

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*June 23, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

---

## **AGENDA**

---

**NOTICE:** This meeting will be held as a hybrid committee meeting with some committee members participating in person and others participating via Web Ex. If members of the public wish to participate in the meeting and/or make public comment, please follow the instructions below to participate telephonically:

### **PARTICIPATE BY PHONE:**

Dial Access Number: 1-415-655-0003

When prompted - enter Meeting Number: 2459 386 8351

Follow directions as a Participant; an Attendee I.D. is not required to participate.

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

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

### **1.0 CALL TO ORDER**

### **2.0 ROLL CALL**

### **3.0 PUBLIC PARTICIPATION**

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

### **4.0 ADOPTION OF THE AGENDA**

4.1 **BE IT RESOLVED** that the June 23, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda be approved as presented.

### **5.0 INFORMATION/ACTION**

5.1 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

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*June 23, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

---

**AGENDA**

---

continue to impose or recommend measures to promote social distancing.

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

**6.0 CONSENT ITEMS**

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

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

6.1.1 Approve the May 26, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

**7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS**

7.1 State SELPA Administrators Update

Heidi Chavez will provide an update from State SELPA Administrators including legislative information.

7.2 Governor's Budget

Heidi Chavez will provide an update on the Governor's Budget.

7.3 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.

7.4 Professional Learning Summary and Update

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

7.5 Resolution Support Services Summary and Updates

Sheila Parisian will present the D/M Charter SELPA's Resolution Support Services Summary and updates.

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*June 23, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

---

**AGENDA**

---

7.6 Case Law Review

Sheila Parisian will provide case law review.

7.7 Prevention and Intervention Update

Kami Murphy will provide the Prevention and Intervention update.

7.8 Compliance Update

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

**8.0 FINANCE COMMITTEE REPORTS**

8.1 Dispute Prevention and Resolution Funds and Learning Recovery Funds-MOE Impact

Marina Gallegos will present information pertaining to Dispute Prevention and Resolution Funds and Learning Recovery Funds-Maintenance of Effort Impact and Strategies.

**9.0 INFORMATION ITEMS**

9.1 Monthly Occupational & Physical Therapy Services Reports

9.2 Upcoming Professional Learning Opportunities

**10.0 STEERING AND FINANCE COMMITTEE MEMBERS COMMENTS / REPORTS**

**11.0 CEO COMMENTS**

**12.0 MATTERS BROUGHT BY THE PUBLIC**

This is the time during the agenda when the Desert/Mountain Charter SELPA Steering Committee is again prepared to receive the comments of the public regarding items on this agenda or any school related special education issue. Speakers are requested to give their name and limit their remarks to five 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.

California Association of Health and Education Linked Professions

Joint Powers Authority (CAHELP JPA)

**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**

*June 23, 2022 – 1:00 p.m.*

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

**AGENDA**

---

**13.0 ADJOURNMENT**

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, August 25, 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.*



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

SHARE THIS:



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**

*May 26, 2022 – 1:00 p.m.*

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

---

**AGENDA**

---

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

ASA Charter Schools – Anthony Lucey, Aveson Global/Aveson School of Leaders – Kelly Jung, Ballington Academy – Doreen Mulz, Desert Trails Preparatory Academy/Laverne Elementary Preparatory Academy – Tracee Stewart, Debbie Tarver, Elite Academic Academy – Susana Waisman, Adam Woodard, Encore Jr/Sr High – Esther Haskins, Julia Lee Performing Arts – Mika Klepper, Thalia Mays, Leonardo da Vinci Health Sciences – Courtney Cox, Pasadena Rosebud Academy – Shawn Brown, Pathways to College – Craig Merrill, Taylion High Desert – Brenda Congo, and Virtual Preparatory Academy-Lucerne – Malia Lovell.

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

Jamie Adkins, Codi Andersen, Pam Bender, Heidi Chavez, Ariel Clark, Danielle Cote, Melissa DeSilva, Lindsey Devor, Peggy Dunn, Adrien Faamausili, Thomas Flores, Marina Gallegos, Bonnie Garcia, Renee Garcia, Colette Garland, Derek Hale, Linda Llamas, Maurica Manibusan, Robin McMullen, Angela Mgbekwe, Lisa Nash, Kathleen Peters, Veronica Rousseau, Adrienne Shepherd-Myles, Jessica Soto, Jennifer Sutton, Stephanie Sweem, Amy Thompson, and Athena Vernon.

**1.0 CALL TO ORDER**

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Desert/Mountain Charter SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender, at 1:05 p.m., at the Desert/Mountain Educational Service Center, Apple Valley.

**2.0 ROLL CALL**

**3.0 PUBLIC PARTICIPATION**

None.

**4.0 ADOPTION OF THE AGENDA**

4.1 **BE IT RESOLVED** that a motion was made by Courtney Cox, seconded by Brenda Congo, to approve the May 26, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 12:0: Ayes: Brown, Congo, Cox, Haskins, Jung, Klepper, Lovell, Lucey, Merrill, Mulz, Tarver, and Waisman. Nays: None. Abstentions: None.

**5.0 INFORMATION/ACTION**

5.1 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

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*May 26, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **AGENDA**

---

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.

5.1.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Tony Lucey, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote 12:0: Ayes: Brown, Congo, Cox, Haskins, Jung, Klepper, Lovell, Lucey, Merrill, Mulz, Tarver, and Waisman. Nays: None. Abstentions: None.

5.2 Desert/Mountain Charter SELPA D/M 77 Notice of Procedural Safeguards (**ACTION**)

Forms used in the operations of special education programs within the Desert/Mountain Charter SELPA are developed, reviewed and revised throughout the year upon the recommendation of the Program Team. Forms are modified as necessary in order to support the operations of special education programs in an efficient, effective and legally compliant manner. Suggested revisions to SELPA Forms are submitted to the D/M Charter SELPA Steering Committee for consideration and approval.

5.2.1 **BE IT RESOLVED** that a motion was made by Courtney Cox, seconded by Tony Lucey, to approve the Desert/Mountain Charter SELPA D/M 77 Notice of Procedural Safeguards as presented. The motion carried on the following vote 12:0: Ayes: Brown, Congo, Cox, Haskins, Jung, Klepper, Lovell, Lucey, Merrill, Mulz, Tarver, and Waisman. Nays: None. Abstentions: None.

### **6.0 CONSENT ITEMS**

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

6.1 **BE IT RESOLVED** that the following a motion was made by Debbie Tarver, seconded by Tony Lucey, to approve Consent Item as presented. The motion carried on the following vote 12:0: Ayes: Brown, Congo, Cox, Haskins, Jung, Klepper, Lovell, Lucey, Merrill, Mulz, Tarver, and Waisman. Nays: None. Abstentions: None.

6.1.1 Approve the April 21, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

### **7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS**

7.1 State SELPA Administrators Update

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*May 26, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **AGENDA**

---

Pam Bender provided a legislative update as it pertains to special education. She reported on the following bills:

- Senate Bill (SB) 291 is building an advisory commission on special education that would include 15 students ranging from 16 to 24 years of age from across the state. The students would currently or previously been in a special education program and be able to provide advice and input.
- SB 1113 supports inclusive education and universal design for learning and went for Senate Hearing on 5/19/22 but there has been no report out yet.
- Assembly Bill (AB) 2121 pertains to school accountability, trainings, and collaboratives. It would also create a resource for Alternative Dispute Resolution lead across the state to provide technical assistance for families and advocates.
- SB 871 regarding the Covid-19 vaccine being a required immunization for school admission has died but SB 866 pertaining to minors 12 years of age and older being able to consent to medical care without the consent of their parent or guardian will continue to be watched.
- SB 237 providing program guidelines for assessing students in grades kindergarten through 3rd with dyslexia assessments will continue to be watched by State SELPA.
- SB 1229 regarding the mental health workforce grant is being supported by State SELPA Administrators because there is a lack of mental health personnel providing those services in education. The bill would provide 10,000 \$25,000 grants to post-graduates over a three-year period. The eligibility requirements are to be enrolled on or after January 1, 2022, at an accredited school in the department of social work or specified masters or doctoral post-graduate program.

### 7.2 Governor's Budget

Pam Bender provided information on the Governor's Budget for Special Education stating there is significantly more money in the May revise then there was in the January budget. Pam highlighted the following increases:

- Local Control Funding Formula (LCFF) from \$3.3 billion to \$6.1 billion.
- Proposition 98 minimum guarantee for the 2022-23 school year increased from \$102 billion to \$110.3 billion.
- Cost of Living Adjustment (COLA) increased from 5.33% to 6.56%.

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*May 26, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

---

## AGENDA

---

- One-time discretionary funds increased from zero to \$8 billion.

Pam continued that several items in the special education budget have remained unchanged including:

- \$5 million Proposition 98 in general fund for special education funding with the 5.65% COLA applied.
- Base rate increasing to \$820 per ADA. State SELPA Administrators is supporting the use of the 6.56% COLA to increase ADA to \$850.
- AB 602 Apportionment funding will continue through the SELPAs.
- Educationally Related Mental Health Services (ERMHS) could be funded directly to districts in 2022-23. State SELPA Administrators continues to write letters to legislators regarding the potential impact on small LEAs if a high needs student enrolls. Services will continue to be provided through Desert/Mountain Children's Center via MOUs if that does move forward.

Pam then reported a change in Independent Study based on a lawsuit. She said a student cannot be automatically disqualified from independent study because of a disability or because they have an IEP. Pam advised there is no pending legislation to providing new directives so LEAs are to continue with current practice until further information is provided by the state.

Pam said State SELPA Administrators is continuing to work with legislators about integrating students with disabilities fully in to the LCAP. She mentioned California Education Code 52062(a)(1) addresses the SELPA being part of the district LCAP development. When a D/M SELPA program specialist or program manager is part of the LCAP development meetings, the district will receive a certificate confirming the involvement that can be submitted with the LCAP.

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

Linda Llamas presented the Desert/Mountain Children's Center Client Services monthly reports and updates. She asked to be contacted with any changes or questions about reports.

### 7.4 Mental Health Trends

Linda Llamas presented two articles containing research information on mental health trends. There is statistical information included that will help LEAs make decisions about their sites and families. She asked to be contacted with questions about the articles or the research.

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*May 26, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **AGENDA**

---

### 7.5 Professional Learning Summary and Update

Heidi Chavez presented the D/M Charter SELPA’s Professional Learning Summary. Heidi acknowledged the D/M Charter SELPA participation has steadily increased. She highlighted Save the Date flyers for: 2022-23 Community Advisory Committee meetings, 2022-23 Steering Committee Meeting Special Education Directors’ Trainings, and 2022-23 I-MTSS Symposium. Heidi then called on Bonnie Garcia to speak on literacy training opportunities.

Bonnie reported CAHELP JPA will be hosting a literacy improvement network beginning in October 2022. Based on SB 237 and the data on the national report card reflecting a majority of students scoring below proficiency, this is an opportunity to take a proactive approach to the issue. Bonnie asked to be contacted by LEA staff that are interested in being part of the team. Bonnie continued that Orton Gillingham sessions will be provided in the fall and spring of the upcoming school year.

### 7.6 Resolution Support Services Summary and Updates

Kathleen Peters presented the D/M Charter SELPA’s Resolution Support Services Summary and updates. She reported there will be upcoming trainings and presentations including David Dowling presenting on alternative dispute resolution and a repeat of the Key2Ed facilitated IEP training. The exact dates of the trainings and presentations have not yet been decided.

Kathleen continued that Key2Ed also offers a district consultation model where they provide trainings at the district’s site. She said ADR funds can be used to help pay for that training.

### 7.7 Case Law Review

Kathleen Peters provided case law review. Kathleen reported that when a student is in home hospital, a properly credentialed teacher is the preferred choice. She continued that based on California code of regulations a specialist does not have to be provided if one cannot be found or if not feasible. If a general education teacher is provided in that special education setting, there must be reasoning.

Kathleen mentioned a federal case in which a student was making quicker progress in a private school than in the public school system. The parent requested the public school pay for the private school tuition since the child was not successful there. Kathleen continued the judge found the progress in the private school was not reason for public school to pay in light of mainstream progress and snapshot approach.

Kathleen shared two California state cases regarding change of placement in which the judges found the change of placement could be made against parents request to keep the students in the

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**  
*May 26, 2022 – 1:00 p.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

---

## **AGENDA**

---

general education setting. The LEAs chose to move the students in to the special education more restrictive setting.

Kathleen concluded by citing a Hesperia USD case in which the judge found the school district acted appropriately in changing the placement and delivery method of services during COVID-19.

### **7.8 Prevention and Intervention Update**

Athena Vernon provided the Prevention and Intervention (P&I) update. She said the team is continuing to provide Positive Behavioral Interventions and Supports (PBIS) training, coaching, and technical assistance to the LEAs. There are numerous Tiered Fidelity Inventory (TFI) Assessments occurring. Athena said the team is also concluding small group Tier 2 Interventions on campuses but will have more smaller group and large cohort trainings in the summer. Athena continued the P&I team is in the planning and training phase of a new grant, California Integrated Supports Project, that focuses on trauma informed practices, culturally relevant and sustaining practices as well as PBIS and MTSS that will reach over the next three years.

### **7.9 Compliance Update**

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). Peggy reported the charter LEAs are in the compliance level of monitoring which specifies they need to focus on late IEPs and annual assessments. She said CDE will check data again on June 30, 2022.

Colette Garland reported that CALPADS is open and operational though there are still errors that are being worked on. The CALPADS first certification date has been extended but the new date has not yet been provided. Colette shared there will be an MIS meeting on September 28, 2022, 9:00 a.m-3:00 p.m. held in person at DMESC.

## **8.0 FINANCE COMMITTEE REPORTS**

### **8.1 Update on Federal Grants**

Marina Gallegos presented updates on federal grants for D/M Charter SELPA. She shared the D/M Charter SELPA has one-time funding Dispute Prevention Resolution grant with the unclaimed balance of \$67,883 and Learning Recovery Support funding has a balance of \$305,471 that must be encumbered by June 30, 2023 and expended by September 30, 2023. The funds have been allocated to the SELPA which is waiting to reimburse LEAs. Marina reported the one-time American Rescue Plan (ARP) Local Assistance Entitlement has \$141,983 in funds to be claimed with the next reporting period being April 1-June 30, 2022. Marina reminded the committee members to include fiscal documentation with the claims and said the expenses must be segregated so if monies need to be moved between accounts, that must be completed before the books are

**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**

*May 26, 2022 – 1:00 p.m.*

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

---

**AGENDA**

---

closed on June 30, 2022. She then reported the regular Local Assistance Entitlements \$359,857 available. The reporting period for those funds is also April 1-June 30, 2022 and she will be emailing the form with reminders.

8.2 2022-23 Desert/Mountain Charter SELPA P2 Projected Special Education Revenue Distribution

Marina Gallegos presented the 2022-23 Desert/Mountain Charter SELPA P2 Projected Special Education Revenue Distribution. She highlighted that all charter members are at Risk Pool level one which is 5% contribution. Marina shared a proposal was given to CAHELP JPA Governance Council on Friday, May 20, 2022 to pause the set-aside contribution for one year and it was approved. This pause is because the required reserve is the greater of \$250,000 or 3% of the annual base apportionment which is approximately \$162,000 and the projected reserve balance is approximately \$799,000.

**9.0 INFORMATION ITEMS**

9.1 Monthly Occupational & Physical Therapy Services Reports

9.2 Upcoming Professional Learning Opportunities

The following trainings were highlighted: *Special Education Teacher Academy, 2022-23 School Psychologists' Committee Meetings, All You Need is Love: The Behavioral Collaborative.*

Also, Bonnie Garcia reported MemorialCare Miller Children's & Women's Hospital Long Beach will be offering a free training at DMESC of Stop the Bleed. This will be a 60-minute hands on training on July 25, 2023, with one-hour sessions at 9:00 a.m. and 1:00 p.m. of how to stop profuse bleeding due to injury.

**10.0 STEERING AND FINANCE COMMITTEE MEMBERS COMMENTS / REPORTS**

None.

**11.0 CEO COMMENTS**

Pam Bender reminded the committee that an email was sent to them on May 25, 2022 from Care Solace that provided resources to help support families and staff in processing the shooting at the school in Texas.

Pam read a poem written by Tiffany Blevins titled *Have you Ever*. She asked the committee members think about student behaviors as they transition from the structure of school to possibly no structure at home for the summer.



## **AGENDA**

---

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

None.

### **13.0 ADJOURNMENT**

Having no further business to discuss, a motion was made by Courtney Cox, seconded by Tony Lucey, to adjourn the meeting. The motion carried on the following vote 12:0: Ayes: Brown, Congo, Cox, Haskins, Jung, Klepper, Lovell, Lucey, Merrill, Mulz, Tarver, and Waisman. Nays: None. Abstentions: None.

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, June 23, 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.*

**SCHOOL SERVICES OF CALIFORNIA INC.**  
**Legislative Report Prepared by Kyle Hyland for:**  
**Coalition for Adequate Funding for Special Education**  
**May 25, 2022**

<b>Bill No./ Author</b>	<b>Title</b>	<b>Position</b>	<b>Current Status</b>	<b>Page</b>
<b>Funding</b>				
*AB 1607 Muratsuchi	Education Finance: Local Control Funding Formula		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	1
*AB 1609 Muratsuchi	Education Finance: Local Control Funding Formula: Attendance Yields		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	1
*AB 1614 Muratsuchi	Education Finance: Local Control Funding Formula: Base Grants: Aspirational Funding Level: Reports		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	2
AB 1624 Ting	Budget Act of 2022		Assembly Budget Committee	2
*AB 1948 Ting	Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness		Senate Desk	2
*AB 2541 Quirk-Silva	Special Education: Funding: Deaf and Hard of Hearing Children	Watch	Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	3
*AB 2827 Quirk-Silva	Child Daycare Facilities	Support	Senate Rules Committee	3
SB 579 Allen	Education Finance: Local Control Funding Formula		Assembly Education Committee	3
*SB 830 Portantino	Education Finance: Additional Education Funding		Assembly Desk	4
SB 840 Skinner	Budget Act of 2022		Senate Budget and Fiscal Review Committee	4
SB 878 Skinner	School Transportation		Assembly Desk	4
*SB 1113 Ochoa Bogh	Special Education: Inclusive Education: Universal Design for Learning	Support	Senate Floor—Consent Calendar	5

<b>Bill No./ Author</b>	<b>Title</b>	<b>Position</b>	<b>Current Status</b>	<b>Page</b>
*SB 1229 McGuire	Mental Health Workforce Grant Program	Watch	Assembly Desk	5
<b>Other</b>				
AB 408 Quirk-Silva	Homeless Children and Youths: Reporting		Senate Education Committee	6
AB 552 Quirk-Silva	Integrated School-based Behavioral Health Partnership Program		Senate Education Committee	6
AB 563 Berman	School-Based Health Programs		Senate Education Committee	6
AB 586 O'Donnell	Pupil Health: Health and Mental Health Services: School Health Demonstration Project		Senate Education Committee	7
*AB 1810 Levine	Pupil Health: Seizure Disorders		Senate Desk	7
AB 1838 Bauer-Kahan	Parental Notices: Primary Language Translations		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	7
*AB 1868 Rivas, Luz	School Accountability: English Language Acquisition Status: Data		Senate Desk	8
AB 1877 Fong	State Teachers' Retirement: Retirees		Assembly Public Employees and Retirement Committee—Bill Did Not Meet Deadline—No Longer Active	8
*AB 2034 O'Donnell	Local Education Agency: Medi-Cal Billing Option	Support	Assembly Floor—Third Reading	8
AB 2072 Gabriel	Mental Health Professionals: Natural Disasters: County Offices of Education: Personnel Sharing Agreements		Senate Desk	9
AB 2121 Garcia, Eduardo	School Accountability: California Collaborative for Educational Excellence: Special Education Resource Leads	Support	Senate Desk	9
*AB 2281 Lackey	Early Childhood Mental Health Services Act		Senate Desk	9
*AB 2373 Garcia, Eduardo	Pupils With Exceptional Needs: Adaptive Sports Hubs Pilot Program		Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	10

<b>Bill No./ Author</b>	<b>Title</b>	<b>Position</b>	<b>Current Status</b>	<b>Page</b>
*AB 2427 Rubio, Blanca	Pupils with Exceptional Needs: Individualized Education Programs: Postsecondary Goals and Transition Services	Watch	Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	10
*AB 2475 Quirk-Silva	Pupil Placement: Special Education: Foster Children: Nonpublic, Nonsectarian Schools or Agencies: School of Origin	Watch	Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	10
SB 237 Portantino	Special Education: Dyslexia Risk Screening		Assembly Education Committee	11
SB 291 Stern	Advisory Commission on Special Education: Pupil Advisory Council	Support	Assembly Education Committee	11
SB 293 Limón	Medi-Cal Specialty Mental Health Services		Assembly Appropriations Committee	12
*SB 387 Portantino	Pupil Health: School Employee and Pupil Training: Youth Mental and Behavioral Health		Assembly Education Committee	12
SB 692 Cortese	Local Control and Accountability Plans: State Priorities: Least Restrictive Environment		Assembly Appropriations Committee Suspense File	12
SB 866 Wiener	Minors: Vaccine Consent		Assembly Judiciary Committee	13
SB 870 Portantino	Developmental Services		Assembly Desk	13
SB 871 Pan	Public Health: Immunizations		Senate Judiciary Committee— Bill Did Not Meet Deadline—No Longer Active	13
*SB 882 Eggman	Advisory Council on Improving Interactions Between People with Intellectual and Development Disabilities and Law Enforcement		Senate Floor—Consent Calendar	13
SB 1016 Portantino	Special Education: Eligibility: Fetal Alcohol Spectrum Disorder	Watch	Assembly Desk	14
*SB 1397 Borgeas	Substitute Teachers: Days of Service		Assembly Education Committee	14

**SCHOOL SERVICES OF CALIFORNIA INC.**  
**Legislative Report Prepared by Kyle Hyland for:**  
**Coalition for Adequate Funding for Special Education**  
**May 25, 2022**

**Funding**

---

**\*[AB 1607](#) (Muratsuchi)**

**Amended:** 4/18/2022

**Title:** Education Finance: Local Control Funding Formula

**Status:** Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active

**Position:**

**Summary:**

This is an urgency bill that would shift to using a three-year rolling average of average daily attendance (ADA) or the ADA for the current fiscal year, whichever is higher, for the Local Control Funding Formula, in place of the current methodology, which relies on current- or prior-year ADA.

**SSC Comment:**

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

---

**\*[AB 1609](#) (Muratsuchi)**

**Amended:** 4/18/2022

**Title:** Education Finance: Local Control Funding Formula: Attendance Yields

**Status:** Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active

**Position:**

**Summary:**

This is an urgency bill that would shift to using a three-year rolling average of average daily attendance (ADA) or the ADA for the current fiscal year, whichever is higher, for the Local Control Funding Formula, in place of the current methodology, which relies on current- or prior-year ADA.

**SSC Comment:**

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

---

**\*AB 1614 (Muratsuchi)**

**Amended:** 4/18/2022

**Title:** Education Finance: Local Control Funding Formula: Base Grants: Aspirational Funding Level: Reports

**Status:** Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active

**Position:**

**Summary:**

This bill would set aspirational targets to increase the Local Control Funding Formula by \$4.2 billion above the 2022-23 cost-of-living adjustment.

**SSC Comment:**

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

---

**AB 1624 (Ting)**

**Title:** Budget Act of 2022

**Status:** Assembly Budget Committee

**Position:**

**Summary:**

This is the main 2022-23 State Budget bill for the Assembly.

---

**\*AB 1948 (Ting)**

**Amended:** 5/3/2022

**Title:** Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness

**Status:** Senate Desk

**Position:**

**Summary:**

This bill would make the following significant changes to the Local Control Funding Formula statute:

- Deem the statutory cost-of-living adjustment in 2022-23 to be 15%
- Increase, from 185% to 250% of the federal poverty limit, the qualifying threshold for a student to be considered low income (which would replace free or reduced-price meals eligibility to be considered an unduplicated pupil)
- Add students experiencing homelessness as an unduplicated pupil type (which is a change in name only since these students already qualify as low income)
- Add language that the fiscal year average daily attendance (ADA) for a school district be computed based on the greatest of current-year ADA, prior-year ADA, or the average of the three most recent prior fiscal years, which aligns with the proposal Governor Gavin Newsom presented in his January 2022-23 State Budget proposal

---

**\*[AB 2541](#) (Quirk-Silva)****Amended:** 4/19/2022**Title:** Special Education: Funding: Deaf and Hard of Hearing Children**Status:** Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active**Position:** Watch**Summary:**

This bill would require the State Superintendent of Public Instruction to add to the existing special education early intervention preschool grant calculation an unspecified dollar amount, based on the total number of children from birth to five years of age who are deaf and hard of hearing to the amount to be apportioned to each school district in order to contract with the California Schools for the Deaf or nonprofit organizations for purposes of providing specified services to those children.

**SSC Comment:**

This bill was held in the Assembly Appropriations Committee and will not be moving forward.

---

**\*[AB 2827](#) (Quirk-Silva)****Amended:** 4/7/2022**Title:** Child Daycare Facilities**Status:** Senate Rules Committee**Position:** Support**Summary:**

This bill would require the State Department of Social Services to revise its regulations to permit children with exceptional needs, who are enrolled in separate programs or classrooms from nondisabled children, to use outdoor play spaces simultaneously with nondisabled children without first seeking a waiver. The bill would authorize the department to implement these provisions by means of an all-county letter or similar instruction on or before January 1, 2024.

---

**[SB 579](#) (Allen)****Amended:** 1/20/2022**Title:** Education Finance: Local Control Funding Formula**Status:** Assembly Education Committee**Position:****Summary:**

This bill would require apportionments under the Local Control Funding Formula to be calculated based on the greater of a local educational agency's (LEA's) 2019-20 or 2021-22 average daily attendance (ADA) for the 2021-22 fiscal year and the greater of an LEA's 2019-20, 2021-22, or 2022-23 ADA for the 2022-23 fiscal year.

---

**\*SB 830 (Portantino)****Amended:** 5/19/2022**Title:** Education Finance: Additional Education Funding**Status:** Assembly Desk**Position:****Summary:**

This bill provides additional Local Control Funding Formula (LCFF) funding to local educational agencies (LEAs) based on a calculation of how much additional funding the LEA would receive if the student count methodology of the LCFF were based on enrollment instead of attendance.

**SSC Comment:**

Senate Bill 830 would not make any changes to the existing LCFF formula or statute, but rather would create a categorical program to provide supplemental funding to LEAs based on the difference between their average daily attendance and enrollment.

---

**SB 840 (Skinner)****Title:** Budget Act of 2022**Status:** Senate Budget and Fiscal Review Committee**Position:****Summary:**

This is the main 2022-23 State Budget bill for the Senate.

---

**\*SB 878 (Skinner)****Amended:** 4/18/2022**Title:** School Transportation**Status:** Assembly Desk**Position:****Summary:**

This bill would require local educational agencies (LEAs), by 2027-28, to offer free transportation to students in transitional kindergarten through grade 6 who live more than half a mile from their neighborhood school, and more than one mile for students in grades 7-12. As significantly amended at the request of the Senate Education Committee, the bill no longer establishes a per-mile reimbursement rate. The bill would instead require the State Superintendent of Public Instruction to allocate to an LEA either 100% of their approved home-to-school transportation costs or their existing Local Control Funding Formula home-to-school transportation add-on amount, whichever is greater. This amount would receive a cost-of-living adjustment annually.



---

**\*SB 1113 (Ochoa Bogh)****Amended:** 5/19/2022**Title:** Special Education: Inclusive Education: Universal Design for Learning**Status:** Senate Floor—Consent Calendar**Position:** Support**Summary:**

This bill requires the Commission on Teacher Credentialing (CTC) to revise its administrative services credential standards and performance expectations to strengthen preparation for inclusion. This bill would also require the California Department of Education to:

- Develop guidance on staffing inclusive classrooms and make recommendations for changes necessary to eliminate barriers to staffing inclusive placements in consultation with the CTC
- Produce a comprehensive guidebook and video modules related to inclusive practices and promotion of equity between schools
- Establish and provide grants to the system improvement leads of the Special Education Local Plan Areas and the Supporting Inclusive Practices project
- Train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning

---

**\*SB 1229 (McGuire)****Amended:** 4/28/2022**Title:** Mental Health Workforce Grant Program**Status:** Assembly Desk**Position:** Watch**Summary:**

This bill would, subject to an appropriation, require the Student Aid Commission to administer the Mental Health Workforce Grant Program to increase the number of mental health professionals serving children and youth. The bill would require the commission to award up to 10,000 grants to postgraduate students over a three-year period in amounts of up to \$25,000 each. The bill would prescribe eligibility requirements for the grants, including that a grant recipient be enrolled on or after January 1, 2022, in an eligible postgraduate or credential program at a University of California or California State University campus, or an independent institution of higher education, or department of social work. The bill would require the recipient to make specified commitments, including a commitment to work with an eligible California-based nonprofit entity or a local educational agency for specified required supervised experience hours and a commitment that, upon completion of the postgraduate program, the recipient satisfies the requirements in a specified profession.

## Other

---

### [AB 408](#) (Quirk-Silva)

**Amended:** 1/3/2022

**Title:** Homeless Children and Youths: Reporting

**Status:** Senate Education Committee

**Position:**

**Summary:**

This bill would require local educational agencies (LEAs), including Special Education Local Plan Areas, to establish homeless education program policies that are consistent with specified state laws, and would further require LEAs to update these policies at intervals not exceeding three years. The bill would require LEAs to provide training at least annually on designated subjects to its classified and certificated employees who work with pupils.

---

### [AB 552](#) (Quirk-Silva)

**Amended:** 1/27/2022

**Title:** Integrated School-based Behavioral Health Partnership Program

**Status:** Senate Education Committee

**Position:**

**Summary:**

This bill would establish the Integrated School-Based Behavioral Health Partnership Program to provide prevention and early intervention for, and access to, behavioral health services for pupils. The bill would authorize a county behavioral health agency and a local educational agency to agree to collaborate on conducting a needs assessment on the need for school-based mental health and substance use disorder services and implement an integrated school-based behavioral health partnership program, to develop a memorandum of understanding outlining the requirements for the partnership program, and to enter into a contract for mental health or substance use disorder services.

---

### [AB 563](#) (Berman)

**Amended:** 4/5/2021

**Title:** School-Based Health Programs

**Status:** Senate Education Committee

**Position:**

**Summary:**

This bill would require the California Department of Education (CDE) to establish an Office of School-Based Health Programs (Office) for the purpose of improving the operation of, and participation in, school-based health programs, including the Medi-Cal Administrative Activities claiming process (and the Local Educational Agency Medi-Cal billing option program). The bill would also require that \$500,000 in federal reimbursements be made available for transfer through an interagency agreement to the CDE for the support of the Office.

---

**AB 586 (O'Donnell)****Amended:** 6/23/2021**Title:** Pupil Health: Health and Mental Health Services: School Health Demonstration Project**Status:** Senate Education Committee**Position:****Summary:**

This bill would establish the School Health Demonstration Project, a pilot project, to be administered by the California Department of Education, in consultation with the California Department of Health Care Services, to expand comprehensive health and mental health services to public school pupils by providing training and support services to selected local educational agencies to secure ongoing Medi-Cal funding for those health and mental health services.

---

**\*AB 1810 (Levine)****Amended:** 3/30/2022**Title:** Pupil Health: Seizure Disorders**Status:** Senate Desk**Position:****Summary:**

This bill would authorize a school or a local educational agency (LEA) to train an employee who has volunteered to administer emergency anti-seizure medication to a pupil upon the request of the parent, require the development of state standards for the training, and require the parent to provide specified information to the LEA, including a seizure action plan.

---

**AB 1838 (Bauer-Kahan)****Title:** Parental Notices: Primary Language Translations**Status:** Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active**Position:****Summary:**

Under current law, if 15% or more of the pupils enrolled in a public school speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of any such pupil must be written in English and the primary language and authorizes the parent or guardian to respond either in English or the primary language.

Assembly Bill 1838 expands on current law by requiring public schools, charter schools, and school districts to provide these documents in the parent/guardian's primary language other than English, if it is:

- One of the two most commonly spoken languages other than English at that pupil's school
- Is a language that is spoken by 15% or more at a pupil's individual school
- Is a language spoken by 15% or more of the residents of any county that the school/school district resides in

**SSC Comment:**

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

---

**\*[AB 1868](#) (Rivas, Luz)**

**Amended:** 4/18/2022

**Title:** School Accountability: English Language Acquisition Status: Data

**Status:** Senate Desk

**Position:**

**Summary:**

This bill would require the California Department of Education to annually report on its website specified data on English learners, including enrollment data by English language acquisition status and disability and specified student performance and outcome data by English language acquisition status.

---

**[AB 1877](#) (Fong)**

**Title:** State Teachers' Retirement: Retirees

**Status:** Assembly Public Employees and Retirement Committee—Bill Did Not Meet Deadline—No Longer Active

**Position:**

**Summary:**

This bill would exempt from the California State Teachers' Retirement System postretirement compensation limit, the compensation of a retired member who has returned to work to fulfill a critical need in special education.

---

**\*[AB 2034](#) (O'Donnell)**

**Amended:** 4/7/2022

**Title:** Local Education Agency: Medi-Cal Billing Option

**Status:** Assembly Floor—Third Reading

**Position:** Support

**Summary:**

This bill would require the Department of Health Care Services (DHCS) to establish a revised audit process for local educational agency (LEA) Agency Medi-Cal Billing Option claims submitted for dates of service on or after January 1, 2024. The bill would require the DHCS' audit plan to include a risk assessment of LEAs using paid claim data to determine the appropriate level of oversight, including the percentage of LEA claims to be audited in a given year to ensure that audits conducted are primarily focused on potential instances of fraud, waste, or abuse of LEA services and Medi-Cal funds, and require the DHCS' audit plan to make reimbursement for fraud, waste, and abuse the primary focus of recoupment. The bill would require the DHCS to complete an audit and notify an LEA of the audit findings within 12 months of the date that the Cost and Reimbursement Comparison Schedule (CRCS) is due and require the DHCS to perform final settlement on a claim, including completion of the appeals process within three years from the date the CRCS is submitted. The bill would prohibit an auditor from disallowing a claim for LEA services meeting the requirements of a specified Medi-Cal regulation unless the claim is out of compliance with the standards of the LEA program guide or the state plan in effect at the time of submission.

---

**[AB 2072](#) (Gabriel)**

**Title:** Mental Health Professionals: Natural Disasters: County Offices of Education: Personnel Sharing Agreements

**Status:** Senate Desk

**Position:**

**Summary:**

This bill would require, by November 1, 2024, county offices of education (COEs) to coordinate agreements between school districts and charter schools within their county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel throughout the county to areas of the county that experienced a natural disaster or other traumatic event. The bill would require COEs to consider cost, criteria for a local educational agency (LEA) to request the use of mental health professionals/other key personnel, and reimbursements between LEAs when developing these agreements. The bill would require single school district COEs to enter into agreements with at least one other COE that they share a border with. The bill would require COEs that share a county border with a single school district COE to consult with and enter into agreements with at least one single school district COE.

---

**[AB 2121](#) (Garcia, Eduardo)**

**Amended:** 3/7/2022

**Title:** School Accountability: California Collaborative for Educational Excellence: Special Education Resource Leads

**Status:** Senate Desk

**Position:** Support

**Summary:**

This bill would require the establishment of a new special education resource lead to provide training and technical assistance on family support and alternative dispute resolution (ADR) in special education. The bill would require the California Collaborative for Educational Excellence and the California Department of Education to select a partnership consisting of Special Education Local Plan Areas, county offices of education, and a family support organization to serve as a special education resource lead to work on capacity building, training, and technical assistance on family support for families of pupils with disabilities and conflict prevention and ADR in special education.

---

**\*[AB 2281](#) (Lackey)**

**Amended:** 4/21/2022

**Title:** Early Childhood Mental Health Services Act

**Status:** Senate Desk

**Position:**

**Summary:**

This bill would, contingent upon an appropriation, establish the Mental Health Services Act, administered by the Mental Health Services Oversight and Accountability Commission, to award grants to eligible entities or partnerships to improve access to, and quality of care, services, and supports for, children from birth to five years of age, inclusive, and their parents, families, and caregivers, with emphasis on prevention and early intervention and disparities.

---

**\*[AB 2373](#) (Garcia, Eduardo)**

**Amended:** 4/19/2022

**Title:** Pupils with Exceptional Needs: Adaptive Sports Hubs Pilot Program

**Status:** Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active

**Position:**

**Summary:**

This bill would establish the Adaptive Sports Hubs Pilot Program in the Counties of Imperial and Riverside and appropriate \$600,000 from the General Fund to the California Department of Education for this purpose. This bill would require the funds to be allocated for use at centralized public schools for pupils in grades K-8 in order to increase access to extracurricular sports programs for pupils with exceptional needs by providing adaptive sports equipment, staff, athletic training, and related services.

**SSC Comment:**

This bill was held by the Assembly Appropriations Committee and will not be moving forward in the legislative process.

---

**\*[AB 2427](#) (Rubio, Blanca)**

**Amended:** 3/28/2022

**Title:** Pupils with Exceptional Needs: Individualized Education Programs: Postsecondary Goals and Transition Services

**Status:** Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active

**Position:** Watch

**Summary:**

This bill would, beginning July 1, 2024, reduce the minimum age that an Individualized Education Program needs to include appropriate measurable postsecondary goals and transition services needed to attain those goals from 16 to 14 years old.

**SSC Comment:**

This bill was held by the Assembly Appropriations Committee and will not be moving forward in the legislative process.

---

**\*[AB 2475](#) (Quirk-Silva)**

**Amended:** 3/28/2022

**Title:** Pupil Placement: Special Education: Foster Children: Nonpublic, Nonsectarian Schools or Agencies: School of Origin

**Status:** Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active

**Position:** Watch

**Summary:**

This bill would, for a foster child who is an individual with exceptional needs, define “school of origin” as also including a certified nonpublic, nonsectarian school. The bill would require, commencing with the 2023-24 school year, a nonpublic, nonsectarian school or agency seeking certification or already certified to agree in writing, for any foster child it serves, to be designated as the school of origin of the foster child and to allow the foster child to continue their education in the school.

**SSC Comment:**

This bill was held by the Assembly Appropriations Committee and will not be moving forward in the legislative process.

---

**SB 237 (Portantino)**

**Amended:** 6/28/2021

**Title:** Special Education: Dyslexia Risk Screening

**Status:** Assembly Education Committee

**Position:**

**Summary:**

This bill would require the State Board of Education to establish, by June 30, 2022, an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by local educational agencies (LEAs) to screen pupils for risk of dyslexia. The bill would then require LEAs, beginning with the 2022–23 school year, and annually thereafter, to screen students in grades K–2 for risk of dyslexia. During the 2022–23 school year, an LEA serving students in grade 3 shall conduct the screening described above on each third grader, in order to identify and provide support to students at risk of dyslexia and experiencing significant learning loss due to the COVID-19 pandemic. Results from the screening shall be made available to the student’s parent or guardian in a timely manner, but no more than 45 calendar days from administering the screening, and must include information as to how the parent or guardian can access information about the Multi-Tiered System of Supports and the California Dyslexia Guidelines developed by the California Department of Education.

**SSC Comment:**

Senator Portantino introduced a nearly identical bill last year on dyslexia screening, but did not pursue it once COVID-19 forced members to whittle down their bill lists. Portantino said that this bill is personal for him, as he has struggled with dyslexia, ADHD, and cross dominance.

---

**SB 291 (Stern)**

**Amended:** 5/20/2021

**Title:** Advisory Commission on Special Education: Pupil Advisory Council

**Status:** Assembly Education Committee

**Position:** Support

**Summary:**

Current law establishes the Advisory Commission on Special Education (ACSE) as an entity consisting of 17 members to study and provide assistance and advice to the State Board of Education (SBE), State Superintendent of Public Instruction (SSPI), the Legislature, and the Governor in new or continuing areas of research, program development, and evaluation in special education.

This bill would establish an advisory council, composed of ten pupils with exceptional needs from 16 to 24 years old who represent all geographic regions of the state, to provide ACSE with advice and input from current pupils with exceptional needs. The bill would require the SBE to nominate a pool of qualified candidates for appointment to the council and would require the SSPI to appoint the members of the council from the pool of candidates nominated by the SBE. The bill would authorize the council to develop and enter into a public-private partnership to fund the council’s operations. The bill would increase the number of members on ACSE to 18 and would require the council to appoint one of its members to serve as a member of the commission for each calendar year.

---

**SB 293 (Limón)****Amended:** 5/20/2021**Title:** Medi-Cal Specialty Mental Health Services**Status:** Assembly Appropriations Committee**Position:****Summary:**

With respect to specialty mental health services provided under the Early and Periodic Screening, Diagnostic, and Treatment Program, by January 1, 2022, this bill would require the Department of Health Care Services (DHCS) to develop standard forms, including intake and assessment forms, relating to medical necessity criteria, mandatory screening and transition of care tools, and documentation requirements pursuant to specified terms and conditions, and, for purposes of implementing these provisions, would require DHCS to consult with representatives of identified organizations, including the County Behavioral Health Directors Association of California.

The bill would authorize DHCS to develop and maintain a list of department-approved nonstandard forms, and would require the department to conduct, by July 1, 2023, regional trainings for county mental health plan personnel and their provider networks on proper completion of the standard forms. The bill would require each county mental health plan contractor to distribute the training material and standard forms to their provider networks, and to commence, by July 1, 2023, exclusively using the standard forms, unless they use department-approved nonstandard forms.

---

**\*SB 387 (Portantino)****Amended:** 5/16/2022**Title:** Pupil Health: School Employee and Pupil Training: Youth Mental and Behavioral Health**Status:** Assembly Education Committee**Position:****Summary:**

Existing law, contingent on an appropriation, requires the California Department of Education (CDE), by before January 1, 2023, to recommend best practices and identify training programs for use by local educational agencies (LEAs) to address youth behavioral health. Existing law requires the department to ensure that each identified training program, among other requirements, provides instruction on how school staff can best provide referrals to youth behavioral health services or other support to individuals in the early stages of developing a youth behavioral health disorder.

This bill would include referrals to special education services in that instruction requirement for identified training programs. The bill would require, by January 1, 2025, those LEAs to certify to the CDE that 75% of both its classified and certificated employees have received youth behavioral health training. The bill would prohibit training in youth behavioral health to be a condition of employment or hiring.

---

**SB 692 (Cortese)****Amended:** 7/13/2021**Title:** Local Control and Accountability Plans: State Priorities: Least Restrictive Environment**Status:** Assembly Appropriations Committee Suspense File**Position:****Summary:**

This bill would add the least restrictive environment, as measured by the federal indicator, as another local measure of the state priority of school climate. The bill would require the standards for this local measure to be consistent with the state's targets for the federal indicators and other specified federal indicators for the federal fiscal year 2020. The bill would require, by January 31, 2023, the template for the Local Control



and Accountability Plan and standards for the evaluation rubrics adopted by the State Board of Education (SBE) to be updated to reflect this local measure. The bill would require, on the California School Dashboard, the narrative summary for an indicator for this local measure and the dashboard for each school district and charter school to display the enrollment percentage of pupils with mild to moderate disabilities and pupils with moderate to severe disabilities, as defined by the SBE, compared to the statewide average, and would require the California Department of Education to provide the indicator data for all school districts and charter schools.

---

**[SB 866](#) (Wiener)**

**Amended:** 3/9/2022

**Title:** Minors: Vaccine Consent

**Status:** Assembly Judiciary Committee

**Position:**

**Summary:**

This bill would permit minors 12 and older to get vaccinated without parental consent for all vaccines approved by the U.S. Food and Drug Administration that meet the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

---

**[SB 870](#) (Portantino)**

**Title:** Developmental Services

**Status:** Assembly Desk

**Position:**

**Summary:**

Existing law defines a “developmental disability” as a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for the individual. This bill would modify that definition to mean a disability that originates before an individual attains 22 years of age.

---

**[SB 871](#) (Pan)**

**Title:** Public Health: Immunizations

**Status:** Senate Judiciary Committee—Bill Did Not Meet Deadline—No Longer Active

**Position:**

**Summary:**

This bill would add the COVID-19 vaccine to the list of compulsory vaccines required for students to attend school. The bill would also repeal Health and Safety Code Section 120338, which is the statute that requires any vaccine mandate done via the regulatory process to include a personal belief exemption.

---

**\*[SB 882](#) (Eggman)**

**Amended:** 5/19/2022

**Title:** Advisory Council on Improving Interactions Between People with Intellectual and Development Disabilities and Law Enforcement

**Status:** Senate Floor—Consent Calendar

**Position:**

**Summary:**

This bill would create the Advisory Council on Improving Interactions between People with Intellectual and Development Disabilities and Law Enforcement to among other things, evaluate existing training for peace officers specific to interactions between law enforcement and individuals with intellectual and

developmental disabilities. The council would be under the Department of Justice and comprised of nine appointed members, which would include an individual with an intellectual or developmental disability and a representative from a law enforcement organization. The council would be tasked with making recommendations to the Legislature for improving outcomes of interactions with both individuals who have an intellectual or developmental disability and mental health conditions.

---

**[SB 1016](#) (Portantino)**

**Title:** Special Education: Eligibility: Fetal Alcohol Spectrum Disorder

**Status:** Assembly Desk

**Position:** Watch

**Summary:**

This bill would require the State Board of Education to include “fetal alcohol spectrum disorder” under the definition of “other health impairment,” entitling those children to special education and related services.

---

**[\\*SB 1397](#) (Borgeas)**

**Amended:** 5/19/2022

**Title:** Substitute Teachers: Days of Service

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Existing law, until July 1, 2022, authorizes any holder of a credential or permit issued by the Commission on Teacher Credentialing that authorizes the holder to substitute teach in a general, special, or career technical education assignment to serve in a substitute teaching assignment aligned with their authorization, including for staff vacancies, for up to 60 cumulative days for any one assignment. This bill would extend the date of that authorization by one year to July 1, 2023.

**SCHOOL SERVICES OF CALIFORNIA INC.**  
**Federal Legislative Report**  
**Prepared for: Coalition for Adequate Funding for Special Education**  
**February 23, 2022**

---

**[H.R. 5984](#) and [S 3213](#)—IDEA Full Funding Act**

**Introduced:** 11/16/21

**Sponsor:** Rep. Jared Huffman (D-CA-2); Senator Chris Van Hollen (D-MD)

**Status:** Referred to the House Committee on Education and Labor and Senate Committee on Health, Education, Labor, and Pensions

**Position:** Support

**Summary:**

This bill, the *IDEA Full Funding Act*, would make regular increases to the federal commitment of the Individuals with Disabilities Act (IDEA) until it reaches the 40% threshold in fiscal year (FY) 2031.

---

**[H.R. 6532](#) and [S 3544](#)—Funding Early Childhood is the Right IDEA Act**

**Introduced:** 2/1/22

**Sponsor:** Rep. Mark DeSaulnier (D-CA-11); Senator Margaret Wood Hassen (D-NH)

**Status:** Referred to the House Committee on Education and Labor and Senate Committee on Health, Education, Labor, and Pensions

**Position:** Support

**Summary:**

This bill, the *Funding Early Childhood is the Right IDEA Act*, would gradually increase funding for educational and early intervention services for children with disabilities, more than doubling both funding streams between FY 2023 and 2027.

## 7.2 Governor's Budget

Verbal report, no materials



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](http://www.dmchildrenscenter.org)

## MEMORANDUM

DATE: June 22, 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:

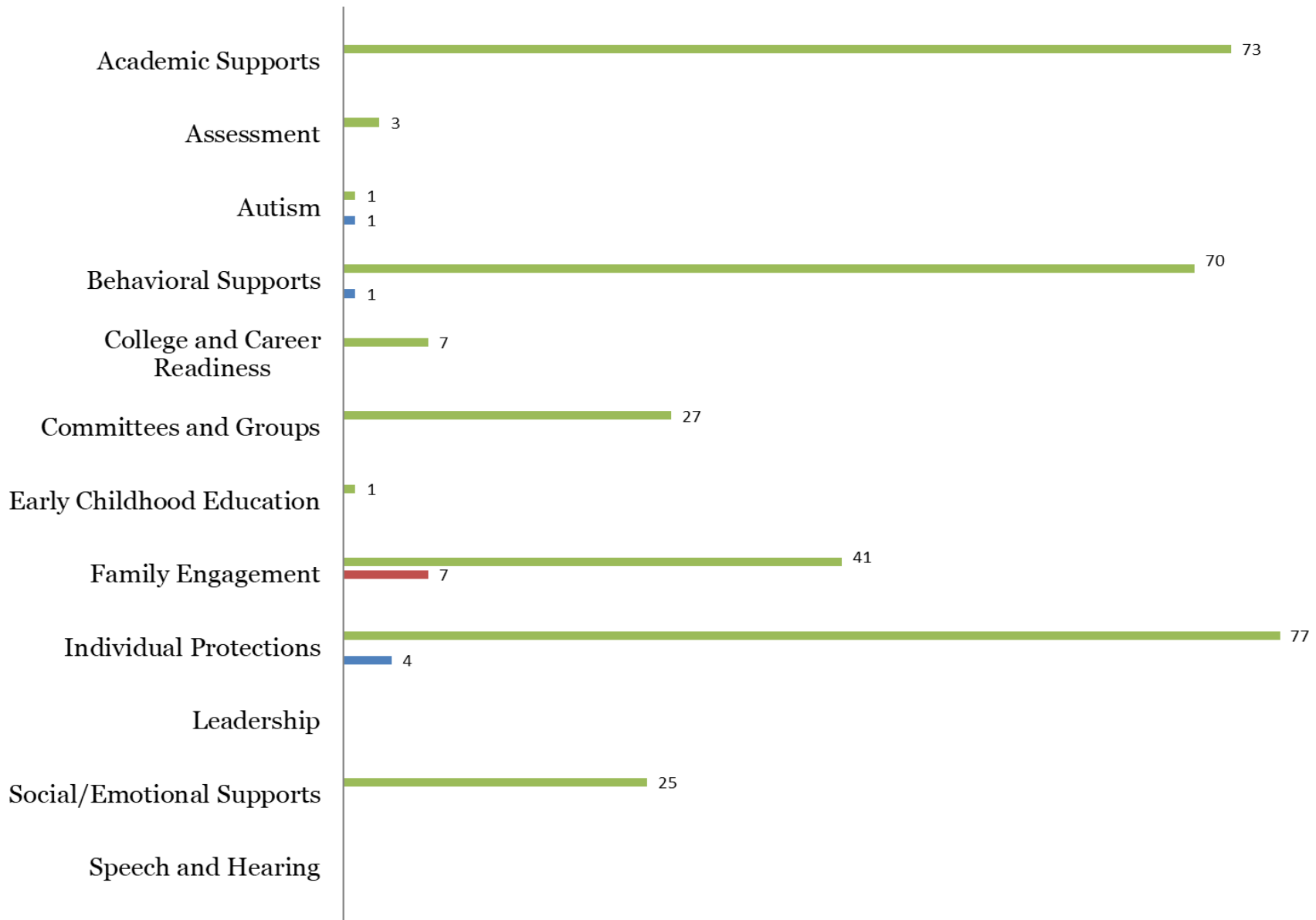
- Screening, Assessment, Referral and Treatment (SART)
- Early Identification Intervention Services (EIIS)
- School-Age Treatment Services (SATS)
- Student Assistance Program (SAP)
- Speech and occupational therapy

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

# D/M CHARTER SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

MAY 2022- 13 PARTICIPANTS  
325 YEAR-TO-DATE PARTICIPANTS

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



**Desert/Mountain Charter SELPA  
Due Process Summary  
July 1, 2021 - June 23, 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	Filed on Parent	
Allegiance STEAM Acad - Thrive	N/A	N/A	N/A	N/A	0	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	0	0	2	0	1	
Aveson School of Leaders	N/A	0	3	1	1.5	0	0	4	9.5	0	0	0	4	0	0	
Ballington Acad for Arts & Sci	N/A	N/A	N/A	0	2	0	0	0	2	0	0	0	0	0	0	
Desert Trails Prep Academy	0	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	0	
Encore Junior/Senior High School	0	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	0	
LaVerne Elem Preparatory	0	0	0	0	0.5	0	0	0	0.5	0	0	0	0	0	0	
Leonardo da Vinci Health Sci	0	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	2	2	0	0	0	1	1	1	
Odyssey Charter School -South (Pasadena)	N/A	N/A	N/A	N/A	0	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	0	
Pathways to College	0	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	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	0	
<b>SELPA-WIDE TOTALS</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>6.5</b>	<b>0</b>	<b>4</b>	<b>8</b>	<b>30.5</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>1</b>	<b>2</b>

Desert/Mountain Charter SELPA  
 Due Process Activity Summary  
 July 1, 2021–June 23, 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		<del>9/14</del> – <del>9/16/2021</del>	Effective upon full execution of the settlement agreement on 8/23/2021: Reimburse Parents for educational and counseling expenses. <b>Settlement Agreement CLOSED</b>
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	<del>10/19</del> – <del>10/21/2021</del> 1/25-27/2021	Parent unrepresented at Resolution. No settlement. 10/2021 - mediation scheduled 12/2021 - Statutory offer made and refused. 01/18/22 - Settlement agreement reached. <b>CLOSED</b>
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	<del>9/14/2021</del> 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. <b>CLOSED</b>



Desert/Mountain Charter SELPA  
 Due Process Activity Summary  
 July 1, 2021–June 23, 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. <b>CLOSED</b>
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	<del>10/7/2021</del> 10/28/21		11/23-24/2021	11/10/21 Settlement agreement Private school reimbursement. Charter withdrawal. <b>CLOSED</b>

Desert/Mountain Charter SELPA  
 Due Process Activity Summary  
 July 1, 2021–June 23, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
6. Odyssey 20220100223	Expedited: Odyssey filed on parent for change of placement for safety. Regular: To implement IEP in full	1/7/2022	Not Required	Expedited 1/20/22	Expedited 2/2-3/2022  Regular 3/29-31/2022	1/20/22 - Parent refused change of placement. Prefers to go to hearing. 02/23/22 - OAH decision on expedited - change of placement - 45 days; Parent agreement with IEP and placement; May drop the remainder of the case. 02/22/22 - OAH judge ordered placement in more restrictive environment LEA prevailed. 03/22 - Non-expedited complaint withdrawn. <b>CLOSED</b>

Desert /Mountain Charter SELPA  
Legal Expense Summary  
As Reported at Steering June 23, 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	174,030.32

---

# The RELENTLESS PURSUIT

★ OF WHATEVER WORKS IN THE ★

LIFE OF A CHILD

The local education agency (LEA) has the primary responsibility for ensuring that a free appropriate public education (FAPE) is available to students in the LEA who are eligible for special education. For a list of participating LEAs in the Desert/Mountain SELPA and the Desert/Mountain Charter SELPA, contact the SELPA office at (760) 552-6700 or visit our website at [www.cahelp.org](http://www.cahelp.org). A detailed copy of the Notice of Procedural Safeguards/Parent's Rights can also be obtained from our website or by contacting our office.



California Association of Health and Education Linked Professions

---

# CAHELP QUESTION & ANSWERS

## SPECIAL EDUCATION AND RELATED SERVICES

---

Pamela Bender, CEO

[www.cahelp.org](http://www.cahelp.org)

© Intellectual Property of CAHELP JPA

(Rev. 01/2022)



17800 Highway 18  
Apple Valley, CA 92307



(760) 552-6700  
(760) 242-5363 (Fax)

---

# Parent Rights



As a parent, YOU have the right to:

record and considered with respect to the provision of a free appropriate public education and as evidence in a due process hearing. However, the LEA may choose to initiate due process to show that its assessment is appropriate. Information about where an IEE may be obtained is available from the California Association of Health and Education Linked Professions (CAHELP), a Joint Powers Authority (JPA) website, [www.cahelp.org](http://www.cahelp.org).

- Receive prior written notice before a LEA proposes or refuses to initiate or change the identification, assessment, or educational placement of your child, or the provision of a free appropriate public education.
- Be informed of the purpose of an IEP meeting together with an explanation of the assessment, recommendations, and rationale for the recommendations, and to be informed of all program options, both public and nonpublic.
- Participate in each meeting to develop, review, or revise an IEP, to give consent prior to starting special education services and placement, and to permit student participation in the IEP meeting, when appropriate, and to electronically record on an audio recorder the proceedings of an IEP meeting upon 24-hour notification to the IEP team.
- Examine all educational records within five business days of either a written or oral request and prior to an IEP meeting or administrative hearing, and to obtain copies, including copies of the IEP, the findings of an assessment, recommended educational decisions, and the reasons for those decisions.
- Have your child educated in an environment that allows the interaction appropriate with non-disabled peers.
- Comparable services and placement of your child when transferring from a LEA in which the last enrollment was in a special education program, and to receive final recommendation within 30 days, regarding the continuation of the special education services.
- Request an IEP team meeting to be held within 30 days of the LEA's receipt of a written request to review, or revise the IEP of your child.
- Appeal the decision of a due process hearing by filing a civil action in state or federal court within 90 days of the decision.
- Petition the court for award of reasonable attorney's fees and related costs if you are the prevailing party in a due process hearing or subsequent court action.

# Questions & Answers



Special Education and Related Services

Special education is specially designed instruction, at no cost to the parent, to meet the unique needs of a student with a disability when educational needs cannot be met with modifications in the general education program. It also includes related services that may be needed to enable a student to benefit from his or her specially designed instruction.

**Question:** What programs and services are provided through special education?

**Answer:** Special education support services may be provided in the general education classroom or in a separate class and may include related services. Related services include: speech and language therapy, audiology, adapted physical education, physical and occupational therapy, school-based counseling services, specially designed vocational education, and other services which may be identified by the IEP team as necessary for the student to benefit educationally from his or her instructional program.

**Question:** How do you get help when you suspect your child may have a disability?

**Answer:** Contact your local education agency (LEA) by mail or telephone. A student study team meeting or LEA meeting will be scheduled to discuss your student's educational needs and any concerns the parent may have.

**Question:** What education must be provided for the individual with special needs?

**Answer:** Federal and state laws require that all students be provided with an appropriate education in the least restrictive environment.

**Question:** What is involved in the evaluation/assessment process?

**Answer:** Assessments are conducted in the areas of suspected disabilities. Qualified professionals observe, interview, and use testing resources appropriate for each student. Parental approval is required prior to the assessment, and parents will be provided a copy of the assessment results.

**Question:** What is an IEP?

**Answer:** An IEP is an "Individualized Education Program." It is a written document which establishes the following for the individual's educational needs: present levels of performance, annual goals, placement and support services needed to implement program goals, individuals responsible for support services, supplementary aids and supports, including physical education as appropriate. For students 16 years of age and older, the IEP also contains transition goals and services.

# Questions & Answers

## Special Education and Related Services



**Question:** Who participates in developing the IEP?

**Answer:** The IEP team is comprised of special and general education teachers, LEA representative, related services providers, and parents. The team meets to determine the program based on the needs of the student. The student will also be invited to attend, if appropriate. In particular, a student 16 years of age and older must be invited to participate in their IEP team meetings whenever transition services will be discussed.

**Question:** What rights do the parents or guardians have in the decisions that are made about the student?

**Answer:** The parents/guardians have the right to participate in the decisions made by the IEP team and to give informed written consent before the IEP is implemented. Once a student reaches the age of majority (18), the rights accorded to the parents transfer to the student.

**Question:** Where and how will the educational services be provided?

**Answer:** It is the policy of the Desert/Mountain SELPA and the Desert/Mountain Charter SELPA that, to the maximum extent possible, students with special needs will be educated with students who do not have special needs. Special schools and classes are available within the Desert/Mountain SELPA and the Desert/Mountain Charter SELPA in the event that it is not possible to provide specialized educational services at the student's school or local education agency of residence. The location of services is determined at the IEP meeting.

**Question:** How can parents participate in the review and/or development of special education programs?

**Answer:** The Desert/Mountain SELPA and the Desert/Mountain Charter SELPA Community Advisory Committee (CAC) is comprised of parents, students, teachers, paraeducators, education specialists, agencies, and individuals with exceptional needs who are working toward the most appropriate education for individuals with special needs. CAC meetings are held four times per school year. For more information on CAC, please visit the CAHELP Parent Resources section at [www.cahelp.org](http://www.cahelp.org).

**Question:** What is a SELPA?

**Answer:** SELPA refers to the Special Education Local Plan Area. Dedicated to the belief that all students can learn and that students with special needs must be guaranteed equal opportunity to become contributing members of society. They facilitate high

# Questions & Answers

## Special Education and Related Services



quality educational programs and services for students with special needs and training for parents and educators. SELPAs collaborate with county agencies and LEAs to develop and maintain safe and enriching environments in which students with special needs and families can succeed.

## Parent Rights

### As a parent, YOU have the right to:



- A free appropriate public education for an individual with special needs.
- Refer your child (birth until day before 18th birthday) for an assessment to determine eligibility for special education instruction and services.
- Receive all information in clear, concise language, and when feasible, in the native language or other mode of communication of the home.
- Receive written notice explaining the types of assessments to be conducted, the necessity for the proposed assessment, and be given 15 days to arrive at a decision to give consent for the assessment. The assessment may begin immediately upon receipt of the consent by the LEA and must be completed and an IEP developed within 60 days of the date the LEA receives consent. The LEA must also provide reasonable prior written notice that your child will be aging out (reaching age 22) or graduating from high school with a regular high school diploma because graduation from high school and/or reaching age 22 means that your child will no longer be eligible for special education services under the Individuals with Disabilities Act (IDEA).
- Revoke your consent to IDEA provision of services. Your revocation must be in writing and cannot be retroactive. Once you revoke consent to the provision of services, the LEA will provide written notice before ceasing the services for your child. If in the future you seek re-enrollment in special education services for your child, the assessment will be treated as an initial evaluation.
- Present information, including the results of a private evaluation(s), to the IEP team in person or through a representative.
- Provide consent to the implementation of an individualized education program resulting from an assessment, and to have your child's psychological assessment conducted and interpreted by a person trained to evaluate cultural and ethnic factors.
- Obtain, at public expense, one Independent Educational Evaluation (IEE) from a qualified evaluator, as defined by SELPA/LEA criteria, if you disagree with an assessment obtained by the LEA within the past two years. You also have the right to have such assessment made part of the

---

# The RELENTLESS PURSUIT

★ OF WHATEVER WORKS IN THE ★

LIFE OF A CHILD

La dependencia local de educación (LEA) tiene la responsabilidad principal de garantizar que haya disponibilidad de una educación gratuita, pública y adecuada (FAPE) para los estudiantes de la LEA que son elegibles para educación especial. Para una lista de LEAs participantes en Desert/Mountain SELPA and the Desert/Mountain Charter SELPA, comuníquese con la oficina de SELPA llamando al (760) 552-6700 o visite nuestra página web [www.cahelp.org](http://www.cahelp.org). También se puede obtener una copia detallada de la Notificación de Garantías Procesales/Derechos de los Padres de nuestra página web o contactando nuestra oficina.



Asociación de Profesiones Vinculadas a la Salud y la  
Educación de California

---

# CAHELP PREGUNTAS & RESPUESTAS

EDUCACIÓN ESPECIAL Y SERVICIOS RELACIONADOS

---

Pamela Bender, CEO  
[www.cahelp.org](http://www.cahelp.org)  
© Propiedad Intelectual de CAHELP JPA  
(Rev. 01/2022)



17800 Highway 18  
Apple Valley, CA 92307



(760) 552-6700  
(760) 242-5363 (Fax)

---

- Recibir, a expensas del público, una Evaluación Educativa Independiente (IEE) de un evaluador calificado, según lo definen los criterios de SELPA/LEA, si usted está en desacuerdo con una evaluación obtenida por la LEA dentro de los últimos dos años. Usted también tiene derecho a que esa evaluación se convierta en parte del expediente y que se tenga en cuenta con respecto a la prestación de una educación gratuita, pública y apropiada y como evidencia en una audiencia de debido proceso. Sin embargo, la LEA puede decidir iniciar una audiencia de debido proceso para mostrar que su evaluación es apropiada. La información sobre dónde obtener una IEE está disponible en la Asociación de Profesiones Relacionadas con la Salud y la Educación, página web del consejo interagencial [www.cahelp.org](http://www.cahelp.org)
- Recibir notificación previa por escrito antes de que una LEA proponga o se niegue a dar inicio a o cambiar la identificación, evaluación y asignación educativa de su hijo por la prestación de educación gratuita, pública y apropiada. .
- Ser informado del objetivo de una reunión del IEP junto con una explicación de la evaluación, recomendaciones y razones para las recomendaciones y a ser informado de todas las opciones del programa tanto públicas como no públicas.
- Participar en cada reunión para desarrollar o revisar un IEP, para dar autorización antes de empezar servicios de educación especial y asignación, y para registrar electrónicamente en una grabadora los procedimientos de una reunión del IEP con una notificación de 24 horas al equipo del IEP.
- Revisar todos los expedientes educativos dentro de un periodo de cinco días hábiles después de una solicitud por escrito y una solicitud verbal y antes de una reunión del IEP o audiencia administrativa y a recibir copias, incluyendo copias del IEP, los resultados de una evaluación, decisiones educativas recomendadas y las razones para estas decisiones.
- Permita que sus hijos sean educados en un entorno, que permita la interacción apropiada con compañeros sin discapacidades.
- Servicios y asignación comparables para su hijo cuando sea trasladado de una Dependencia Local de Educación donde la última asignación fue en un programa de educación especial y a recibir recomendación final dentro de un periodo de 30 días en relación con la continuidad de servicios de educación especial.
- Solicitar a un equipo del IEP que se haga una reunión dentro de un periodo de 30 días desde que la Dependencia Local de Educación reciba una solicitud por escrito para revisar el IEP de su hijo.
- Apelar la decisión de una audiencia de debido proceso presentando una acción civil en un tribunal estatal o federal dentro de un periodo de 90 días después de la decisión.
- Solicitar al tribunal que conceda tarifas razonables del abogado y costos relaciones si usted es la parte ganadora en una audiencia de debido proceso o acción posterior del tribunal.

# Preguntas & Respuestas

## Educación Especial y Servicios Relacionados



La educación especial se refiere a una enseñanza especialmente diseñada, sin costo para los padres, para satisfacer las necesidades particulares de un estudiante que presenta una discapacidad cuando éstas no se pueden satisfacer con modificaciones en el programa de educación general. La educación especial también incluye servicios relacionados que pueden ser necesarios para permitirle a un estudiante beneficiarse de una enseñanza especialmente diseñada para el o para ella.

**Pregunta:** ¿Qué programas y servicios se prestan a través de la educación especial?

**Respuesta:** Los servicios de apoyo de educación especial se pueden prestar en el salón de educación general o en una clase separada y pueden incluir servicios relacionados. Los servicios relacionados incluyen: terapia de habla y lenguaje, audiología, educación física adaptada, fisioterapia y terapia ocupacional, servicios de consejería escolar, educación vocacional especialmente diseñada y otros servicios que el equipo del IEP puede identificar como necesarios para que el estudiante se beneficie educativamente de su programa de enseñanza.

**Pregunta:** ¿Cómo recibo ayuda cuando se sospecha que hay una "discapacidad"?

**Respuesta:** Comuníquese con su LEA por correo o por teléfono. Se programará una reunión del Comité de Evaluación Pedagógica o reunión de la LEA para discutir las necesidades educativas del estudiante y cualquier inquietud que puedan tener los padres.

**Pregunta:** ¿Qué educación se debe prestar el estudiante con necesidades especiales?

**Respuesta:** Las leyes estatales y federales exigen que todos los estudiantes reciban una educación apropiada en un entorno de restricción mínima.

**Pregunta:** ¿Qué se involucra en el proceso de evaluación/valoración?

**Respuesta:** Las evaluaciones se hacen en las áreas donde se sospecha que hay discapacidades. Profesionales calificados observan, entrevistan y usan recursos de evaluación apropiados para cada estudiante. Se requiere la aprobación de los padres antes de la evaluación y los padres recibirán una copia de los resultados de la evaluación.

**Pregunta:** ¿Cada persona que es evaluada se asigna en un programa de educación especial?

**Respuesta:** Las personas identificadas como individuos con necesidades educativas reciben servicios de educación especial únicamente después de que el equipo del IEP ha determinado elegibilidad y se ha obtenido autorización de los padres para servicios de educación especial.



**Pregunta:** ¿Qué es un IEP?

**Respuesta:** Un IEP es un “Programa de Educación Individualizada.” Es un documento escrito que establece lo siguiente para las necesidades educativas de la persona: niveles actuales de desempeño, metas anuales, asignación y servicios de apoyo necesarios para implementar las metas de programa, personas responsables de los servicios de apoyo, ayudas y apoyos complementarios, incluyendo educación física según corresponda. Para los estudiantes de 16 años de edad o más, el IEP también contiene metas y servicios de transición.

**Pregunta:** ¿Quién participa en el desarrollo del IEP?

**Respuesta:** El equipo del IEP está compuesto por maestros de educación especial y general, un representante de la LEA, prestadores de servicios relacionados y padres. El equipo se reúne para determinar el programa con base en las necesidades del estudiante. También se invita al estudiante a asistir, si corresponde. En particular, un estudiante de 16 años o más deben ser invitados a participar en las reuniones del equipo del IEP cuando se discutan servicios de transición.

**Pregunta:** ¿Qué derechos tienen los padres o tutores en las decisiones que se toman sobre el estudiante?

**Respuesta:** Los padres/tutores tienen derecho a participar en las decisiones que toma el equipo del IEP y a dar su consentimiento por escrito antes de la implementación de un IEP: Una vez el estudiante alcanza la mayoría de edad (18), los derechos otorgados a los padres pasan a su hijo.

**Pregunta:** ¿Dónde y cómo se prestarán los servicios educativos?

**Respuesta:** Según la política de SELPA Desert/Mountain y Charter SELPA Desert/ Mountain, en la medida de lo posible, los estudiantes con necesidades especiales serán educados con estudiantes que no tienen necesidades especiales. Las escuelas y clases especiales están disponibles dentro de SELPA Desert/Mountain y Charter SELPA Desert/Mountain en caso de que no sea posible prestar los servicios educativos especializados en la escuela del estudiante o dependencia local de educación de residencia. En la reunión del IEP se determina el lugar de los servicios.

**Pregunta:** ¿Cómo pueden participar los padres en la revisión y/o desarrollo de programas de educación especial?ment of special education programs?

**Respuesta:** El Comité Asesor Comunitario (CAC) del SELPA de Desert/ Mountain y el SELPA de Desert/Mountain Charter está conformado por padres, estudiantes, maestros, paraeducadores, especialistas en educación, agencias y personas con discapacidades, que están trabajando en pro de la educación más adecuada para individuos con discapacidades. Las reuniones del CAC se llevan a cabo cuatro veces por año escolar.

Para obtener más información sobre CAC, visite la sección recursos para padres de CAHELP en [www.cahelp.org](http://www.cahelp.org).

**Pregunta:** ¿Qué es SELPA?

**Respuesta:** El acrónimo SELPA se refiere al Plan del Área Local de Educación Especial. El objetivo principal de los SELPA se basa en la creencia de que todos los estudiantes pueden aprender y que a los estudiantes con discapacidades se les debe garantizar la igualdad de oportunidades, con el fin de que se conviertan en miembros activos de la sociedad. Los SELPA facilitan programas y servicios educativos de alta calidad para estudiantes con necesidades especiales, al igual que capacitación para padres y educadores. Las SELPA colaboran con las agencias del condado y las LEA para desarrollar y mantener entornos seguros y enriquecedores en los que los estudiantes con discapacidades y las familias puedan tener éxito.

---

## Derechos De Los Padres

Como padre, USTED tiene derecho a:



- Una educación pública, gratuita y apropiada para una persona con necesidades especiales.
- Remitir a su hijo (desde el nacimiento hasta los 18) para una evaluación con el fin de determinar la elegibilidad para educación y servicios especiales.
- Recibir toda la información en un lenguaje claro, conciso y cuando sea posible, en el idioma materno o en otro modo de comunicación del hogar.
- Recibir notificación por escrito explicando los tipos de evaluaciones que se van a hacer, la necesidad de la evaluación propuesta y contar con un plazo de 15 días para llegar a una decisión de dar autorización para la evaluación. La evaluación puede empezar de inmediato tras recibir la autorización de la LEA y se debe hacer y se debe desarrollar un IEP dentro de un periodo de 60 días a partir de la fecha en que la LEA recibe la autorización. La LEA también debe proporcionar un aviso previo razonable por escrito de que su hijo envejecerá (llegará a los 22 años) o se graduará de la escuela secundaria con un diploma de escuela secundaria regular porque la graduación de la escuela secundaria constituye un cambio de ubicación bajo la Ley de Individuos con Discapacidades (IDEA) de 2004.
- Revocar su autorización para la prestación de servicios. Su revocación debe ser por escrito y no puede ser retroactiva. Una vez usted revoque su autorización para la prestación de los servicios, la LEA le entregará notificación por escrito antes de terminar con los servicios para su hijo. Si en el futuro usted busca volver a inscribir a su hijo en servicios de educación especial, la evaluación se tratará como evaluación inicial.
- Presentar información, incluyendo los resultados de una evaluación privada(s) al equipo del IEP en persona o a través de un representante.
- Dar autorización para la implementación de un programa de educación individualizada como resultado de una evaluación y que una persona capacitada para evaluar factores culturales y étnicos haga una evaluación psicológica a su hijo.

# Save THE Date!

2022-2023

## Alternative Dispute Resolution Professional Development Series

Alternative Dispute Resolution (ADR) is an informal process for resolving conflicts early. It is a process that uses communication, collaboration, negotiation, and mediation to produce an agreement that meets the needs of the student. ADR encourages all parties to keep the student's needs first and foremost throughout the process. The goal of ADR is to establish mutually agreeable solutions resulting in written agreements. Please join us on the following training dates.

### SELPA Legal Pathway

\*\*Recommended for all IEP Teams\*\*

#### **Collaborative IEP: Aligning the Sun, the Moon, and the Stars**

- October 4, 2022 12:00 p.m. - 4:00 p.m. (Virtual)

#### **Art of Facilitating IEP Meetings**

- November 3, 2022 2:00 p.m. - 4:00 p.m. (Virtual)

#### **Meaningful Parent Participation**

- December 1, 2022 2:00 p.m. - 4:00 pm (Virtual)

\*Each training can be taken individually, or as a series.

### Advanced ADR Trainings

\*\*Recommended for LEA ADR Facilitation Teams\*\*

#### **KEY2ED Conflict Prevention and Resolution through IEP**

- September 13-14, 2022 8:30 a.m. - 3:30 p.m. (in person)

#### **David Dowling - Taking the "A" out of ADR**

- November 4, 2022 9:00 a.m. - 12:00 p.m. (Virtual)

#### **David Dowling - Core Communication Skills**

- February 2, 2023 8:30 a.m. - 3:30 p.m. (in person)

\*All in person trainings are subject to change based on health and safety orders.

Get in Touch

Address : 17800 Highway 18, Apple Valley, CA 92307  
Phone : (760) 955-3551

Email : Patricia.Ochoa@cahelp.org  
Website : www.cahelp.org

## 7.6 Case Law Review

Verbal report, no materials

## 7.7 Prevention and Intervention Updates

Verbal report, no materials

## 7.8 Compliance Updates

Verbal report, no materials

## Dispute Prevention and Resolution Funds and Learning Recovery Funds

Internal strategy that SELPAs can share with their LEAs.

*LEAs will need to strategize in which year they will expend these funds – if they wait until the final year, it could have a substantial single year MOE (Maintenance of Effort) impact. LEAs should spread expenditures over the timeline of allowable use. There are a lot of LEAs struggling to spend these funds – staff are hard to find, extra activities are hard to fund, and it is combined with other funds sources. Thankfully, the wave of litigation has not been as substantial as feared, and settlement agreements have not been massively impactful. SELPAs are sharing two potential pathways for accounting for one-time revenue – and suggestions to manage these and other special education expenditures this year to meet MOE.*

MOE tracks expenditures using GOAL codes. MOE does not track the *revenue source* of special education funds. For example, a revenue of \$100,000, and an expenditure of \$75,000, in a State Special Education fund creates an MOE of \$75,000. If the expenditures were \$0, the MOE would be \$0. For one-time DPR and LRS Funds –the only way expenditures will not impact MOE is to code in Object codes excluded from MOE such as 7140, 7141, 7142, 7143, which may not be feasible nor aligned with submitted plans.

MOE does, however, identify any revenue *contribution amounts*, and it reassigns them to the MOE Local Actual Expenditure area. For example, that same revenue of \$100,000, but an expenditure of \$125,000, may cause a local contribution of \$25,000. This \$25,000 would be *assigned* to the MOE Local Actual Expenditures area.

Any activity that has a Goal Code of 5xxx will be pulled into MOE calculations. With the influx of one-time funds, additional management of the MOE impact is wise. Good planning can help an LEA expend these one-time funds – in alignment with the purpose of the grant – and continue to meet its MOE requirement, while monitoring long-term impact on the MOE obligation. This is key for the DPR and LRS funds, as these one-time funds may be expended for activities completed in the 2021-22, 2022-23, and 2023-24 fiscal years.

These funds are to be used to support LEAs with learning recovery and dispute resolution/prevention activities as a result from school disruptions stemming from the COVID-19 public health emergency during the period of March 13, 2020, to September 1, 2021, inclusive. It is recognized that some of these activities occurred during the 2020-21 fiscal year.

### **Prior Year**

There are two proposed methods to utilize funds (assigned to SACS {Standardized Account Code Structure} Resource codes 6536 and 6537) for **qualifying prior year** (2020-21) activities:

### **Method 1**

1. Identify, document, and total qualifying prior year activities.
2. Post a contribution up to the amount identified (using SACS Object 8990) from Resource 6536 and/or 6537, as appropriate, to Resource 0000 (or an unrestricted equivalent) and/or Resource 6500. Also, use the appropriate Goal 5xxx code.
  - a. A contribution to Resource 6500 may be the most appropriate, depending on the activity. *This contribution may create an equivalent reduction to the LEA's overall general fund contribution to 6500.*

- b. Example:
- i. XYZ LEA had an initial contribution of \$50,000 to Resource 6500.
  - ii. XYZ identified \$20,000 in qualifying costs to Resource 6537 from the prior year.
  - iii. XYZ posts a contribution of \$20,000 from Resource 6537 to 6500.
  - iv. XYZ's total revenue increases by \$20,000.
  - v. XYZ's initial contribution decreases from \$50,000 to \$30,000.
  - vi. XYZ's State & Local total for MOE remains the same. However, XYZ's Local Only total decreases by \$20,000

## Method 2

1. If the LEA has documentation of qualifying costs that were used for actual goods and/or services from one department to another department within the organization, the LEA may consider a direct cost transfer. If no goods and/or services were received a direct cost transfer may not be permitted. If there are qualifying costs, then the LEA would complete a direct cost transfer (Object 5710) between 6500 and 6536/6537. All the costs in 6536 and 6537 will have a Goal 5xxx, so you cannot do this between 0000 and 6536/6537 unless the expenses coming out of 0000 also had Goal 5xxx.

Upon applying either of these two proposed methods, the funds would now reside in either Resource 0000 or Resource 6500 and no longer would be restricted under Resource 6536/6537, as their qualifying use was completed in the prior year of 2020-21.

### Advice/Notes:

- Using one-time funds only as a replacement for the general fund contribution may not meet the purposes of the AB 130 grants.
- Do not wait until June 29, 2023, to encumber all the funds – this strategy could either inflate MOE or cause an LEA to lose access to the funds
  - Remember that funds cannot be encumbered for employee-staff salaries and costs into another fiscal year. This means an LEA cannot pay salaries of employees with these funds in Summer of 2023.
  - An LEA may be able to use to pay for costs associated with Contracted staff or services, materials or supplies for which a purchase order was received prior to June 30, 2022. Please refer to Procedure 675 in the SACS Guidelines.
- AU (Administrative Unit) only uses Fund 10. AU sends funds to LEAs, typically as Fund 01. Fund 01 is included in MOE.
- Contribution of funds from 6536/37 into another resource (6500, 0000) has no impact on the MOE for the State and Local tests, but it may have an impact on the Local Only tests if the contribution is from a State Resource to a Local Resource.

### Q: What happens if an LEA used previous one-time funds to supplant or backfill existing obligations?

If an LEA made this choice, we encourage the SELPA and LEA to arrange for a verbal consultation with a finance committee member – if they used an ESSER (Elementary and Secondary School Emergency Relief) code or other federal funds to prevent a contribution into RES 6500 from general funds it could be challenging. They could consider 8990 to direct contribution from 3213 and 3214, but this would not be standardized practice nor very defensible.

### Current Year

In addition to prior year uses, these funds should be used through the current year, and expended no later than September 30, 2023. The following method can assist SELPA AUs and member LEAs account for these expenditures:

1. Pass through the funds in either RES 6536 or 6537

2. LEA expends funds using RES 6536 or 6537, as appropriate and in accordance with their plan
3. Ensure appropriate documentation is retained

OR

1. SELPA collects documentation of expenditures in any RES Code with Goal 5xxx
2. Pass through funds to RES 6536/6537 to LEA
3. LEA contributes funds from RES 6536/6537 to the RES from which they funded the Goal 5xxx activities

This *will* impact MOE, but this is the ideal year to do this. The budget proposal for 2022-2023 includes revenue that should be sufficient to offset State and Local MOE and should also largely offset Local Only MOE implications. Spreading the expenditures over two years (21-22 & 22-23), with reimbursements to prior year (20-21), should be sufficient to demonstrate appropriate use and have negligible negative impact for MOE for those concerned about growing MOE obligation, leaving a small window for final expenditures to be paid in Summer of 2023.

For those who are struggling to meet MOE obligation, these funds could be a way to increase their expenditure on allowable activities, while having the revenue to cover those increases for 2021-22 and into 2022-23.





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](http://www.dmselpa.org)

## MEMORANDUM

Date: June 23, 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](mailto:Codi.Andersen@cahelp.org)

## Upcoming Trainings

---

Date/Time	Event	Location
7/25/2022 9:00 AM - 10:00 A	STOP THE BLEED AM	DMESC
7/25/2022 1:00 PM - 2:00 PM	STOP THE BLEED PM	DMESC

---

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



## ***Paraeducator Academy Collaborative***

### ***Facilitated by***

Linda Rodriguez & Danielle Côté

### ***Dates***

09/27/22  
11/17/22  
03/14/23  
05/16/23

### ***Time***

12:30 - 2:30 p.m.

### ***Cost***

Free

### ***Description***

This collaborative group, with a complementing on-line asynchronous course, is designed specifically for paraeducators supporting students with disabilities. Foundational skills in the area of academics, behavior, and collaboration, with an emphasis on core competencies, will be the focus. The course content will be self-paced on Canvas with live quarterly sessions. Participants will have the option to receive a certificate at the end of the school year. This certificate of completion for the Paraeducator Academy reflects 24 hours of content area and attendance of the four regional sessions.

### ***Location***

You have the option to attend this training in person or virtually. You can select your preferred method during registration.

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

Virtual: a link will be sent prior to the training date.

### ***Registration***

Please register online at:  
<https://sbcss.k12oms.org/52-220006>

### ***Special Accommodation***

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

## **Get in Touch**

**Address :** 17800 Highway 18, Apple Valley, CA 92307  
**Phone :** (760) 955-3573

**Email :** [judith.loera@cahelp.org](mailto:judith.loera@cahelp.org)  
**Website :** [www.cahelp.org](http://www.cahelp.org)



## **Forms and Facts 101** **\*Self-paced Course**

### **Presented By**

Sheila Parisian,  
Program Specialist

### **Date**

Available until May 31, 2023

### **Time**

Self-paced virtual course

### **Cost**

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

### **Description**

In this self-paced virtual course, participants will gain knowledge of the procedural and substantive protections for parents and their children with qualifying disabilities. Participants will be guided through specific required forms and components of the IEP to ensure understanding of legal compliance when considering the unique circumstances of an individual child. All participants will have access to resources and links to the Desert/Mountain SELPA policies and flowcharts to help IEP teams conduct meaningful IEP meetings. Participants are encouraged to participate in discussions and questions.

### **Registration**

Participants will receive access to the online training once registration is confirmed.

Please register online at  
<https://sbcss.k12oms.org/52-219962>

### **Audience**

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

### **Special Accommodation**

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



***Present Levels of Performance (PLOPs), Goals, and Educational Benefit***  
***\*Self-Paced Course***

***Presented By***

Sheila Parisian,  
Program Specialist

***Date***

Available until May 31, 2023

***Time***

Self-paced virtual course

***Cost***

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

***Description***

This self-paced virtual course will focus on understanding the IEP process and ways to determine if a student is receiving educational benefit. Participants will explore how the IEP process guides the development of legally compliant present levels of performance (PLOPs) as baseline indicators so that IEP goals are written for each area of need and directly linked to the baseline (PLOP). Participants will learn how to establish a statement of measurable annual goals by identifying areas of educational need derived from the student's areas of strengths and concerns. Participants will have the opportunity to view examples of both PLOPs and goals while practicing writing from the case studies provided. A brief discussion on how to link goals to the Common Core State Standards and Essential Standards will be addressed. Participants will gain an understanding of how to use data to determine whether a student has shown progress on goals to enable a child to make progress appropriate in light of the child's circumstances.

***Registration***

Participants will receive access to the online training once they register.

Please register online at  
[https://  
sbcss.k12oms.org/52-220016](https://sbcss.k12oms.org/52-220016)

***Audience***

Special education teachers, general education teachers, site administrators, counselors, and school psychologists.

***Special Accommodation***

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

**Get in Touch**

**Address :** 17800 Highway 18, Apple Valley, CA 92307

**Phone :** (760) 955-3573

**Email :** [judith.loera@cahelp.org](mailto:judith.loera@cahelp.org)

**Website :** [www.cahelp.org](http://www.cahelp.org)



# CELEBRATING FAMILIES!™

## Building Resilience

Help children and families be **healthy, responsible, and addiction free.** - **NO COST TO ATTEND!**

### Who Can Attend

Parents, caregivers, guardians, and children ages 4 through 18.

### Program Benefits

- 16 skill building educational sessions
- Healthy meals in family group setting
- Age-appropriate youth & adult skill building groups
- Structured related family activity

### Presented By

CAHELP Team

### Date

Tuesdays: August 16, 2022- December 6, 2022 (no meeting the week of Thanksgiving)

### Time

4:30 - 7:00 p.m.

### Location

17800 US Highway 18 Apple Valley, CA 92307

### Cost

\$0.00

### Registration

Please register online at:  
<https://sbcsc.k12oms.org/52-216240>

### 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 :** 17800 Highway 18, Apple Valley, CA 92307  
**Phone :** (760) 955-3552

**Email :** [Marysol.Hurtado@cahelp.org](mailto:Marysol.Hurtado@cahelp.org)  
**Website :** [www.cahelp.org](http://www.cahelp.org)



# CELEBRANDO A LAS FAMILIAS!™

## ROMPER EL CICLO DE LA ADICCIÓN

Ayudar a los niños y a las familias a ser **saludables, responsables y libres de adicción.** - ¡SIN COSTO PARA ASISTIR!

### Quién Puede Asistir

Padres, cuidadores, tutores y niños de 4 a 18 años.

### Beneficios Del Programa

- 16 sesiones educativas para el desarrollo de habilidades
- Comidas saludables en grupo familiar
- Grupos de desarrollo de habilidades para jóvenes y adultos de acuerdo con su edad
- Actividad familiar estructurada

### Presentado Por

Equipo CAHELP

### Fecha

Martes: 16 de Agosto de 2022 - 6 de Diciembre de 2022(sin reunión la semana de Acción de Gracias)

### Hora

4:30 - 7:00 p.m.

### Lugar

17800 US Highway 18 Apple Valley, CA 92307

### Costo

\$0.00

### Inscripción

Por favor, inscribese en línea en: <https://sbcss.k12oms.org/52-216240>

### Adaptaciones Especiales

Le pedimos que envíe cualquier solicitud de adaptación especial al menos quince días laborables antes de la capacitación, indicando su solicitud al inscribirse.