

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING
January 20, 2022 – 1:00 p.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

1.0 TELECONFERENCE LOCATIONS:

Aveson Global Leadership Academy, 575 W Altadena Dr, Altadena, CA 91001
Elite Academic Academy, 43414 Business Park Drive, Temecula, CA 92590
Laverne Elementary Preparatory Academy, 7280 Oxford Ave, Hesperia, CA 92345
Leonardo da Vinci Health Sciences Charter, 229 E Naples St, Chula Vista, CA 91911
Pasadena Rosebud Academy, 3544 N Canon Blvd, Altadena, CA 91001
Pathways to College, 9144 Third Ave, Hesperia, CA 92345
Virtual Preparatory Academy-Lucerne, 8560 Aliento Rd, Lucerne Valley, CA 92356

2.0 CALL TO ORDER

3.0 ROLL CALL

4.0 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.

5.0 ADOPTION OF THE AGENDA

5.1 **BE IT RESOLVED** that the January 20, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda be approved as presented.

6.0 INFORMATION/ACTION

6.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

Assembly Bill (AB) 361 requires local agencies to consider the circumstances of the state of emergency and make the following findings by a majority vote: 1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or 2) state or local officials continue to impose or recommend measures to promote social distancing.

6.1.1 **BE IT RESOLVED** that the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements be approved as presented.

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7.0 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.

7.1 **BE IT RESOLVED** that the following Consent Items be approved as presented:

7.1.1 Approve the December 16, 2021 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

8.1 Physical Therapy Board of California Notice to Consumer

Pam Bender will present the Physical Therapy Board of California Notice to Consumer that is to be included in the physical therapy referral packet.

8.2 Desert/Mountain Children’s Center Client Services Reports and Updates

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

8.3 Professional Learning Summary

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

8.4 Resolution Support Services Summary and Updates

Kathleen Peters will present the D/M Charter SELPA’s Resolution Support Services Summary and updates, including State dyslexia legislation and regulations.

8.5 Case Law Review

Kathleen Peters will provide case law review including a You Be the Judge scenario.

8.6 Prevention and Intervention Updates

Kami Murphy will present Prevention and Intervention Updates.

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8.7 Transition Partnership Program (TPP) Training

Adrienne Shepherd-Myles will provide information on the Transition Partnership Program training.

8.8 Compliance Update

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

9.0 FINANCE COMMITTEE REPORTS

10.0 INFORMATION ITEMS

10.1 Monthly Occupational & Physical Therapy Services Reports

10.2 Upcoming Professional Learning Opportunities

11.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

12.0 CEO COMMENTS

13.0 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 general public to address the Council on items under consideration.

14.0 ADJOURNMENT

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, February 24, 2022, at 1:00 p.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

California Association of Health and Education Linked Professions

Joint Powers Authority (CAHELP JPA)

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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.

AB 361 Creates Exemptions to Brown Act Virtual Meeting Requirements During a State of Emergency

September 22, 2021
Number 27

Written by:

Anne L. Collins
Partner
Sacramento

Ryan P. Tung
Partner
Los Angeles

Stephanie E. Darand
Law Clerk
Walnut Creek

On September 15, 2021, the Governor signed Assembly Bill (AB) 361, amending the Ralph M. Brown Act to allow local agencies to continue conducting public meetings remotely during a state of emergency, so long as certain requirements are met. As explained in more detail below, public agencies who wish to conduct meetings remotely on or after October 1, 2021, must make specific findings, every thirty days, and ensure conditions related to public participation are satisfied.

Background

Generally, if a local agency elects to use teleconferencing for a public meeting, the Brown Act requires: (1) a quorum of the legislative body to participate from within the boundaries of the agency's jurisdiction, (2) the public agency to post notice of each teleconference location, and (3) the public be allowed to address the legislative body from each teleconference location.

Beginning in March 2020, Governor Newsom issued Executive Orders (Prior Orders) relaxing these Brown Act provisions, allowing public agencies greater flexibility in holding remote meetings during the COVID-19 pandemic. The Prior Orders, suspending the Brown Act teleconferencing requirements and confirming the use of internet-based service options for holding public meetings, were set to expire on September 30, 2021. In light of this looming deadline, AB 361 was passed and amends the Brown Act to allow public agencies to continue conducting remote meetings during a state of emergency without the need to comply with all of the teleconferencing requirements. While AB 361 was an urgency measure, effective upon the Governor's signature, the Governor also signed a new Executive Order, clarifying that most of the requirements of AB 361 become effective October 1, 2021.

Although the Governor waived the applicability of AB 361 until October 1, 2021, local agencies retain the option of meeting before October 1 to make the required findings under AB 361 in order to hold future meetings remotely. If a local agency does not do so, it will have to have a separate meeting in October to make the necessary findings before any regular or special meetings otherwise scheduled for October can be held remotely.

Applicability of AB 361

Under the urgency legislation, a local agency may utilize the more “relaxed” Brown Act teleconferencing requirements in any of the following circumstances:

1. There is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
2. There is a proclaimed state of emergency, and the local agency’s meeting is for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. There is a proclaimed state of emergency, and the local agency has determined, by majority vote, that as a result of the emergency meeting in person would present an imminent risk to the health or safety of attendees.

AB 361 defines a “state of emergency” as a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act. Importantly, this includes the current state of emergency proclaimed by the Governor due to the COVID-19 Pandemic.

To continue to rely on the relaxed teleconferencing provisions, the local agency must reconsider the circumstances of the state of emergency and make the following findings by majority vote, *every 30 days*:

- The state of emergency continues to directly impact the ability of the members to meet safely in person; or
- State or local officials continue to impose or recommend measures to promote social distancing.

Virtual Meeting Requirements Under AB 361

For all remote meetings held under AB 361, local agencies are required to meet the following public participation and notice requirements (note that some of these requirements differ from what had been in place under the Prior Orders):

- Meeting agendas and notices must describe how members of the public may access the meeting and offer public comment, and identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option;
- The public must have the opportunity to address the legislative body and comment in real time. The local agencies may still allow for the public to submit comments in advance of the meeting, but the local agency must also provide an option for the public to comment in real time;
- If a timed public comment period is provided on an agenda, whether on a specific agenda item or in general, registration and the public comment period cannot close until the time has elapsed. If public comment is taken separately on each agenda item, the legislative body must allow a reasonable amount of time per item to allow members of the public the opportunity to provide public comment, register, or otherwise be recognized for the purpose of providing public comment;

- Local agencies are permitted to use platforms which, incidental to their use and deployment, may require users to register for an account with that platform so long as the platform is not under the control of the local agency;
- If there is a disruption in the broadcast of a public meeting using the call-in option or the internet-based option, or there is a disruption within the agency's control which prevents members of the public from offering comments, the agency must not take any action on items appearing on the agenda until full access is restored.

Meeting agendas are not required to be posted at all teleconference locations, and local agencies are not required to make each teleconference location accessible to the public, provided that members of the public are afforded the opportunity to provide public comment remotely.

Takeaways

AB 361 creates statutory exemptions to the Brown Act that extend flexibility for remote public meetings during proclaimed emergencies, through January 1, 2024. For state and local agencies that are subject to the Bagley-Keene Open Meeting Act and the Gloria Romero Open Meetings Act, AB 361 establishes similarly relaxed guidance for virtual public meetings, until January 31, 2022. State and local agencies must give the public notice and an opportunity to comment and participate at meetings in real time, even using remote means, and they must comply with certain prerequisites in order to rely on the remote meeting provisions, including reconsideration of the circumstances and need for remote meetings every 30 days. While this new law relaxes certain remote meeting requirements relating to member participation, agendas, and public accessibility at remote locations, the underlying aim of the Brown Act—to ensure meetings of local agencies be open and public—remains.

If you have any questions about AB 361 or about Brown Act or board governance issues in general, please contact the author of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcasts](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.



AB-361 Open meetings: state and local agencies: teleconferences. (2021-2022)

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Date Published: 09/17/2021 09:00 PM

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held

for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each

teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the

meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and

federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have

imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations

within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information

concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING

December 16, 2021 – 1:00 p.m.

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

MINUTES

D/M CHARTER SELPA MEMBERS PRESENT:

Allegiance STEAM – Callie Moreno (via Web Ex), Desert Trails Preparatory Academy/Laverne Elementary Preparatory Academy – Debbie Tarver (via Web Ex), Elite Academic Academy – Bryan Adams (via Web Ex), Susana Waisman (via Web Ex), Adam Woodard (via Web Ex), Leonardo da Vinci Health Sciences Charter – Courtney Cox (via Web Ex), Odyssey Charter School – Katrina Franklin (via Web Ex), Pathways to College – Craig Merrill, and Virtual Preparatory Academy-Lucerne – Malia Lovell (via Web Ex).

CAHELP, SELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Codi Andersen, Pam Bender, Heidi Chavez, Craig Cleveland, Tara Deavitt, Peggy Dunn, Adrien Faamausili, Thomas Flores, Marina Gallegos, Colette Garland, Linda Llamas, Kami Murphy, Lisa Nash, Jennifer Rountree, Adrienne Shepherd-Myles, Pamela Strigglers, Jennifer Sutton, and Athena Vernon.

1.0 TELECONFERENCE LOCATIONS:

Allegiance STEAM Academy, 5862 C Street, Chino, CA 91710

Elite Academic Academy, 43414 Business Park Drive, Temecula, CA 92590

Laverne Elementary Preparatory Academy, 7280 Oxford Ave, Hesperia, CA 92345

Leonardo Da Vinci Health Sciences Charter, 229 East Naples Street, Chula Vista, CA 91911

Odyssey Charter School, 725 W. Altadena Dr, Altadena, CA 91001

2.0 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 Committee Meeting was called to order by Chairperson Pam Bender at 1:01 p.m., at the Desert/Mountain Educational Service Center, Apple Valley.

3.0 ROLL CALL

4.0 PUBLIC PARTICIPATION

None.

5.0 ADOPTION OF THE AGENDA

5.1 **BE IT RESOLVED** that a motion was made by Callie Moreno, seconded by Mika Klepper, to approve the December 16, 2021 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda as presented. The motion was carried on the following vote: 8:0: Ayes: Cox, Franklin, Klepper, Lovell, Merrill, Moreno, Tarver, and Woodard, Nays: None, Abstentions: None.

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING
December 16, 2021 – 1:00 p.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

6.0 INFORMATION/ACTION

6.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

Assembly Bill (AB) 361 requires local agencies to consider the circumstances of the state of emergency and make the following findings by a majority vote: 1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or 2) state or local officials continue to impose or recommend measures to promote social distancing.

6.1.1 **BE IT RESOLVED** that a motion was made by Mika Klepper, seconded by Callie Moreno, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion was carried on the following vote: 8:0: Ayes: Cox, Franklin, Klepper, Lovell, Merrill, Moreno, Tarver, and Woodard, Nays: None, Abstentions: None.

6.2 Local Education Agency (LEA) Representative on IEP Addendums Adding Desert/Mountain Children's Center Services

Authorization for the CAHELP JPA Chief Executive Officer to sign as LEA Representative on IEP Addendums adding DMCC services will be transferred to Pamela Bender.

6.2.1 **BE IT RESOLVED** that a motion was made by Craig Merrill, seconded by Mika Klepper, to approve Pamela Bender is authorized to sign as LEA Representative on IEP Addendums adding DMCC services as presented. The motion was carried on the following vote: 8:0: Ayes: Cox, Franklin, Klepper, Lovell, Merrill, Moreno, Tarver, and Woodard, Nays: None, Abstentions: None.

7.0 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.

7.1 **BE IT RESOLVED** that a motion was made by Mika Klepper, seconded by Susana Waisman, to approve the following Consent Items as presented. The motion was carried on the following vote: 8:0: Ayes: Cox, Franklin, Klepper, Lovell, Merrill, Moreno, Tarver, and Woodard, Nays: None, Abstentions: None.

7.1.1 Approve the November 18, 2021 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

MINUTES

8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

8.1 California Special Education Governance and Accountability (SEGA) Study by WestEd

Pam Bender presented information from the California Special Education Governance and Accountability (SEGA) study by WestEd. The three major areas of the study were funding, governance, and alignment. Pam reported there is concern regarding having two funding models: Local Control and Accountability Plan (LCAP) for general education and SELPAs for special education. The study also found that county offices of education should be able to serve as the special education liability and that the oversight of funds should be given to the LEAs. Pam said the perspective of State SELPA is LEAs do have input with maintenance of effort (MOE) and review of annual performance.

Pam continued that the study has concern that there are two systems of governance for general education and special education funding. LEAs should be the sole decision makers in their programs and services. State SELPA's perspective again is that the LEAs do have the choice in working with SELPA, County Office of Education (COE), and other LEAs when looking at high-cost programs for students. Pam reported there was a suggestion in the study removing the requirement of an LEA belonging to a SELPA. She stated this would require a change to California Education Code 56026.3. Because CAHELP is a joint powers authority (JPA), D/M SELPA and D/M Charter SELPA could choose to continue working as they currently do.

Pam said that the alignment concerns would move the systems of support to COEs and away from SELPAs. The study encouraged including special education in LCAP as a special education addendum. The study also indicated that the LCAP advisory boards did not include adequate representation of parents of special education students.

The initial SEGA Study was done in 2015 and the recommendations were not implemented at that time. State SELPA will review the Governor's Budget when it is released in January to see if any funds will go towards the current recommendations.

8.2 Desert/Mountain Children's Center Client Services Reports and Updates

Linda Llamas presented the Desert/Mountain Children's Center (DMCC) Client Services monthly reports and updates. She asked to be contacted with any questions pertaining to DMCC.

8.3 Professional Learning Summary

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

Heidi reported the CAHELP Integrated Multi-Tiered System of Support (I-MTSS) Symposium is

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING
December 16, 2021 – 1:00 p.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

scheduled for March 2, 2022. It will be a half day symposium in the afternoon that will be hybrid with a limited number of in person seats available. Heidi said registration is open on the CAHELP website.

8.4 Resolution Support Services Summary and Updates

Kathleen Peters presented the D/M Charter SELPA's Resolution Support Services Summary and updates. She shared cases for D/M Charter SELPA are similar in that parents did not feel their children's needs were being met in a public school so they've moved their children to charter schools which are struggling to meet the students' needs as well.

Kathleen reminded the committee that the IEP Conflict Prevention and Resolution Workshop Part I is scheduled for January 24, 2022 and Part II is scheduled for February 7, 2022.

8.5 Case Law Review

Kathleen Peters provided case law review. She reported on a Texas case in which the governor stated schools do not have the right to require masks. In response, parents said children's rights were being violated due to lack of safety in schools if covid measures were not in place. Kathleen said the federal legal decision is that the state cannot determine that school districts are not permitted to require mask wearing.

Based on a case in Southern California, Kathleen reported that a preschool child does not have to be registered in school for an assessment to be completed. If the parent requests an assessment, the school is to provide an assessment packet and follow up must occur.

Kathleen called on Lisa Nash to present a You be the Judge scenario. After giving the committee a moment to review the scenario, Lisa reported the district did deny the student free appropriate public education (FAPE) because she did require residential placement per Individuals with Disabilities Education Act (IDEA).

8.6 Prevention and Intervention Updates

Kami Murphy presented Prevention and Intervention Updates. She stated *Life and Work Balance: Being Mindful of the Present Moment* will be presented quarterly by three CAHELP staff. The training will help adult staff learn strategies for social emotional learning that can be used in their lives and in the classroom. Kami reported the next training is scheduled for January 31, 2022, 2:00 p.m-3:30pm virtually. It was requested for this training and others to be recorded so they can be viewed by school staff after class time. Kami replied that she will research it and speak with the presenters.

MINUTES

8.7 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She reported that CDE pulled data on overdue initial and annual IEPs on November 7. In order to reduce the number of errors, Peggy directed LEAs to continue to close meetings in CalPads. She said Report 16.8 will provide the student names and reason for the errors. CDE will be sending another letter in January notifying LEAs that are in intensive or targeted review.

Colette Garland reported December 17, 2021 is certification date for Fall pupil count. Based on CalPads Flash 215, CalPads has temporarily changed all special education errors to warnings. This means any fatal errors showing today are outside of special education. Colette continued that the amendment window opens December 20, 2021 and December 21, 2021, the warnings will revert back to errors. The final certification date is January 28, 2022. Colette shared that for Web IEP, the Interim Placement Form as well as the Revised Assessment Plan are both active and ready for use.

Colette said at the recent Charter School Development Conference, there was a presentation stating services logs would need to be reported. Colette said Faucette Micro Systems will be providing that programming soon. They are working with East Valley SELPA on this currently.

9.0 FINANCE COMMITTEE REPORTS

10.0 INFORMATION ITEMS

10.1 Monthly Occupational & Physical Therapy Services Reports

10.2 Upcoming Professional Learning Opportunities

11.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

12.0 CEO COMMENTS

Pam Bender called on Jamie Adkins to share about the holiday events for clients and community. Jamie reported approximately 300 children from 120 families will receive Christmas gifts and be able to attend a carnival-type event hosted by CAHELP staff via an Angel Tree.

Heidi Chavez also reported a team of CAHELP employees assisted Victor Valley Rescue Mission in distributing holiday meals to community members in the morning of December 16, 2021. Victor Valley Rescue Mission will be donating 130 meals for the CAHELP Angel Tree families.

DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING

December 16, 2021 – 1:00 p.m.

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

MINUTES

Pam Bender expressed her gratitude for the opportunity to be in the CEO position and to be able to transition with Jenae. She wished the committee members a safe and healthy holiday.

13.0 MATTERS BROUGHT BY THE PUBLIC

None.

14.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Mika Klepper, seconded by Callie Moreno, to adjourn the meeting. The motion was carried on the following vote: 8:0: Ayes: Cox, Franklin, Klepper, Lovell, Merrill, Moreno, Tarver, and Woodard, Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, January 20, 2022, 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.



Notice to Consumer Received

I hereby acknowledge that I received the Notice to Consumer as required by the Physical Therapy Board of California.

Parent Name: _____

Parent Signature: _____

Date Received: _____

Child Name: _____

DID YOU KNOW?

The Physical Therapy Board of California licenses and regulates your Physical Therapist and Physical Therapist Assistant.

**A Physical Therapy Aide, while regulated by the Board, is not licensed.*

Visit the Board's website at www.ptbc.ca.gov for information on:

- **Verifying a license**
- **What to expect when you receive care**
 - **Your rights as a patient**
 - **How to file a complaint**

Board Contact Information

2005 Evergreen Street, Suite 1350
Sacramento, CA 95815
1-800-832-2251



Physical Therapy Board of California





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: January 19, 2022
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

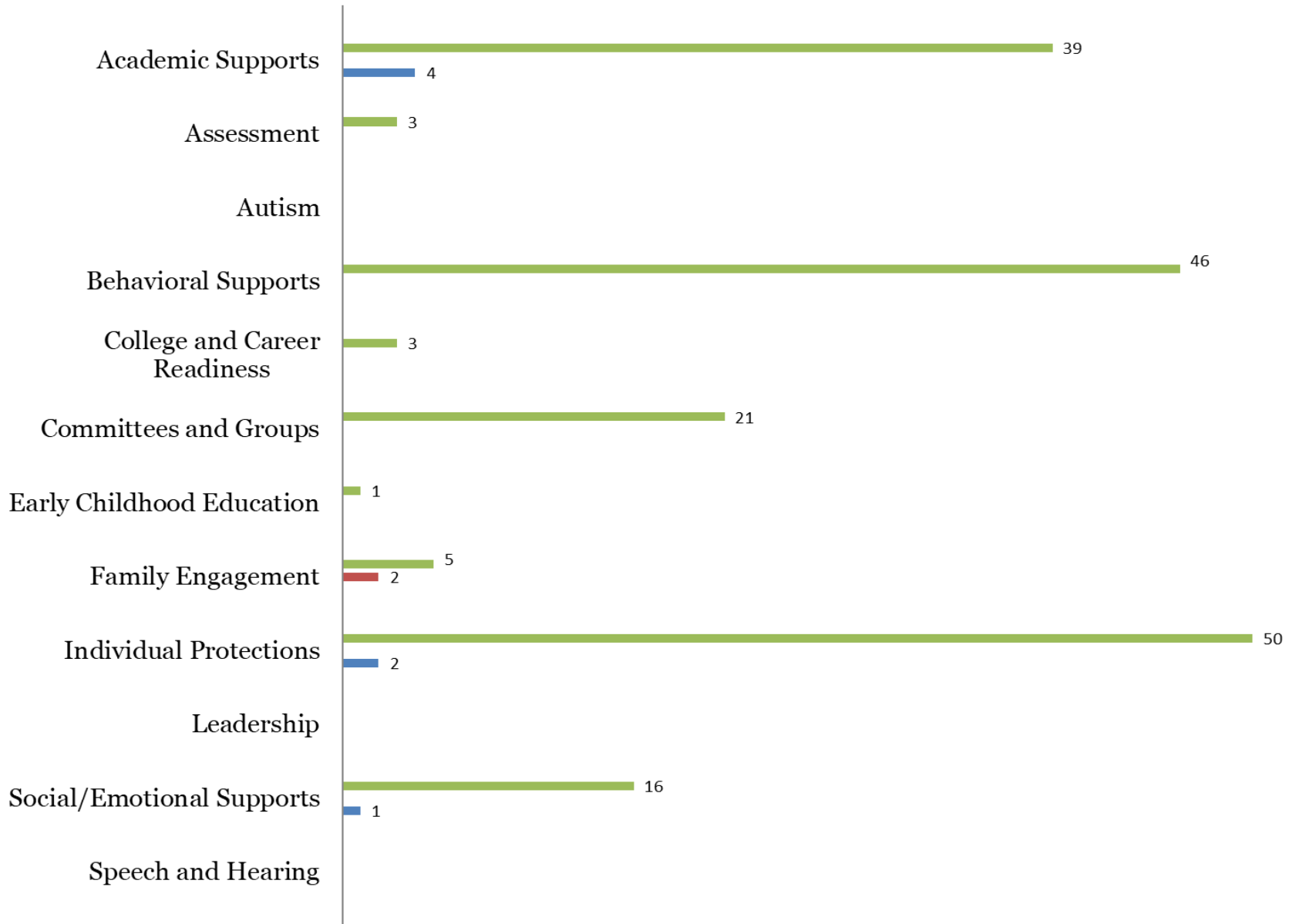
If you should have any questions, please contact me at (760) 955-3606 or by email at linda.llamas@cahelp.org

D/M CHARTER SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

DECEMBER 2021 - 9 PARTICIPANTS

184 YEAR-TO-DATE PARTICIPANTS

■ Total Participants YTD by Content Area ■ On-Site Trainings ■ Regional Trainings





Supporting Your Child's Well-Being

Parents and caretakers will discover taking care of the whole child during times of uncertainty. It is essential to support the whole child by caring for their emotional, physical, and mental health needs. We will cover the importance of mental health along with signs and symptoms. There will also be discussion about how to provide support for the social needs of parents and caretakers. Families will walk away with activities to support their whole child.

Presenters

Belinda Jauregui, Clinical Counselor
Robin McMullen, Intervention Specialist

Registration

<https://sbcass.k12oms.org/52-203127> or scan QR code for registration.

Special Accommodations

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

When

Thursday, February 24, 2022
CAC Reps Business Meeting: 5:00 - 5:30 p.m.
Presentation 5:30 - 6:30 p.m.

Location

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

REGISTER
HERE



Get in **Touch**

Email : Marysol.Hurtado@cahelp.org
Phone : (760) 955-3552



Apoyando el bienestar de su hijo/a

Los padres y cuidadores descubrirán cómo atender el desarrollo integral de su hijo/a durante momentos de incertidumbre. Es esencial apoyar dicho desarrollo cuidando las necesidades de salud emocional, física y mental del niño/a. Repasaremos la importancia de la salud mental junto con cuáles son algunos signos y síntomas. También se hablará de cómo proporcionar apoyo a las necesidades sociales de los padres y cuidadores. Las familias tendrán a su disposición actividades para apoyar el desarrollo integral de su hijo/a.

Ponentes

Belinda Jauregui, Consejero Clínico
Robin McMullen, Especialista en Intervención

Inscripción

<https://sbcss.k12oms.org/52-203127> o
Escanee el código QR para inscribirse.

Adaptaciones Especiales

Por favor, envíe cualquier solicitud de adaptación especial al menos quince días laborables antes de la capacitación, indicando su solicitud al inscribirse.

Cuándo

Jueves 24 de Febrero de 2022
Reunión de Trabajo de Reps: 5:00 - 5:30 p.m.
Presentación: 5:30 - 6:30 p.m.

Ubicación

Capacitación virtual, se enviará un enlace a cada participante antes de la capacitación. Esta capacitación puede ser grabada.

REGISTRESE
AQUI



Contáctenos

Correo electrónico: Marysol.Hurtado@cahelp.org

Teléfono: (760) 955-3552



CAHELP PRESENTS THE 2021-22 I-MTSS SYMPOSIUM

WE RISE BY LIFTING OTHERS



12:00 - 4:00 p.m. | Wednesday, March 2, 2022

Half-Day Symposium featuring
Kevin Hines & Anne Moss Rogers

Lunch provided for in person attendees

Location:

Spring Valley Lake Country Club

Price:

\$125 For Virtual | \$175 For In Person

Registration:

<https://sbcss.k12oms.org/52-211981>

Get in Touch |

Email:

Marysol.Hurtado@cahelp.org

Phone:

(760) 955-3552

OUR SPEAKERS



Kevin Hines is a storyteller at heart. He is a best selling author, global public speaker, and award winning documentary filmmaker. In the Year 2000, Kevin attempted to take his life by jumping off the Golden Gate Bridge. Many factors contributed to his miraculous survival including a sea lion which kept him afloat until the Coast Guard arrived. Kevin now travels the world sharing his story of hope, healing, and recovery while teaching people of all ages the art of wellness and the ability to survive pain with true resilience.



Despite her family's best efforts, Anne Moss's 20-year-old son Charles died by suicide on June 5, 2015, after many years of struggle with anxiety, depression, and ultimately addiction.

Anne Moss started a blog, EmotionallyNaked.com, that has reached millions and chronicled her family's tragedy in a newspaper article that went viral. She has been featured in the New York Times and was the first suicide loss survivor ever invited to speak at the National Institute of Mental Health (NIMH).

Anne Moss is a certified suicide prevention trainer, NAMI Virginia Board member, 2 End the Stigma (addiction) board member, and YWCA 2019 Pat Asch fellow.



**Desert/Mountain Charter SELPA
Due Process Summary
July 1, 2021 - January 20, 2022**

D = Complaint Dismissed W = Complaint Withdrawn

DISTRICT										CASE ACTIVITY FOR CURRENT YEAR				
	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	Total	D /W	Resolution	Mediation	Settled	Hearing
Allegiance STEAM Acad - Thrive	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0
Aveson Global Leadership Acad	N/A	2	1	5	1.5	0	0	2	11.5	0	2	0	0	0
Aveson School of Leaders	N/A	0	3	1	1.5	0	0	5	10.5	0	0	1	4	0
Ballington Acad for Arts & Sci	N/A	N/A	N/A	0	2	0	0	0	2	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	0	0	4	0	4	0	0	0	0	0
Encore Junior/Senior High School	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Julia Lee Performing Arts Acad	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0
LaVerne Elem Preparatory	0	0	0	0	0.5	0	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 (Altadena)	N/A	0	0	0	0	0	0	1	1	0	0	0	1	0
Odyssey Charter School -South (Pasadena)	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0
Pasadena Rosebud Academy	N/A	N/A	N/A	N/A	1	0	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	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
SELPA-WIDE TOTALS	0	2	4	6	6.5	0	4	8	30.5	0	2	1	5	0

Desert/Mountain Charter SELPA
Due Process Activity Summary
July 1, 2021–January 20, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
1. Odyssey Charter Case No. 2021070313	Child Find and Denial of FAPE: 1. Failed to appropriately assess in all areas of suspected need (AT, OT) 2. Failure to qualify for SPED 3. Lack of parental participation 4. Substantively deny FAPE	7/19/21	7/28/21		9/14 - 9/16/2021	Effective upon full execution of the settlement agreement on 8/23/2021: Reimburse Parents for educational and counseling expenses. Settlement Agreement CLOSED
2. Aveson Case No. 2021080796	Denial of FAPE: 1. Failure to provide appropriate program and adequate support. 2. Denial of parental participation. 3. Lack of educational benefit	8/25/2021	9/9/2021	11/19/2021	10/19 - 10/21/2021 1/25-27/2021	Parent unrepresented at Resolution. No settlement. 10/2021 - mediation scheduled 12/2021 - Statutory offer made and refused.
3. Aveson Case No. 2021090088	Denial of FAPE: 1. Failure to assess in all areas of suspected need / TRI 2. Failure to provide appropriate program and adequate support 3. Inappropriate placement and services 4. Failure to offer a BIP	9/2/2021	9/14/2021 9/20/2021		10/26-27/2021	Parent seeking private school placement and reimbursement for unilateral placement. No settlement. 10/19/21 - settlement agreement, partial placement. CLOSED

Desert/Mountain Charter SELPA
 Due Process Activity Summary
 July 1, 2021–January 20, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
4. Aveson Case No. 2021090785 Aveson cross filed Case No. 2021100682	Child Find and Denial of FAPE: 1. Impeded participation 2. Assessment not thorough 3. Lack of Ed benefit 4. Discrimination 1. Defend assessment 2. Defend IEP of 4/12/2021	9/23/2021 10/25/2021	10/5/2021 Not required	12/2/2021 12/2/2021	11/16-18/2021 2/01-3/2022	No settlement, expecting to go to mediation. 10/25/21 - Aveson filed to defend. Mediation scheduled. 12/02/21 - Settled with greatly reduced provisions. CLOSED
5. Aveson Case No. 2021100051	Denial of FAPE: 1. Inadequate assessments, PLOPS/goals, services program and placement. 2. Failed to implement IEP during distance learning. 3. Failed to provide prior written notice 4. Unclear offer of FAPE. 5. Predetermination 4. Impede parent participation	10/1/2021	10/7/2021 10/28/21		11/23-24/2021	11/10/21 Settlement agreement Private school reimbursement. Charter withdrawal. CLOSED

Desert/Mountain Charter SELPA
Due Process Activity Summary
July 1, 2021–January 20, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
6. Odyssey						

Desert /Mountain Charter SELPA
Legal Expense Summary
As Reported at Steering January 20, 2022

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	43,640.20
2021-2022	93,226.89

Practices for Identifying and Treating Dyslexia— State Dyslexia Legislation & Regulations Updated January 2016

California

2015, Chapter 647: Assembly Bill AB 1369: Screening, Interventions, Definition; Includes phonological processing in the description of basic psychological processes in Section 3030 of Title 5; the superintendent shall develop program guidelines for dyslexia to be used to assist regular education teachers, special education teachers and parents to identify and assess pupils with dyslexia and to plan, provide, evaluate, and improve educational services to pupils with dyslexia. Educational services means and evidence-based, multisensory, direct, explicit, structured and sequential approach to instructing pupils who have dyslexia. Must be ready by 2017-2018 school year.

SEC. 35. Section 56245 of the Education Code “The Legislature encourages the inclusion, in local in-service training programs for regular education teachers and special education teachers in local educational agencies, of a component on the recognition of, and teaching strategies for, specific learning disabilities, including dyslexia and related disorders.”

SEC. 43.5. Section 56337 of the Education Code “The term “specific learning disability” includes conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. That term does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, of intellectual disabilities, of emotional disturbance, or of environmental, cultural, or economic disadvantage.”

Section 44227.7 of the Education Code: Higher education is encouraged to provide teacher training for dyslexia and related disorders

Section 52853 of the Education Code: Schools to develop programs for training in dyslexia Intervention

Chapter 647: Sections 56334 and 56335 of the Education Code: 2015: Assembly Bill 1369: Requires screening for dyslexia, teacher training, evidence-based remediation, and the term dyslexia to be defined as it is by the International Dyslexia Association (IDA) and the National Institute of Child Health and Human Development (NICHD).

This bill would require the Superintendent of Public Instruction to develop, and to complete in time for use no later than the beginning of the 2017–18 academic year, program guidelines for dyslexia to be used to assist regular education teachers, special education teachers, and parents to identify and assess pupils with dyslexia, and to plan, provide, evaluate, and improve educational services, as defined, to pupils with dyslexia. The bill would require the Superintendent to disseminate the program guidelines through the State Department of Education’s Internet Website and to provide technical assistance regarding their use and implementation to specified persons.

(2) Existing regulations adopted by the State Board of Education include specific basic psychological processes in the definition of “specific learning disability.”

This bill would require the state board to include “phonological processing” in the description of basic psychological processes.

[Practices for Identifying and Treating Dyslexia](#)

YOU BE THE JUDGE: Does pupil’s fear of being on camera warrant reevaluation before switch to virtual learning?

During the school year, a Texas district switched a student with multiple disabilities to a virtual learning placement. Due to her disabilities, the student felt uncomfortable participating in virtual classes through the use of a camera and microphone. When teachers repeatedly told her that they would mark her absent unless she turned on her camera, the student became exasperated. She also had trouble accessing virtual lessons and submitting assignments due to faxing and scanning issues. Subsequently, the student developed an aversion to school and received failing grades.

The district did not reevaluate the student before her switch to virtual learning, but it held an IEP meeting after that change in placement. During the meeting, the district expressed concerns about “limits on its ability to provide educational services to the student” and concluded that compensatory educational services would be appropriate. It also reassessed available information, including medical documentation, and determined that the student required home instruction.

Alleging that the district discriminated against the student, the parent filed an OCR complaint. Under Section 504 and Title II, a district must reevaluate a student before any significant change in placement. 34 CFR 104.35(a).

Did the district’s decision to place the student in virtual learning create a compliance concern?

- A. **NO.** The district subsequently allowed the student to receive home instruction.
- B. **YES.** The district should have reevaluated the student before her switch to virtual learning.
- C. **YES.** The district should have allowed the student’s participation without being on camera.

RealTalk

Parent-to-Parent Group Chats

The Prevention and Intervention Team will be offering parent-to-parent group chats. Join us for a supportive and interactive opportunity to help build connections, create community, and grow together as we fill our toolboxes with new tools. We will be covering topics such as; building relationships, connecting with your child (infant to teen), self-care, establishing routines, and tips to assist with parenting. So grab a cup of coffee, a few snacks, and get ready to have a good time.

Registration

Secure your place now by going to the links listed, under each date. This is a virtual training, a link will be sent to each participant prior to the training date.

Cost

Training is FREE to all parents and caregivers.

Audience

This workshop is intended for parents, foster parents, caregivers, and guardians.

Presenter

Prevention and Intervention Team Members

Special Accommodations

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

Schedule

Participants can register to participate for the following days:

September 29, 2021

<https://sbcss.k12oms.org/52-203970>

December 1, 2021

<https://sbcss.k12oms.org/52-203972>

March 16, 2022

<https://sbcss.k12oms.org/52-203980>

May 11, 2022

<https://sbcss.k12oms.org/52-203981>

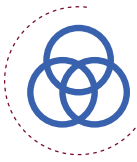


CENTER ON
PBIS Positive Behavioral
Interventions & Supports

STRENGTHENING FAMILY PARTICIPATION IN ADDRESSING BEHAVIOR IN AN IEP

LAURA KERN, EMILY BATON, & HEATHER PESHAK GEORGE

November 2021

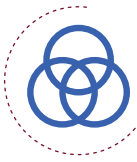


Strengthening Family Participation in Addressing Behavior in an IEP

Authors Laura Kern
Emily Baton
Heather Peshak George

Introduction

The Individualized Education Plan (IEP) document is a legal plan for special education which is created by a team that includes educators and you, the child's family. The IEP contains goals to promote your child's success in school and should, if needed, include goals on improving their behavior. The IEP provides information about the specifically designed instruction, related services, and other supports for your child (often referred to as accommodations and modifications), the educators who will provide supports, and how progress on the IEP will be collected and reviewed. The IEP team meets to create an IEP, for a yearly update, or for a new concern. Families might find it helpful to plan ahead for IEP meetings. For example, be prepared to talk about other areas of your child's life, such as health, eating habits, social behaviors, emotions, or academic level. This brief is designed for families in preparing for an IEP meeting and provides tips to help strengthen the team discussion on behavior goals and supports needed for your child.



IEP Document

Depending on the needs of your child, the school might use some of the following types of assessments: cognitive, academic, speech, and/or functional behavioral assessment (FBA). The results from these assessments will become part of your child's Individualized Education Program (IEP).

The assessment portion of an IEP is called the Present Levels of Academic Achievement and Functional Performance (PLAAFP). This section includes the results of the evaluation, the current level of your child in several areas, and is used to develop goals to address any needs. This section might also identify areas of strength that can be included in the IEP.

When there is a concern about your child's behavior, schools might use different assessments. This might include observations in the school and classroom, behavior rating scales, and/or surveys completed by teachers, families, and students. Sometimes a more specific assessment of the behavior is used that is called a functional behavior assessment (FBA). An FBA looks at the reason for the behavior and should be completed by an individual with behavioral training who might be part of the school team (i.e., School Psychologist) or an outside consultant that helps the school (i.e., BCBA). For more information on FBAs see [Behavior Assessment, Plans, and Positive Supports](#).¹

Behavioral Needs in the IEP

IEP Goals

Based on the information in the assessment part of the IEP (i.e., PLAAFP), the IEP team will develop goals. Goals should start with how your child would do in their classroom but can be adjusted based on their individual

The Individualized Education Program (IEP) document is a legal plan for special education. The IEP often includes assessment, goals, services, and accommodations that address the needs for your child across academic, behavioral, and social-emotional areas.

Tip

If you have a concern about your child, raise it to the IEP team. If you can do this before the IEP meeting it will help to make sure your needs are addressed in the development of the IEP. Some example questions could be: How has my child been doing academically? Behaviorally? Socially? Are there specific activities that seem more challenging than others?

needs. Some areas of focus for behavior goals could be to increase desired behaviors. For example, if your child is not completing homework, the goal could focus on homework completion. Similarly, there might be a need to decrease behaviors. If your child's behavior has been displaying aggressive behaviors, then the goal could focus on learning social skills or increasing self-regulation.

IEP goals should be specific, measurable, objective, and able to be measured in a reasonable amount of time. A goal might measure the percentage of completion of a task, the number of times (trials) that your child shows the desired behavior, an increased number of times (frequency) of the desired behavior, or a quicker response to a request (latency). For example, if it takes the student too long after lunch to get started on homework, a goal could be that after transitioning from lunch, the student will start their seatwork within 3 minutes or 85% of the time.



Behavior Support Plan

Sometimes a child with social or behavioral needs will also have a behavior support plan (BSP) also known as a behavior intervention plan (BIP). A BSP is a document that describes a plan to address the behavior and its reason (function) that was identified in the FBA. It might include strategies that can be used before the behavior, that address the behavior, and/or that address what happens after the behavior occurs. The ultimate goal is to have your child use appropriate behaviors. Often the most desirable behavior is difficult to learn right away. When that happens, a BSP might identify a “replacement behavior” (or “in between goal”) that serves the same reason (function) as the inappropriate behavior. For example, if your child is ripping up homework, the ultimate goal is still to have them complete homework. A replacement behavior might have them do some part of the homework to earn a break. Once they start doing any part of the homework, the BSP can include strategies to reward homework completion.

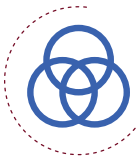
Along the way, other strategies might be used—such as making sure your child can do the homework and does not need additional academic instruction. Overall, the BSP should support your child’s success and behavioral development. Refer to the following for more information on BSPs and their connection with IDEA ([Dear Colleague Letter on Supporting Behavior of Students with Disabilities](#))² and positive behavior interventions and support (PBIS) for students with behavior needs ([Behavior Assessment, Plans, and Positive Supports](#)).³



If your child’s educational progress is being negatively impacted by behavioral issues, behavioral goals and objectives should be addressed by the IEP team and included as needed in the IEP. This might include IEP goals, a behavior intervention plan (also known as a behavior support plan), or accommodations and/or modifications to help them succeed in school.

Tip

Families should feel comfortable discussing strategies that have worked at home, including those that have been unhelpful. Some example questions could be: Do you see any common patterns that occur before and after the behavior? What types of data will we use and for how long? How are my child’s current goals progressing on the IEP? Are there other goals and supports we should consider?



Accommodations and/or Modifications

Accommodations and/or modifications are often found within a child's IEP plan. Accommodations help to improve access for education (ex. extended time on tests or preferred seating). Modifications change the way that material is taught to or expected from students (ex. a change in behavioral expectations). Refer to the [Center of Parent Information & Resources](#)⁴ for more information on accommodations and/or modifications ([Supports, Modifications, and Accommodations for Students](#)).⁵

Families should request and review a list of accommodations and modifications to help the team choose the most appropriate ones to help their child. Make sure that if a specific accommodation and/or modification is in the IEP, the service plan contains details confirming when and where the accommodation(s) and/or modification(s) will be used.

Monitoring and Follow Up

The IEP team should track the progress of your child's behavior, review the data as a team, and make adjustments to the strategies if needed.

Tracking Progress & Reviewing Data

- Collecting data helps to ensure that any goal, BSP, or accommodation is meeting the needs of your child. This includes that the behavior is decreasing (if undesired) or increasing (if desired). The method by which progress and data are monitored and collected is extremely important. IEP goals need to list the type of monitoring that will occur with each goal. Simply stating "data will be collected" is insufficient.

- The IEP team will select a reasonable amount of time to come together to see how the student is responding to the strategies within the behavior support plan and meeting the IEP goals.

Making Adjustments

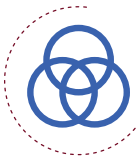
If your child's behavior is not improving (progressing towards their goals), the first consideration might be that the behavior support plan is targeting the wrong reason (function) for the behavior. This could lead to more observation to collect data or a review of the data already collected.

The IEP team should be able to observe a child's progress on behavioral goals. This can be done through on-going monitoring and data collection.

Tip

Ask the team to describe any graphs or data that they show you and explain what it means for your child's goals. It can be helpful to know where and when the data were collected. Some example questions could be: What do the data say regarding my child's progress on these goals? Based on the data, should we continue, increase, or fade supports? If the data show my child is not progressing, can we revisit the FBA?

The IEP is an important document that directs how your child receives special education in school. Families play an important role in special education, as you know your child best. Sharing what you know about your child, raising concerns, and celebrating triumphs help to ensure that you child receives special education that addresses their needs and promotes their success.



Additional Resources

[Supporting Students with Disabilities in a Classroom Brief⁶](#)

[An Overview of Endrew F. Brief⁷](#)

[Strategies for Setting Data-Driven Behavioral IEP Goals⁸](#)

[PBIS.org Families Topic⁹](#)

[PBIS.org Disability Topic¹⁰](#)

Embedded Hyperlinks

1. <https://www.parentcenterhub.org/behavassess/>
2. <https://www.parentcenterhub.org/webinar-oser-dcl-idea-behavioral-support-and-discipline/>
3. <https://www.parentcenterhub.org/behavassess/>
4. <https://www.parentcenterhub.org/whatiscpir/>
5. <https://www.parentcenterhub.org/accommodations/>
6. <https://www.pbis.org/resource/supporting-students-with-disabilities-in-the-classroom-within-a-pbis-framework>
7. <https://www.pbis.org/resource/an-overview-of-endrew-f-implications-for-student-behavior>
8. <https://eric.ed.gov/?id=ED604948>
9. <https://www.pbis.org/topics/family>
10. <https://www.pbis.org/topics/disability>

This document was supported from funds provided by the Center on Positive Behavioral Interventions and Supports cooperative grant supported by the Office of Special Education Programs (OSEP) and Office of Elementary and Secondary Education (OESE) of the U.S. Department of Education (H326S180001). Dr. Renee Bradley serves as the project officer. The views expressed herein do not necessarily represent the positions or policies of the U.S. Department of Education. No official endorsement by the U.S. Department of Education of any product, commodity, or enterprise mentioned in this document is intended or should be inferred.

Suggested Citation for this Publication

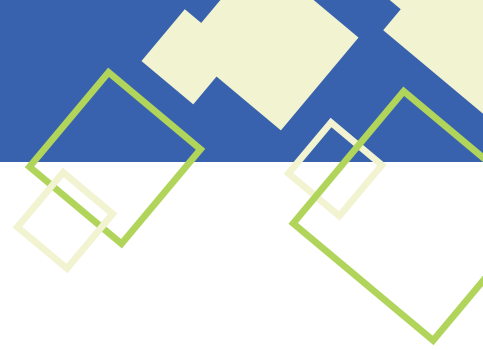
Kern, L., Baton, E., & George, H. P. (November, 2021). *Strengthening Family Participation in Addressing Behavior in an IEP*. Center on PBIS, University of Oregon. www.pbis.org



CENTER ON

PBIS

Positive Behavioral
Interventions & Supports



HELPING YOUR FAMILY PREPARE

for an Individualized Education Program (IEP) Meeting

The IEP document is a legal plan for special education which is created by a team that includes educators and you, the child's family. The IEP contains goals to promote your child's success in school and should, if needed, include goals on improving their behavior. The IEP provides information about the specifically designed instruction, related services, and other supports for your child (often referred to as accommodations and modifications), the educators who will provide supports, and how progress on the IEP will be collected and reviewed.

The IEP team meets to create an IEP, for a yearly update, or for a new concern. Families might find it helpful to plan ahead for IEP meetings. For example, be prepared to talk about other areas of your child's life, such as health, eating habits, social behaviors, emotions, or academic level.

This tip sheet shares some ideas on preparing for the IEP meeting to promote full participation in your child's education program.



Before the Meeting

Notification—Read the letter (or email) closely and review the reason for the IEP meeting (such as to create an IEP, yearly update, or new concern). Find out if your child is invited to the meeting. If you want your child to attend, you can request it. If you or any people you have invited can't attend the meeting, you can request a change that works for everyone.

Gather & Organize—Collect relevant teacher communication or notes from school about behavior. If needed, ask to speak to teachers, specialists, or related service team members before the meeting. Request to review the notes and if created, the draft IEP document. Be prepared and write down questions or concerns you have and bring those with you to the meeting. Before the meeting, provide copies of any updated relevant documents (e.g., any outside of school medical records or evaluations) to the school.

Discuss Goals—Discuss areas of academic or behavioral supports you want to be included in the IEP so the team knows to assess your child's skills in those areas.

Support System—Contact the people you would like to have attend the meeting with you (for example, family advocate, other family member, member of your child's support staff). Check that the date and time provided for the IEP meeting works for those you are inviting. If English is not the language you usually speak, consider asking for a translator to attend the meeting.

- ✓ Make sure the meeting time works for your family.
- ✓ Write down questions you would like to ask in the meeting.
- ✓ Invite other people to support you in the meeting (such as a family advocate).

Tip: Bring a photo of your child to the meeting to remind the team to focus on your child. How has my child been doing academically? Behaviorally? Socially? Are there specific activities that seem more challenging than others?

During the Meeting

Be Proactive—Try to arrive 15-20 minutes early. Remember to bring your documents and questions with you. You are allowed to request a break at any time during the meeting. You are an expert and your child's biggest advocate!

- ✓ Share your ideas, opinions, and feelings throughout the meeting.
- ✓ Listen carefully. If something is not clear, ask for more details.
- ✓ Request a brief break if needed.

Collaborate—Make it positive! Ask the team members to introduce themselves and explain their role. Be open to sharing your thoughts, ideas, and questions. Listen to updates and ideas from other team members. The focus of the conversation should always be around your child and how the team can work together to promote your child's success.

Check for Understanding—Ask questions about anything that is unclear to you before signing the IEP. If you do not sign the document during the meeting or you have concerns, make a follow-up appointment to review those concerns and meet again as needed to develop a mutually agreed-upon IEP. See additional resources at <https://bit.ly/31w2waw>.

Address Behavior—If it is needed, IEPs might have behavior-specific goals and include a behavior support plans (BSP) to address specific student needs. A BSP is a document that describes a plan to address your child's behavior. For more information on FBAs & BSPs, see additional resources at www.pbis.org.

Tip: Communicating by email allows for a written record of what was shared and discussed at the IEP meeting. What types of goals are we including on the IEP? Are there other goals and supports we need to consider?

After the Meeting

Review—A final copy of the IEP document will be provided to you once all changes have been made. Review to make sure everything is correct. If changes are needed, ask for an immediate follow-up meeting.

Communicate—Decide whether to share the document with individuals that work with your child that might find it helpful to review the IEP (for example, behavior analyst or speech pathologist). If appropriate, ask your child if they have any questions about the process, meeting, or document. Check in with your child's teacher to review progress. Contact the school, district, local agencies or non-profits to request additional help if the team was unable to assist you.

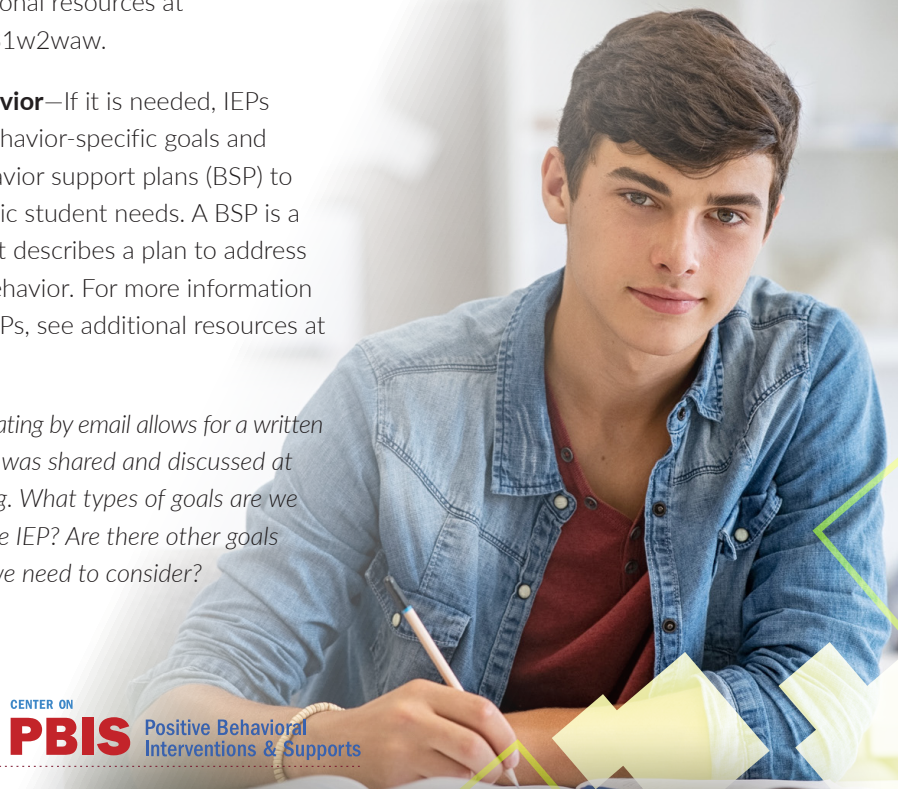
Recognize—Let the team know you appreciate their time and hard work. Celebrate the progress and the program developed to support your child with your family.

- ✓ Address any concerns or questions.
- ✓ Consider sharing a copy of the IEP with other professionals working with your child.
- ✓ Celebrate your child's success in special education with your family.



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For more information on supporting behavior, visit pbis.org





Questions for Families to Consider when Concerned about their Child's Behavior

Are you concerned about your child's behavior in school? This document is intended to assist families of children with disabilities that already have an Individualized Education Program (IEP) in asking questions to learn more about their child's behavior in school. If you are concerned about your child's behavior, we recommend (a) using simple strategies to support your child's behavior at home (check out our brief on [PBIS at Home](#)¹ and a [family planning guide](#)² that will help you get there) and (b) talking with your child about what can help them at school.

The next step is contacting your child's teacher or another educator on their team to learn more about what's going on at school. Consider the following topics to guide your conversation.

- **Check-in:** Greet your child's teacher. Focus on your child's strengths, raise your concerns, and start with a general check in on your child's academic, behavioral, and IEP progress.
- **Ask about patterns:** Ask questions about times that are challenging for your child or patterns that may help explain why the behavior is happening.
- **Ask about data:** Ask to see data, or information, that may help you understand what's going on at school.
- **Ask about supports:** Ask what is in place to help your child consistently meet school expectations and that makes school work better for them.
- **Ask about evidence:** Ask if there is research or data that shows these supports are likely to work for your child.
- **Ask about staff support:** Ask if the teacher and other staff are getting what they need to be able to help your child.
- **Ask about ways to share your feedback:** Ask for ways that you can be involved and share feedback with the teacher and other staff as you know your child the best!

Finally, based on this conversation, look for chances to work together with your child's school to make school work better for them! The rest of this document shares some examples of questions you can ask your school that are organized by the level of behavior concern. In conclusion, a list of additional resources has been included for consideration.



- The first set (example 1) is meant for families of children with an IEP who have new concerns or behaviors that seem **minor** or are just starting.
- The second set (example 2) is meant for families of children with an IEP who have **ongoing** needs or who have not responded to the school's strategies for the initial concerns and might need more support (**moderate** concern).
- The third set (example 3) is meant for families of children with an IEP with more **chronic** or **significant** behavior issues or if a school has not responded to more minor concerns.

Example 1: New or Minor Concern

For families of children with new concerns or behaviors that seem minor or are just starting, begin a conversation to support your child's behavior. Consider the following example about D'wayne.

D'wayne is a student in 3rd grade. He has an Individualized Education Program (IEP) that helps him with reading. He always loved to go to school and see his friends. He enjoys art, and there are lots of pictures on your refrigerator from his art projects. In the last month, you noticed that D'wayne has not wanted to go to school and complained that he does not like it anymore. His teacher informed you that he has not done some of his homework and is not filling in reading logs. You are concerned because this seems new to you, and you wonder if something is happening at school. You decide to call his teacher and find out what is going on.

Before asking the questions, it is often helpful to introduce yourself and why you are contacting the school. This will help set up a positive conversation. The following are some possible questions to ask:

- **Check-in:** "Hello Ms. Teacher. I'm really worried about D'wayne. He is not doing his homework and is not reading his books. He says he does not like school anymore. Can we talk about some of my concerns so we can help D'wayne?"
 - How has my child been doing academically at school?
 - How has my child been behaving at school?

If the educator identifies challenging behaviors and/or you have concerns, gather more information.

- **Ask about patterns:** Are you noticing any common patterns? For example, are there specific activities that are more challenging than others?



- **Ask about data:** Do we have any data to help me better understand what is going on? For example, have other teachers observed any changes? Or, are there other ways we could get more information to help us make better decisions about supports for his IEP?
- **Ask about supports:** Here are some strategies that I've found effective at home (share strategies). What works at school? What goals and supports are you considering for the IEP?
- **Ask about evidence:** How do we know if those supports will work? Do you know if they've been researched with kids like mine?
- **Ask about staff support:** How will other people who work with D'wayne be trained to help with those supports? What data will be collected to see if the supports are working?

It is often a good idea to end with thanking the school for all that they are doing and that you look forward to addressing any concerns and learning about how your child is doing. Remember, you are an important part of the team!

- **Wrap up:** "Thanks so much for talking with me. It looks like we have some similar concerns. Are there ways we can work together to better support D'wayne? I'm pleased that we all care about my child and meeting their behavioral needs. I would love to follow up with you in a week, or so we can share how well he is doing. Also, I would be interested in any data you are collecting to track his progress. I will share whatever I have. Let me know if I can help in any way."

Example 2: Ongoing or Moderate Concern

For families of children with ongoing needs or who have not responded to the school's strategies for the initial concerns and might need more support, continue the conversation about supporting your child's behavior. Consider the following example about Mickey.

Mickey is a student in high school. He has an IEP that helps with math (academics) and socializing with friends (behavior social skills). He likes some things about school, but he does not like eating in the cafeteria. All year you noticed that Mickey is not bringing lunch to school. You checked, and he is not buying lunch either. After lunch, he has math, and his grades are not good. When you ask him about math, he gets upset and changes the subject or slams his door. When you checked with his math teacher, you found out he is not turning in homework. Last week he was sent to the office after tearing up a math quiz and refusing to do it. You are concerned because this seems to be ongoing in an area he has struggled with. You don't think it's helpful that he is not eating lunch. You decide to call his special education teacher and find out what is going on.



Before asking the questions, it is often helpful to introduce yourself and why you are contacting the school. This will help set up a positive conversation. The following are some possible questions to ask:

- **Check-in:** “Hello Mr. Teacher. I’m really worried about Mickey. He is not doing his math homework and is getting bad grades. I know we have some goals on his IEP and I’m wondering how he is doing with them. He does not seem to be eating lunch at all of sitting with his friends during lunch. Can we talk about some of my concerns so we can help Mickey?”
 - How has my child been doing academically at school?
 - How has my child been behaving at school?
 - How are the goals progressing on his IEP for academics? For behavior?

When the educator identifies challenging behaviors and/or you have concerns, ask additional questions.

- **Ask about patterns:** Are you noticing any common patterns? For example, are there specific activities that are particularly challenging? Do you see any common events or circumstances before the behavior happens? How about after the behavior?
- **Ask about data:** Do we have any data to help me better understand what is going on? Have other teachers observed any changes? Or, are there other ways we could get more information to help us make better decisions about supports for his IEP? How are his goals progressing on his IEP?
- **Ask about supports:** Here are some strategies that I’ve found effective at home (share strategies). What works at school? What other goals and supports are you considering for the IEP?
- **Ask about evidence:** How do we know if those supports will work? Do you know if they’ve been researched with kids like mine?
- **Ask about staff support:** How will other people who support Mickey be trained to help with those supports? Will you continue to collect data to see if they are making an impact?

It is often a good idea to end with thanking the school for all that they are doing and that you look forward to addressing any concerns and learning about how your child is doing. Remember, you are an important part of the team!

- **Wrap up:** “Thanks so much for talking with me. It looks like we have some similar concerns. Are there ways we can work together to better support Mickey? I’m pleased that we all care about my child and meeting their behavioral needs. I would love to follow up with you in a week, or so



we can share how well he is doing. Also, I would be interested in any data you are collecting to track his progress. I will share whatever I have. Let me know if I can help in any way.”

Example 3: Chronic or Significant Concern

For families of children with more significant behavior issues or if a school has not responded to more minor concerns, engage in a more in-depth conversation about supporting your child’s behavior. Consider the following example about Maya.

Maya is a student in middle school. She has an IEP that helps with math (academics) and socializing with friends (behavior social skills). She has weekly social skills lessons with the school counselor. Her math class is in a separate special education class. Because of some aggressive behavior that occurred during passing time last year, she has a behavior support plan and a daily progress report. Lately, you noticed that her daily progress report shows that she is late for a few of her classes. She has even skipped math class. You have received more calls about her being sent to the office because she talks back to teachers. You are concerned because this seems to be occurring more frequently than in the past. You are worried about her skipping and wondering where she might be going to instead of class. You decide to call her special education teacher and find out what is going on.

Before asking the questions, it is often helpful to introduce yourself and why you are contacting the school. This will help set up a positive conversation. The following are some possible questions to ask (you might note that the questions are more direct and ask for more information than the previous questions):

- **Check-in:** “Hello Ms. Teacher. I’m really worried about Maya. She is not going to all of her classes. I know we have some goals on her IEP and a behavior support plan, but I’m wondering how she is doing. Can we talk about some of my concerns? ”
 - How has my child been doing academically at school?
 - How has my child been meeting behavioral expectations at school?
 - How are the goals progressing on his IEP for academics? For behavior?
 - How is his behavior support plan working?

When the educator identifies challenging behaviors and/or you have concerns, ask additional questions.

- **Ask about patterns:** If you have concerns, are the behaviors occurring more often than in the past? Are there certain times, areas, etc. where these behaviors are happening?



- **Ask about data:** If you have concerns, can you please be specific? Why do you have these concerns? How do you suggest we address them?
 - What data can we look at to help us decide if we need to change his IEP or behavior support plan?
 - Observation?
 - Behavior Rating Scales?
 - Interview with other educators?
 - Asking me for feedback?
 - Who will be collecting the data or participating in the assessments to identify or address any concerns?
 - General educator (my child's teacher/s)?
 - Special educator?
 - Paraprofessional?
 - School Counselor?
 - School Psychologist?
 - Me?
- **Ask about supports:** Do you think we need to change her IEP or behavior support plan? Should we collect more data?
 - If determined necessary, what kind of strategies can be used to address these concerns?
 - Do we need to do/or re-look at a functional behavior assessment (FBA)?
 - Do we need to develop/or revise his behavior support plan?
 - Add social skills lessons
 - Work with peers?
 - Consider additional/different accommodations and/or modifications?
 - Teach her self-regulation strategies?
 - Any other strategies?
- **Ask about evidence:** What kind of data will be used to **measure progress** on the behavior concerns?
 - How will you know if changes will need to be made to the IEP/behavior support plan and any other strategies after revisions have been made? What kind of data will you collect?
 - Observation?
 - Behavior Rating Scales?
 - Interview with other educators?



- Asking me for feedback?
 - How will you know if there are no longer any behavior concerns? What kind of data will you collect?
 - Observation?
 - Behavior Rating Scales?
 - Interview with other educators?
 - Asking me for feedback?
 - How will we fade any new supports if they are considered not needed any longer?
 - How long do you need to determine next steps before I reach out to you again? Do you prefer email or a phone call?
- **Ask about staff support**
 - How will other people who work with my child be trained to help with those supports?
 - What data will be collected to see if the supports are working

It is often a good idea to end with thanking the school for all that they are doing and that you look forward to addressing any concerns and learning about how your child is doing. Remember, you are an important part of the team!

- **Wrap up:** “Thanks so much for talking with me. It looks like we have some similar concerns. Are there ways we can work together to better support Maya? I’m pleased that we all care about my child and meeting their behavioral needs. I would love to follow up with you in a week, or so we can share how well he is doing. Also, I would be interested in any data you are collecting to track her progress. I will share whatever I have. Let me know if I can help in any way.”



Additional Resources

1. **Supporting Families with PBIS at Home** - <https://www.pbis.org/resource/supporting-families-with-pbis-at-home>
2. **Family Plan for Positive Behavior at Home** - <https://www.pbis.org/resource/family-plan-for-positive-behavior-at-home>
3. **Enhancing Family-School Collaboration with Diverse Families** – <https://www.pbis.org/resource/enhancing-family-school-collaboration-with-diverse-families>
4. **Strengthening Family Participation in Addressing Behavior in an IEP** – <https://www.pbis.org/resource/strengthening-family-participation-in-addressing-behavior-in-an-iep>
5. **An Overview of Endrew F.: Implications for Student Behavior** - <https://www.pbis.org/resource/an-overview-of-endrew-f-implications-for-student-behavior>
6. **Supporting Students with Disabilities in the Classroom within a PBIS Framework** – <https://www.pbis.org/resource/supporting-students-with-disabilities-in-the-classroom-within-a-pbis-framework>
7. **Strategies for Setting Data-Driven Behavioral IEP Goals** - <https://eric.ed.gov/?id=ED604948>
8. **PBIS.org Families Topic** - <https://www.pbis.org/topics/family>
9. **PBIS.org Disability Topic** - <https://www.pbis.org/topics/disability>

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Suggested Citation for this Publication

Kern, L., Simonsen, B., George, H. P., Robbie, K., & Putnam, B. (December, 2021). *Questions for Families to Consider when Concerned about their Child's Behavior*. Center on PBIS, University of Oregon. www.pbis.org

Transition Planning for All Students

This course is specifically designed to provide participants with an overview of the legal mandates and ethical requirements necessary to meet IDEA transition mandates for students with disabilities age 16 and older. An emphasis will be placed on transition services including the Individual Transition Plan (ITP), measurable postsecondary goals, and the legal requirements for developing the Summary of Performance (SOP). Using the person-centered planning process, participants will learn how to generate student profiles essential in the required planning of postsecondary goals.

Participants will learn how to meet the requirement of Indicator 13, strategies necessary to involve students and family members in student-centered transition planning, and review a systematic approach to develop meaningful and realistic transition goals based on student needs, interests, and assessment profiles.

Presented By

Adrienne Shepherd, Program Manager

Date

February 3, 2022

Time

9:00 a.m. - 12:00 p.m.

Location

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

This training may be recorded.



Audience

Special and general education teachers, counselors, administrators, psychologists, and other interested support staff who work with the secondary student population.

Cost

There is no cost for this training.

Registration

Please register online at:
<https://sbcss.k12oms.org/52-200309>

Special Accommodations

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

8.8 Compliance Updates

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: January 20, 2022

To: Directors of Special Education

From: Codi Andersen, Occupational/Physical Therapy Supervisor

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) 955-3659 at Codi.Andersen@cahelp.org

Upcoming Trainings

Date/Time	Event	Location
1/25/2022 2:00 PM - 4:00 PM	USING ASSISTIVE TECHNOLOGY (AT) TO SUPPORT CHILDREN WITH DEYSLEXIA AND OTHER READING CHALLENGES AND ELL STUDENTS	VIRTUAL
1/25/2022 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
1/26/2022 2:30 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE - PROMPTING FOR PARAPROFESSIOINALS	VIRTUAL
1/26/2022 2:30 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE: - (PROMPTING (INDEPENDENT TRAINING)	VIRTUAL
1/26/2022 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
1/26/2022 8:00 AM - 2:00 PM	YOUTH MENTAL HEALTH FIRST AID	VIRTUAL
1/27/2022 1:00 PM - 4:00 PM	CHECK-IN CHECK-OUT INTERVENTION	VIRTUAL
1/27/2022 2:00 PM - 4:00 PM	DYSLEXIA: FOUNDATIONS, SCREENINGS, AND ASSESSMENTS	VIRTUAL
1/31/2022 2:00 PM - 3:30 PM	LIFE AND WORK BALANCE: BEING MINDFUL OF THE PRESENT MOMENT	VIRTUAL
2/1/2022 2:00 PM - 4:00 PM	MEANINGFUL PARENT PARTICIPATION	VIRTUAL

For more information, visit the CAHELP Staff Development calendar (url: www.cahelp.org/calendar)
 17800 Highway 18, Apple Valley, California 92307
 (760) 552-6700 Office * (760) 242-5363 Fax

Upcoming Trainings

Date/Time	Event	Location
2/1/2022 -	STRUCTURED LITERACY - WHAT, WHY, WHO, AND HOW?	VIRTUAL
2/2/2022 2:30 PM - 4:30 PM	ARTS INTEGRATION: LEVERAGING THE ART OF LEARNING	VIRTUAL
2/2/2022 8:30 AM - 3:30 PM	EARLY CHILDHOOD CLASSROOM STRATEGIES FOR EFFECTIVE LARGE GROUP (CIRCLE TIME) INSTRUCTION	DMESC/VIRTUAL
2/3/2022 9:00 AM - 12:00 PM	TRANSITION PLANNING FOR ALL STUDENTS	VIRTUAL
2/3/2022 9:00 AM - 10:30 A	WEBEIP AM QUESTION AND ANSWER SESSION	VIRTUAL
2/9/2022 2:00 PM - 4:00 PM	BREAKING THE CODE TO LITERACY	VIRTUAL
2/9/2022 2:30 PM - 4:00 PM	DE-ESCALATION FOR EDUCATORS	VIRTUAL
2/9/2022 2:30 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE - TIME DELAY	VIRTUAL
2/9/2022 2:30 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE - TIME DELAY FOR PARAPROFESSIONALS	VIRTUAL
2/9/2022 2:30 PM - 4:30 PM	STRUCTURED LITERACY: WHAT, WHY, WHO, AND HOW?	VIRTUAL

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Upcoming Trainings

Date/Time	Event	Location
2/9/2022 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
2/10/2022 8:30 AM - 3:30 PM	GET "SKOOL'D" IN THE 3 R'S: RHYTHM, RHYME, REPRESENTATION	DESERT MOUNTAIN SELPA
2/10/2022 8:30 AM - 3:30 PM	GET SKOOL'D THE 3 R'S: RHYTHM, RHYME, AND REPRESENTATION	DMSELPA
2/11/2022 2:00 PM - 3:00 PM	FAMILY FUN DAYS	VIRTUAL/DMESC
2/14/2022 -	STRUCTURED LITERACY - WHAT, WHY, WHO, AND HOW? (SELF-PACED COURSE)	VIRTUAL
2/16/2022 2:30 PM - 3:30 PM	CO-TEACHING CONCEPTS	VIRTUAL
2/16/2022 8:00 AM - 2:00 PM	YOUTH MENTAL HEALTH FIRST AID	VIRTUAL
2/17/2022 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
2/22/2022 2:00 PM - 3:30 PM	WEBEIP PM QUESTION AND ANSWER SESSION	VIRTUAL
2/23/2022 2:30 PM - 4:00 PM	CRISIS PREVENTION INSTITUTE (CPI) FLEX-BLENDED LEARNING	VIRTUAL

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Upcoming Trainings

Date/Time	Event	Location
2/23/2022 2:30 PM - 5:30 PM	PUTTING ABPS INTO PRACTICE - VISUAL SUPPORTS	VIRTUAL
2/23/2022 2:30 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE - VISUAL SUPPORTS FOR PARAPROFESSIONALS	VIRTUAL

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Arts Integration: Leveraging the ART of Learning

Presented By

Adrien Faamausili Program Specialist

Date:

February 2, 2022

Time

2:30 - 4:30 p.m.

Locations

This training will be virtual. You will receive a link closer to the training.

Cost

Desert/Mountain SELPA and Charter SELPA members \$0.00; non-member participants \$25.00



Are you ready to provide an "optima learning environment" for your students that allows them to be creative, and increase student achievement at the same time? If so, then allow me to introduce you to Arts Integration. Arts Integration (AI)? AI is an approach to teaching and learning through which content standards are taught and assessed equitably in and through the arts. As a participant of this training, you will have the opportunity to explore the defining characteristics of AI and, learn how to integrate the basic elements of dance/creative movement with the teaching of curriculum content. Let us explore the various elements of AI, where teaching is an art form, and learning is meaningful and exciting.

Registration

Please register on line at:
<https://sbcss.k12oms.org/52-211754>

Audience

General education teachers, special education teachers and site administrators.

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



Julie Wheeler
julie.wheeler@cahelp.org
760.955.3592



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

Trauma and SEL

Creating Behavior Change in Schools



Featuring

Tameika Meadows, M.Ed., BCBA, Stephen E. Brock, Ph.D, NCSP, LEP, and Mark R. Dixon, Ph.D

Description

Trauma ABA and Social Emotional Learning are topics that excite many educators as it relates to student support. Accessing additional behavioral tools to support change is a high priority when considering meaningful educational benefit. Referencing a student's history and supporting their function can lead to reduced discipline and increased attendance. We are hopeful that this conference will lead to creating changes in schools from a behavioral perspective.

Conference Objectives

- Educators will gain knowledge on linking student behavior to functional assessment.
- Educators will be equipped with information on positive behavior intervention supports for students dealing with trauma.
- Educators will be exposed to supportive behavioral practices and reframe standard ways of providing ABA.
- Educators will develop skills on how to support students impacted by trauma.

Date

February 3rd, 2022

Time

8:30 a.m. - 3:00 p.m.

Location

Virtual conference

Cost

\$25.00

Registration

Please register online at:

<http://rcselpa.k12oms.org/1386-213050>

Special Accommodations

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 : 2935 Indian Avenue Perris, CA 92571

Phone : (951) 490-0375

Email : tracy@rcselpa.org

Website : www.rcselpa.org

Get "Skool'd" in the 3R's: Rhythm, Rhyme, and Representation



Presented By

Adrien Faamausili, Program Specialist

Date

February 10, 2022

Time

2:30 p.m. - 4:30 p.m.

Cost

Desert/Mountain SELPA and Charter SELPA members \$0.00; Non-member participants \$25.00

Please register online at:

<https://sbcss.k12oms.org/52-202262>

Description

Hip-Hop is an artistic, musical, physical, and visual mode of communication that people use to express their experiences, beliefs, and emotions. This art form has been an outlet for youth culture all around the world. What if you were able to connect hip-hop to what students are learning, so that school is fun and educational?

During this training participants will have the opportunity to explore the defining characteristics and implication of Arts Integration, and how it uses aspects of hip-hop art and culture to create an engaging learning environment that builds students' skills in writing, communication, and math. So, I encourage you to stand on your chair, and wave your hands like you just don't care! Grab a pen, a diary, a notebook, or a journal to make sure your bright ideas don't stay internal! Get ready to take on the rewarding task to educate, excite, and inspire your class! PEACE!

Cost

Desert/Mountain SELPA and Charter SELPA members \$0.00; Non-member participants \$25.00

Location

This training will be virtual. You will receive a link closer to the date of the training.

Audience

Special education teachers and general education teachers.

Special Accommodation

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



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julie.wheeler@cahelp.org
760.955.3592



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