for LRM and facilitated IEPs
- ✓ SELPA Staff contact parents and district representatives to gather information and ensure ADR understanding and preparedness
- ✓ Program Specialists attend IEPs that follow LRM to ensure application of the agreement
- ✓ Gages client satisfaction through an exit survey at the conclusion of Due Process
- ✓ Program Specialists provide neutral support to parents with a focus on the best interest of the child

DMSELPA ADR Planning Team 2020-2021



DMSELPA Support for Due Process, The CA State Resolution System

Office of Administrative Hearing (OAH) California Department of Education/Special Education Division (CDE) (Issues dealing with compliance/implementation of Federal and State Education Code)

DMSELPA provides training and support to district members for Due Process filings with the California Office of Administration

- $\checkmark$  Secures contracts with legal counsel from the most up to date and respected firms
- ✓ Provides fiscal support through District contributions to the *X-pot*
- Provides staff support throughout Due Process including facilitation of the required Resolution Meeting and attendance at Mediation and Hearing
- ✓ Provides legal counsel throughout Due Process from filing to hearing
- ✓ Processes and files all procedural documents with OAH within the legal timelines
- ✓ Tracks and ensures timeline adherence from *Resolution* to *Mediation* to *Hearing*
- ✓ Analyzes IEPs for strengths and concerns and provides a written chronology of IEPs and assessment
- ✓ Advises Directors on the defensibility of IEPs, assessments and procedural safeguards
- $\checkmark$  Provides training on how to do a chronology and how to survive a Due Process at request
- ✓ Gages client satisfaction through an exit survey at the conclusion of Due Process

### YOU BE THE JUDGE: Did district deny student FAPE by failing to include pool, water safety instruction in IEP?

The parents of a 9-year-old boy with neurological disabilities resulting from a traumatic brain injury, autism, and an intellectual disability discovered that children with autism have a heightened risk for drowning. They filed for due process seeking an order directing a Massachusetts district to include classroom and pool-based water safety or swimming instruction in their son's IEP as part of his physical education curriculum. They shared a letter from the child's pediatrician endorsing aquatic safety as part of his IEP.

The district didn't offer swimming or water safety instruction to any student prior to high school. However, after the parents filed for due process, the district unsuccessfully attempted to locate a venue where it could provide the student, who was nonverbal, and other students with autism, swimming or water safety instruction. In addition, the IEP team proposed an amendment to the child's IEP to include a health and safety goal, a benchmark to "correctly identify water safety signs in 4/5 opportunities," and to add water safety as part of the classroom curriculum.

Under the IDEA, the provision of FAPE delivered under a student's IEP comprises special education and related services including both instruction tailored to meet a child's unique needs and sufficient supportive services to permit the child to benefit from that instruction. While the child is not entitled to an educational program that maximizes his potential, he is entitled to one which is capable of providing not merely trivial benefit, but "meaningful" educational benefit - determined in the context of a student's potential to learn. See 34 CFR 300.17.

# Does the third-grader require pool and water safety instruction to receive FAPE?

- A. No. The district didn't offer swimming and water safety instruction to other students with autism or to the child's nondisabled peers.
- B. Yes. The child is entitled to receive pool and classroom-based water safety instruction to receive FAPE, just as he is entitled to receive instruction on other safety issues.
- C. No. The parents failed to show that there was a need for pool and water safety instruction and that their son required it to access his curriculum.

### **Correct Answer: C**

A. No. The district didn't offer swimming and water safety instruction to other students with autism or to the child's nondisabled peers.

Incorrect. The district was not required to provide the instruction since the parents failed to show that their son required it in order to access the curriculum or make progress.

B. Yes. The child is entitled to receive pool and classroom-based water safety instruction to receive FAPE, just as he is entitled to receive instruction on other safety issues.

Incorrect. The parents failed to provide an evaluation or any other evidence of a need for the instruction.

C. No. The parents failed to show that there was a need for pool and water safety instruction and that their son required it to access his curriculum.

Correct! In Malden Public Schools, 121 LRP 314 (SEA MA 12/23/20), the IHO acknowledged the brief letter from the child's pediatrician; however, because the parents failed to produce evaluations or other evidence particular to the student to suggest that he needed classroom or pool-based instruction in water safety, which was not part of the district's general curriculum prior to ninth grade, in order to access the curriculum or make effective educational progress, she concluded that the district was not required to provide it.



### Journey to the Future

Journey to the Future is a one-day virtual experience for Inland Empire high school students. The purpose of the event is to expose students to local high-need industry careers and the essential skills necessary for those careers. Students will have an opportunity to connect with resources and services appropriate for students transitioning from school to adult life. The event will also feature guest speakers and recorded sessions.



### Audience

Special education teachers and high school students on an IEP or 504 plan

### **Presented By**

Adrienne Shepherd, Program Manager

### Date

April 16, 2021

#### Time

Training time 9:00 a.m. - 3:00 p.m.

### Location

Virtual training, a link will be sent to each participant after registration and closer to the date of the event. **This training may be recorded.** 

### Cost

There is no fee for this training.

### Registration

Please register online at:

https://sbcss.6connex.com/event/A4E/teacherpartner/register

### Special Accommodations

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.



CAHELP 17800 Highway 18 Apple Valley, CA 92307



Loretta Rucker Loretta.Rucker@cahelp.org 760.843.3982, ext. 200



www.cahelp.org/ https://sbcss.k12oms.org

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## Landmark Federal Class Action Lawsuit Results in Innovative Trauma Programming

For Immediate Release: February 24, 2021 Media Contact: Rekha Radhakrishnan, 832-628-2312, rradhakrishnan@publiccounsel.org

#### LANDMARK FEDERAL CLASS ACTION LAWSUIT RESULTS IN INNOVATIVE TRAUMA PROGRAMMING

**COMPTON, CALIFORNIA – February 24, 2021 –** Nearly six years after filing a federal class action complaint on behalf of students and teachers at Compton Unified School District, *the school district has created an innovative model of trauma-informed practices that have proven to be an enormous success for students, parents and the Compton community.* "Because of this case and the heroic work of the Compton School District and leading trauma experts in the nation, students and teachers will have assistance in their schools to help address the trauma attendant to racism, poverty, police abuse, and bullying," said Mark Rosenbaum, Director of Public Counsel's Opportunity Under Law Project. "The resolution reached here is a template for schools everywhere that are serious about affording equal educational opportunities. A school that is not trauma sensitive is a school in name only, no more able to educate than if it lacked teachers and books. Especially as we see the trauma inflicted on children as result of the pandemic, it is critical that teachers and administrators be trained to identify and remediate its terrible impacts on learning and thriving."

*Peter P. v. Compton Unified School District*, was filed in Los Angeles by Public Counsel and Irell & Manella LLP in 2015 on behalf of a class of students and three teachers, seeking Compton Unified School District to incorporate proven practices that address the barriers to learning caused by trauma-in the same way public schools have adapted and evolved in past decades to help students who experience physical or other barriers to learning.

In the intervening years both the plaintiffs and the defendant collaborated to develop Compton Unified School District's Wellness Initiative, a multi-pronged program designed to address the academic, social emotional, attendance and behavioral needs of students.

"I am proud of our collaborative work to center the wellbeing of our students," said Board of Trustees President Micah Ali. "Compton Unified School District has made a tremendous turnaround in academic achievement over the past several years, but that turnaround would be incomplete without wholly addressing the impact of trauma our students experience as well as providing our teachers with the necessary tools for recognizing a student suffering from trauma and how to positively approach that circumstance."

Compton Unified School District serves students who are disproportionately affected by racism and poverty, and are therefore particularly likely to be affected by complex trauma, a condition in which someone is exposed to multiple traumatic events that can be interpersonal, invasive, and continue for a long period of time. Unaddressed complex trauma can profoundly affect a young person's ability to learn, think, read, concentrate, and communicate, and social science has linked complex trauma with academic, behavior, and attendance challenges.

"Our work on expanding and building upon existing practices as well as being open to forward thinking initiatives in order to establishing new programs has demonstrated real, statistically proven results that cannot be understated. This comprehensive approach to supporting the whole student that recognizes the unique challenges so many of them face, coupled with recognizing that we need to give our teachers better tools in this effort, was just the first step towards a transition to a new, dynamic way of approaching student trauma," said Ali.

The wellness program focuses on a few key areas:

• Positive Behavior Intervention Strategies (PBIS) and restorative practices that keep students in school and create a safe and welcoming environment;

- Character education through an Anti-Bullying and Kindness initiative;
- School-based Wellness Centers that provide mental health and counseling services for the highest need students;

• Trauma-informed training and support for all educators and school staff, which also includes a yearly book study; and,

• Teaching students skills to cope with their anxiety and emotions through the implementation of Social and Emotional Learning (SEL) Programs.

The program has produced concrete results for students in everything from academic performance to substantive class behavioral changes. These gains are especially important given the social and educational lapse students are experiencing as a result of the COVID-19 pandemic. The District has devoted real and meaningful resources towards planning for students' return when it's safe including schoolwide debriefs on the pandemic and racial unrest, grief and loss counseling, welcome back activities, virtual parent groups and follow up for students who don't return to school to assess their status and provide support. Most recently the District has partnered with Care Solace, to support behavioral and mental healthcare

referrals for its students, families and staff members. Care Solace equips school districts with a web-based tool that makes it easier for students, families and staff to connect with mental healthcare resources and providers in their communities. As a result, families of CUSD have access to an around-the-clock mental health support.

**Public Counsel** is the nation's largest pro bono law firm. Founded in 1970, Public Counsel strives to achieve three main goals: protect the legal rights of disadvantaged children; represent immigrants who have been the victims of torture, persecution, domestic violence, trafficking, and other crimes; and foster economic justice by providing individuals and institutions in underserved communities with access to quality legal representation. Through a pro bono model that leverages the talents and dedication of thousands of attorney and law student volunteers, along with an in-house staff of more than 75 attorneys and social workers, Public Counsel annually assists more than 30,000 families, children, immigrants, veterans, and nonprofit organizations and addresses systemic poverty and civil rights issues through impact litigation and policy advocacy. For more information, visit www.publiccounsel.org

**Compton Unified School District** is located in in the south-central region of Los Angeles County. CUSD encompasses the city of Compton and portions of the cities of Carson and Los Angeles. The District currently serves over 20,000 students at 36 sites. CUSD is a school district that is elevating, with a high school graduation rate nearing 90%, dramatic facilities improvements, increasing college acceptance rates and a focus on STEAM throughout all schools. The mission of the Compton Unified School District is to empower leaders to lead, teachers to teach and students to learn by fostering an environment that encourages leaders and teachers to be visionary, innovative and accountable for the achievement of all students. CUSD schools have received numerous awards, including Golden Bell Awards, Blue Ribbon School designations, and Top 10 LA Public Schools by Innovate LA. CUSD is also a member of League of Innovative Schools. The District's Superintendent, Dr. Darin Brawley, was named 2019 Superintendent of the Year by the Los Angeles County Office of Education. For more information, visit http://www.compton.k12.ca.us.

7.15 Compliance Update Verbal report, no materials



Desert/Mountain Special Education Local Plan Area 17800 Highway 18 Apple Valley, CA 92307-1219

- P 760-552-6700
- F 760-242-5363
- W www.dmselpa.org

### **MEMORANDUM**

Date March 19, 2021

To: Directors of Special Education

From: Peggy Dunn, Program Manager

Subject: Occupational and Physical Therapy Reports

Attached are the occupational and physical therapy Referral Status, and Current Students Direct Services reports by district.

If you have any questions concerning either report, please contact me at (760) 955-3568 at peggy.dunn@cahelp.org

### **Upcoming Trainings**

Date/Time 4/2/2021 1:00 PM - 3:00 PM	Event FAMILY FUN DAYS	Location DMESC
4/2/2021 2:00 PM - 4:00 PM	STRUCTURED LITERACY: WHAT, WHY, WHO, AND HOW?	VIRTUAL
4/7/2021 9:30 AM - 11:30 A	REAL TALKPARENT-TO-PARENT GROUP CHATS	VIRTUAL
4/8/2021 8:00 AM - 4:00 PM	BASIC RESTORATIVE PRACTICES	DMESC
4/8/2021 8:00 AM - 4:00 PM	CPI FLEX BLENDED LEARNING	VIRTUAL
4/8/2021 2:30 PM - 4:00 PM	CPI FLEX BLENDED LEARNING WITH Q & A	ONLINE
4/12/2021 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
4/12/2021 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
4/16/2021 8:30 AM - 3:30 PM	IMPLEMENTING CULTURALLY RESPONSIVE SYSTEMS AND PRACTICES	DMESC
4/16/2021 11:00 A - 1:00 PM	SPECIAL EDUCATION DIRECTORS TRAINING- ENHANCING EQUITY THROUGH DATA SYSTEMS, AND PRACTICES	VIRTUAL

### **Upcoming Trainings**

Date/Time 4/28/2021 9:00 AM - 10:30 A	Event WEBIEP AM QUESTION AND ANSWER SESSION	Location VIRTUAL
4/28/2021 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
5/5/2021 9:30 AM - 11:30 A	REAL TALKPARENT-TO-PARENT GROUP CHATS	VIRTUAL
5/11/2021 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
5/11/2021 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
5/19/2021 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
5/19/2021 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWERS SESSION	VIRTUAL
5/20/2021 5:00 PM - 6:30 PM	COMMUNITY ADVISORY COMMITTEE	VIRTUAL
6/2/2021 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
6/2/2021 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL

### **Upcoming Trainings**

Date/Time 6/11/2021 1:00 PM - 3:00 PM	Event FAMILY FUN DAYS	Location DMESC
6/16/2021 9:30 AM - 11:30 A	REAL TALKPARENT-TO-PARENT GROUP CHATS	VIRTUAL





### **Crisis Prevention** Institute (CPI) Flex-Blended Learning

### **Presented By**

**CPI** Team Members

#### Date

Part 1: Complete the on-line CPI module prior to the April 8, 2021 Q & A virtual session from 2:30 to 4:00 p.m.

Part 2: In Person Training-To be determined

Cost \$40 Per Attendee

### Registration

Get in Touch

Please register online at: https://sbcss.k12oms.org/52-199291

### Description

The Non-Violent Crisis Prevention Institute (CPI) is a two-part course focusing on crisis prevention and intervention. With a core philosophy of care, welfare, safety, and security and aligned with positive behavioral supports principles, it gives educators the skills to safely and effectively prevent, disengage, and physically withhold (as a last resort) dangerous situations.

Part 1: The self-paced on-line modules will take 2 -4 hours, once completed the participants must print their certificate and bring it to the in-person training.

Part 2: The in-person training, participants should dress safely and must attend the entire course. Upon successfully demonstrating competency of disengagement skills, physical interventions, and passing of a written exam, they will receive CPI certification. The date for this training will be determined based on state and county guidelines.

### Audience

Special education teachers, general education teachers, paraprofessionals, school psychologists, and administrators.

### **Special** Accommodation

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.

#### This training may be recorded.

Address : Phone :

Email: 17800 Highway 18, Apple Valley, CA 92307 (760) 955-3559

jennifer.holbrook@cahelp.org Website: www.cahelp.org