

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
September 23, 2022 – 9:00 a.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: 2454 972 6530

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

If you wish to make a public comment at this meeting, prior to the meeting please submit a request to address the Steering and Finance Committee to the recording secretary via fax at 1-760-242-5363 or email 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 SELPA Steering and Finance 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 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 September 23, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Agenda be approved as presented.

5.0 PRESENTATIONS

5.1 SBCSS D/M Operations Final 2021-22 Local Control Funding Formula (LCFF) Revenue Transfer

The SBCSS D/M Operations Fiscal Year 2021-22 LCFF Revenue Transfer will be presented by the San Bernardino County Superintendent of Schools (SBCSS) Internal Business Program Manager.

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
September 23, 2022 – 9:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

5.2 SBCSS D/M Operations 2021-22 Fee-For-Service Year-End Actuals

The SBCSS D/M Operations Fiscal Year 2021-22 Fee-For-Service Year-End Actuals will be presented by the SBCSS Internal Business Program Manager.

5.3 SBCSS D/M Operations 2021-22 Fee-for-Service Return

The SBCSS D/M Operations 2021-22 Fee-For-Service Return will be presented by the SBCSS Internal Business Program Manager.

6.0 INFORMATION/ACTION

6.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

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

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

6.2 Form D/M 85 SBCSS Desert/Mountain Operations Referral (**ACTION**)

Forms used in the operations of special education programs within the Desert/Mountain 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 SELPA Steering Committee for consideration and approval.

6.2.1 **BE IT RESOLVED** that the Form D/M 85 SBCSS Desert/Mountain Operations Referral be approved as presented.

6.3 Form D/M 173 Referral to SBCSS Desert/Mountain Operations for Related Services Provider (**ACTION**)

Forms used in the operations of special education programs within the Desert/Mountain 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 SELPA Steering Committee for consideration and approval.

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
September 23, 2022 – 9:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

- 6.3.1 **BE IT RESOLVED** that the Form D/M 173 Referral to SBCSS Desert/Mountain Operations for Related Services Provider be retired as presented.

7.0 CONSENT ITEMS

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

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

- 7.1.1 Approve the August 26, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Minutes.

8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

- 8.1 Legislative Updates from State SELPA Administrators

Pam Bender will provide legislative updates from State SELPA Administrators Meeting.

- 8.2 Small LEAs and Special Education Monitoring

Pam Bender will provide information regarding small LEA monitoring.

- 8.3 Assembly Bill 2449 Open Meetings: Local Agencies: Teleconferences (Brown Act)

Pam Bender will provide information pertaining to Assembly Bill 2449 Open Meetings: Local Agencies: Teleconferences (Brown Act).

- 8.4 Interim Placement Procedures

Pam Bender will present an updated draft of Interim Placement Procedures.

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

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

- 8.6 Desert/Mountain Children's Center Mental Health Research Report

Linda Llamas will share the Desert/Mountain Children's Center Mental Health Research Report.

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
September 23, 2022 – 9:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

8.7 Professional Learning Summary and Update

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

8.8 Resolution Support Services Summary and Update

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

8.9 Case Law Review

Kathleen Peters will provide case law review.

8.10 Compliance Update

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

8.11 Nonpublic School/Nonpublic Agency Update

Peggy Dunn will provide a nonpublic school/nonpublic agency update.

8.12 Prevention and Intervention Update

Pamela Strigglers will present the Prevention and Intervention Update.

8.13 Community Outreach Update

Jessica Soto will provide the Community Outreach update.

9.0 FINANCE COMMITTEE REPORTS

9.1 One-Time Learning Recovery Support and Dispute Prevention/Resolution Funding

Marina Gallegos will present information about one-time Learning Recovery Support and Dispute Prevention/Resolution Funding.

9.2 Projected Mental Health Funding

Marina Gallegos will provide information regarding projected mental health funding.

10.0 INFORMATION ITEMS

10.1 Monthly Audiological Services Reports

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
September 23, 2022 – 9:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

- 10.2 Monthly Occupational & Physical Therapy Services Reports
- 10.3 Monthly Nonpublic School Placement Report
- 10.4 Upcoming Professional Learning Opportunities

11.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

12.0 CEO COMMENTS

13.0 MATTERS BROUGHT BY THE PUBLIC

This is the time during the agenda when the Desert/Mountain SELPA Steering and Finance 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 SELPA Steering and Finance Committee personnel must have filed an appropriate complaint form prior to the meeting.

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

14.0 ADJOURNMENT

The next regular meeting of the Desert/Mountain SELPA Steering and Finance Committee will be held on Friday, October 21, 2022, at 9:00 a.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

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

DESERT MOUNTAIN COUNTY OPERATED SPECIAL EDUCATION PROGRAM
2021-22 FINAL LCFF REVENUE TRANSFER PER DISTRICT

District of Residence	UPP %	Grades TK/K-3	Grades 4-6	Grades 7-8	Grades 9-12	Total
Adelanto	81.5600%	11,579.05	10,645.98	10,960.89	-	
P-2/Annual		31.21	22.68	10.33		64.22
Total		361,382.00	241,450.89	113,226.01		716,058.90
Apple Valley	74.3700%	11,129.35	10,232.52	10,535.20	12,526.90	
P-2/Annual		27.10	22.86	10.75	31.72	92.43
Total		301,605.29	233,915.45	113,253.40	397,353.22	1,046,127.37
Barstow	78.3700%	11,379.53	10,462.54	10,772.02	12,808.49	
P-2/Annual		22.75	21.42	4.22	6.72	55.11
Total		258,884.23	224,107.65	45,457.94	86,073.08	614,522.90
Bear Valley	69.9900%	10,855.40	9,980.65	10,275.88	12,218.55	
P-2/Annual		8.54	2.94	-	1.55	13.03
Total		92,705.11	29,343.11	-	18,938.75	140,986.98
Helendale	58.1000%	10,111.74	9,296.92	9,571.92	11,381.51	
P-2/Annual		6.13	2.37	1.30	-	9.80
Total		61,984.96	22,033.69	12,443.49	-	96,462.15
Hesperia	73.8000%	11,093.70	10,199.74	10,501.45	12,486.77	
P-2/Annual		13.43	7.16	3.21	68.94	92.74
Total		148,988.34	73,030.17	33,709.66	860,838.01	1,116,566.17
Lucerne	89.3400%	12,065.65	11,093.37	11,421.51	13,580.77	
P-2/Annual		4.57	5.68	1.49	7.89	19.63
Total		55,140.00	63,010.35	17,018.06	107,152.29	242,320.69
Needles	75.4900%	11,199.40	10,296.93	10,601.51	12,605.75	
P-2/Annual		9.83	4.49	5.45	7.84	27.61
Total		110,090.07	46,233.20	57,778.23	98,829.04	312,930.56
Oro Grande	92.9600%	12,292.06	11,301.54	11,635.84	13,835.62	
P-2/Annual		1.02	0.66	-	-	1.68
Total		12,537.90	7,459.02	-	-	19,996.92
Silver Valley	58.5400%	10,139.26	9,322.22	9,597.97	11,412.48	
P-2/Annual		0.29	-	-	2.72	3.01
Total		2,940.39	-	-	31,041.95	33,982.34
Snowline	71.5500%	10,952.97	10,070.36	10,368.24	12,328.37	
P-2/Annual		32.40	12.11	2.00	29.74	76.25
Total		354,876.22	121,952.03	20,736.48	366,645.83	864,210.56
Trona	77.2400%	11,308.85	10,397.56	10,705.12	12,728.94	
P-2/Annual		-	0.77	0.72	2.60	4.09
Total		-	8,006.12	7,707.69	33,095.25	48,809.06
Victor Elementary	87.0200%	11,920.54	10,959.96	11,284.16	13,417.45	
P-2/Annual		101.62	69.14	-	-	170.76
Total		1,211,365.37	757,771.64	-	-	1,969,137.01
Victor Valley Union High	86.8800%	11,911.78	10,951.91	11,275.87	13,407.59	
P-2/Annual		-	-	25.74	71.03	96.77
Total		-	-	290,240.82	952,341.13	1,242,581.95

Summary				
District Number	District	Based on P-2/Annual	First 50% Transfer	Final transfer
201	Adelanto	716,058.90	355,233.94	360,824.96
203	Apple Valley	1,046,127.37	504,997.84	541,129.53
208	Barstow	614,522.90	297,933.38	316,589.53
206	Bear Valley	140,986.98	24,441.72	116,545.26
224	Helendale	96,462.15	37,425.97	59,036.18
228	Hesperia	1,116,566.17	527,409.79	589,156.38
232	Lucerne	242,320.69	116,137.23	126,183.46
241	Needles	312,930.56	146,409.50	166,521.06
246	Oro Grande	19,996.92	8,375.69	11,621.23
252	Silver Valley	33,982.34	14,836.22	19,146.12
254	Snowline	864,210.56	437,736.97	426,473.60
255	Trona	48,809.06	25,172.09	23,636.97
257	Victor Elementary	1,969,137.01	946,427.27	1,022,709.74
268	Victor Valley Union High	1,242,581.95	579,423.31	663,158.64
	Total	8,464,693.56	4,021,960.91	4,442,732.65

FEE-FOR-SERVICE BUDGET to ACTUALS COMPARISON- 2021-22

SELPA	Desert Mountain				Budget	Actuals	+Increase/ -Decrease
A. REVENUES							
					April 2021	September 2022	
	RS	OB	GL	FC			
1. AB602 Special Ed Funding	6500	8311	5001	0000	\$ 45,545,473	\$ 47,650,327	\$ 2,104,854
2. Property Tax Transfer	6500	8097	5001	0000		\$ 5,285,524	
3. Property Tax Transfer Adjustment between 2021-22 P-2 and Annual						\$ (141,341)	
4. Federal IDEA (Local Assistance Entitlement)	3310	8181	5001	0000		\$ 1,595,732	
5. Net FFS State Aid (A1-A2-A3-A4)	6500	8311	5001	0000		\$ 40,910,412	
6. LCFF ADA Revenue Transfer	6500	8710	5001	0000	\$ 8,687,500	\$ 8,464,694	\$ (222,806)
7. ARP Local Assistance	3305	8182	5001	0000	\$ -	\$ 331,313	\$ 331,313
8. APR Federal Preschool	3308	8182	5001	0000	\$ -	\$ 169,896	\$ 169,896
9. Federal Preschool	3315	8182	5730	0000	\$ 138,233	\$ 159,271	\$ 21,038
10. Preschool Local Entitlement	3320	8182	5730	0000	\$ 412,411	\$ 412,411	\$ -
11. Infant Part C	3385	8182	5710	0000	\$ 37,210	\$ 37,210	\$ -
12. State Early Intervention	3385	8590	5710	0000	\$ -	\$ 135,253	\$ 135,253
13. Infant State Apportionment	6510	8311	5710	0000	\$ 888,800	\$ 890,688	\$ 1,888
14. Infant Discretionary	6515	8590	5710	0000	\$ -	\$ 35,534	\$ 35,534
15. Other Local Revenue	6500	8699	5001	0000	\$ -	\$ 2,762	\$ 2,762
16. Contrib. frm Unrestricted	6500	8981	5001	0000	\$ 152,483	\$ 36,405	\$ (116,078)
TOTAL REVENUES					\$ 55,862,110	\$ 58,325,763	\$ 2,463,653
B. EXPENDITURES							
1. SAI Services - SDC					\$ 29,306,627	\$ 28,216,722	\$ (1,089,905)
2. Related Services - DIS					\$ 10,709,511	\$ 10,473,869	\$ (235,642)
3. Itinerant					\$ 1,716,211	\$ 1,984,279	\$ 268,068
4. 1:1 Aide Services					\$ 6,380,227	\$ 5,553,105	\$ (827,122)
5. Interpreter Services					\$ 738,487	\$ 739,258	\$ 771
6. Preschool Assessments					\$ 369,070	\$ 261,746	\$ (107,324)
7. Preschool SDC					\$ 5,361,449	\$ 4,899,116	\$ (462,333)
8. Early Start					\$ 1,280,529	\$ 1,129,410	\$ (151,119)
TOTAL EXPENDITURES					\$ 55,862,110	\$ 53,257,506	\$ (2,604,604)
C. PRIOR YEAR ADJUSTMENTS							
1. Prior Year AB602 Revenue Funding Adjustment	6500	8319	5001	0000	\$ -	\$ -	\$ -
2. Beginning Balance					\$ -	\$ -	\$ -
TOTAL PRIOR YEAR ADJUSTMENTS					\$ -	\$ -	\$ -
D. 2021-22 ENDING BALANCE							
1. Total Revenues (Section A)					\$ 55,862,110	\$ 58,325,763	\$ 2,463,653
2. Plus Total Prior Year Revenue Adjustments (Section C)						\$ -	\$ -
3. Less Total Expenditures (Section B)					\$ 55,862,110	\$ 53,257,506	\$ (2,604,604)
4. Plus Unused 2021-22 Reserve					\$ -	\$ 1,675,863	\$ 1,675,863
5. 2021-22 Fee-For-Service Ending Balance					\$ -	\$ 6,744,119	\$ 6,744,119

Service Counts	Budget	Actuals	Diff
SAI Services - SDC	877	897.92	20.92
Related Services - DIS	1729	1845	116
Itinerant	295	302.92	7.92
1:1 Aide Services	100	107.92	7.92
Interpreters	8	6.92	-1.08
Preschool Assessments	75	71	-4
Preschool SDC	213	238.75	25.75
Early Start	60	62.42	2.42

ADA	
Estimated ADA - Budget	761.19
21/22 P-2/Annual ADA	727.13

Desert Mountain County Operated Special Education 2021-22 Year-End Actuals
September 2022

		SAI SERVICES > 50% SDC	RELATED SERVICES DIS	ITINERANT	1 TO 1 AIDE SERVICES	INTERPRETER SERVICES	PRESCHOOL ASSESSMENT	PRESCHOOL SDC	EARLY START	TOTAL
	RATE	\$ 27,221.00	\$ 5,093.00	\$ 4,783.00	\$ 52,456.00	\$ 75,895.00	\$ 4,448.00	\$ 22,752.00	\$ 5,909	
OBJECT	EXPENSE									
1000-1999	Certificated Salaries	9,532,727	3,543,505	1,019,751	-	-	153,305	1,663,811	558,643	16,471,742
2000-2999	Classified Salaries	4,735,225	1,850,273	113,370	2,294,881	299,695	-	876,823	53,112	10,223,379
3000-3999	Employee Benefits	7,720,812	2,177,250	488,538	1,822,146	182,808	56,931	1,388,976	256,486	14,093,947
4000-4999	Books & Supplies	91,463	11,956	3,152	-	-	-	11,858	2,361	120,790
5000-5999	Services & Other Operating Expenditures	1,379,047	1,124,951	24,911	499,803	132,114	733	7,246	11,981	3,180,786
6000-6999	Capital Outlay	-	-	-	-	-	-	-	-	-
	Sub total	23,459,274	8,707,935	1,649,722	4,616,830	614,616	210,969	3,948,715	882,583	44,090,644
	% of Total	0.60077	0.22300	0.04225	0.11823	0.01574	0.05072	0.94928	N/A	
	Allocated Cost (GL 5001 & 5730; FN 2100, 2105, 2700, 8100)	2,703,658	1,003,581	190,129	532,085	70,834	31,726	593,813	164,622	5,290,447
	Sub total 1000-5000 costs	26,162,932	9,711,516	1,839,851	5,148,915	685,450	242,695	4,542,628	1,047,205	49,381,090
7300-7380	Indirect Cost @ 7.85%	2,053,790	762,354	144,428	404,190	53,808	19,052	356,588	82,206	3,876,416
	TOTAL EXPENSE	28,216,722	10,473,869	1,984,279	5,553,105	739,258	261,746	4,899,116	1,129,410	53,257,506

RESOURCE	OBJECT	REVENUE									
6500	8097	Property Tax Revenue	2,725,475	1,011,679	191,663	536,379	71,406	25,282	473,209	109,091	5,144,183
3310	8181	Federal Local Assistance	845,446	313,824	59,454	166,385	22,150	7,843	146,790	33,840	1,595,732
6500	8311	AB602 FFS Revenue	20,871,270	8,071,083	1,196,537	4,958,113	431,384	282,683	4,812,041	225,889	40,849,000
		Total FFS Revenue (Lines 20-24)	24,442,190	9,396,586	1,447,654	5,660,877	524,940	315,808	5,432,040	368,820	47,588,915

RESOURCE	OBJECT	Revenue									
		LCFF Distribution (based on % of total expense of applicable program)	0.60077	0.22300	0.04225	0.11823	0.01574				
6500	8710	Local Control Funding Formula Revenue	5,085,373	1,887,658	357,618	1,000,811	133,233				8,464,694
3305	8182	ARP Federal Local Assistance	331,313								331,313
3308	8182	ARP Federal Preschool						8,617	161,279		169,896
3315	8182	Federal Preschool						8,078	151,193		159,271
3320	8182	Preschool Local Entitlement						20,916	391,495		412,411
3385	8182	Part C Early Intervention								172,463	172,463
6510	8311	Infant I-50 Apportionment								890,688	890,688
6515	8590	Infant Discretionary								35,534	35,534
6500	8699	Local	2,762								2,762
6500	8311	Needles (Contracted Nurse)	61,412								61,412
6500	8989	Contribution from Unrestricted	36,405								36,405
		Beginning Balance									0
		TOTAL REVENUE:	\$ 29,959,455	\$ 11,284,244	\$ 1,805,272	\$ 6,661,688	\$ 658,173	\$ 353,419	\$ 6,136,007	\$ 1,467,505	\$ 58,325,763

Excess Cost Per Program	1,742,732	810,375	(179,007)	1,108,583	(81,085)	91,673	1,236,891	338,095	5,068,256
--------------------------------	------------------	----------------	------------------	------------------	-----------------	---------------	------------------	----------------	------------------

Number of Services - Final	897.92	1,845.00	302.92	107.92	6.92	71.00	238.75	62.42	
2021-22 Fee-For-Service Rates	\$ 27,221	\$ 5,093	\$ 4,783	\$ 52,456	\$ 75,895	\$ 4,448	\$ 22,752	\$ 5,909	
Total 2021-22 Fee-For-Service Revenue	\$ 24,442,190	\$ 9,396,586	\$ 1,447,654	\$ 5,660,877	\$ 524,940	\$ 315,808	\$ 5,432,040	\$ 368,820	\$ 47,588,915

SUMMARY	
2021-22 Total Revenue	\$ 58,325,763
2021-22 Total Expense	\$ 53,257,506
Subtotal	\$ 5,068,256
Net Estimated FFS Ending Balance	\$ 5,068,256
2021-22 Unused Reserve	1,675,863
Total Ending Balance	\$ 6,744,119

San Bernardino County Superintendent of Schools
Desert Mountain County Operated Special Education Program
2021-22 Fee-For-Service Return

District	SAI Services	% of Services	Total Return	Related Services DIS	% of Services	Total Return	Itinerant	% of Services	Total Return	1:1 Aides	% of Services	Total Return
			\$ 1,742,732			\$ 810,375			\$ (179,007)			\$ 1,108,583
Academy for Academic Excellence	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -
Norton Science and Language	0.00	0%	\$ -	0.25	0%	\$ 127	0.00	0%	\$ -	0.00	0%	\$ -
Adelanto Elementary	77.58	9%	\$ 164,410	249.59	16%	\$ 126,354	25.75	9%	\$ (16,098)	11.25	11%	\$ 121,472
Apple Valley Unified	117.92	14%	\$ 249,900	212.25	13%	\$ 107,451	34.25	12%	\$ (21,412)	20.00	19%	\$ 215,951
Baker Valley Unified*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -
Barstow Unified	63.00	8%	\$ 133,512	114.42	7%	\$ 57,925	29.67	10%	\$ (18,549)	1.42	1%	\$ 15,333
Bear Valley Unified	15.42	2%	\$ 32,679	50.83	3%	\$ 25,733	3.75	1%	\$ (2,344)	2.00	2%	\$ 21,595
Excelsior	0.83	0%	\$ 1,759	0.83	0%	\$ 420	2.83	1%	\$ (1,769)	0.00	0%	\$ -
Helendale Elementary*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -
Hesperia Unified	106.58	13%	\$ 225,868	148.00	9%	\$ 74,925	78.33	27%	\$ (48,970)	20.08	20%	\$ 216,815
Lucerne Valley Unified*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -
Needles*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -
Oro Grande Elementary	2.75	0%	\$ 5,828	5.25	0%	\$ 2,658	7.17	3%	\$ (4,483)	0.50	0%	\$ 5,399
Silver Valley Unified	6.17	1%	\$ 13,076	11.33	1%	\$ 5,736	0.75	0%	\$ (469)	0.67	1%	\$ 7,234
Snowline Jt. Unified	92.67	11%	\$ 196,390	171.25	11%	\$ 86,695	27.08	9%	\$ (16,930)	9.42	9%	\$ 101,713
Trona Jt. Unified*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -
Victor Elementary	207.50	25%	\$ 439,741	378.00	24%	\$ 191,361	27.83	10%	\$ (17,399)	11.83	12%	\$ 127,735
Victor Valley Union High	131.92	16%	\$ 279,570	258.75	16%	\$ 130,991	48.92	17%	\$ (30,584)	25.50	25%	\$ 275,337
Encore - Hesperia	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ -
Total	822.34	100%	\$ 1,742,732	1600.75	100%	\$ 810,375	286.33	100%	\$ (179,007)	102.67	100%	\$ 1,108,583

District	Interpreters	% of Services	Total Return	Preschool SDC	% of Services	Total Return	Preschool Assessment	% of Services	Total Return	Early Start	% of Services	Total Return	Grand Total
			\$ (81,085)			\$ 1,236,891			\$91,673			\$ 338,095	\$ 5,068,256
Academy for Academic Excellence	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ -
Norton Science and Language	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ 127
Adelanto Elementary	0.08	1%	\$ (939)	45.33	20%	\$ 242,720	40.00	62%	\$56,414	7.67	13%	\$ 43,220	\$ 737,553
Apple Valley Unified	3.00	43%	\$ (35,203)	34.25	15%	\$ 183,392	0.00	0%	\$ 0	9.58	16%	\$ 53,982	\$ 754,061
Baker Valley Unified*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ -
Barstow Unified	2.00	29%	\$ (23,469)	21.25	9%	\$ 113,783	24.00	37%	\$33,848	6.75	11%	\$ 38,036	\$ 350,419
Bear Valley Unified	0.00	0%	\$ -	12.42	5%	\$ 66,503	0.00	0%	\$ 0	0.00	0%	\$ -	\$ 144,165
Excelsior	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ 410
Helendale Elementary*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ -
Hesperia Unified	0.00	0%	\$ -	32.08	14%	\$ 171,773	0.00	0%	\$ 0	14.42	24%	\$ 81,255	\$ 721,665
Lucerne Valley Unified*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ -
Needles*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ -
Oro Grande Elementary	0.00	0%	\$ -	0.67	0%	\$ 3,588	1.00	2%	\$1,410	0.00	0%	\$ -	\$ 14,400
Silver Valley Unified	0.00	0%	\$ -	2.33	1%	\$ 12,476	0.00	0%	\$ 0	1.17	2%	\$ 6,593	\$ 44,646
Snowline Jt. Unified	0.00	0%	\$ -	21.67	9%	\$ 116,032	0.00	0%	\$ 0	6.83	11%	\$ 38,486	\$ 522,386
Trona Jt. Unified*	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ -
Victor Elementary	0.00	0%	\$ -	61.00	26%	\$ 326,625	0.00	0%	\$ 0	13.58	23%	\$ 76,522	\$ 1,144,586
Victor Valley Union High	1.83	26%	\$ (21,474)	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ 633,841
Encore - Hesperia	0.00	0%	\$ -	0.00	0%	\$ -	0.00	0%	\$ 0	0.00	0%	\$ -	\$ -
Total	6.91	100%	\$ (81,085)	231.00	100%	\$ 1,236,891	65.00	100%	\$91,673	60.00	100%	\$ 338,095	\$ 5,068,256

*Districts receiving small school district protection are not included in the current year calculated return. Service counts have been removed for these districts and funds are reallocated to the remaining districts.

District	Col. A	Col. B	Col. C	Col. D	Col. E
	Unused 21/22 Reserve	21/22 FFS Ending Balance	21/22 Total Ending Balance	22/23 3% Reserve \$1,780,174	Balance to Return \$4,963,947
Academy for Academic Excellence	\$ 181	\$ -	\$ 181	\$ 181	\$ -
Norton Science & Language	\$ 77	\$ 127	\$ 204	\$ 53	\$ 151
Adelanto Elementary	\$ 159,213	\$ 737,553	\$ 896,766	\$ 233,822	\$ 662,944
Apple Valley Unified	\$ 227,458	\$ 754,061	\$ 981,519	\$ 255,920	\$ 725,599
Baker Valley Unified*	\$ -	\$ -	\$ -	\$ -	\$ -
Barstow Unified	\$ 100,104	\$ 350,419	\$ 450,523	\$ 117,469	\$ 333,054
Bear Valley Unified	\$ 37,642	\$ 144,165	\$ 181,807	\$ 47,404	\$ 134,403
Excelsior	\$ 1,099	\$ 410	\$ 1,509	\$ 393	\$ 1,116
Helendale Elementary*	\$ -	\$ -	\$ -	\$ -	\$ -
Hesperia Unified	\$ 245,063	\$ 721,665	\$ 966,728	\$ 252,063	\$ 714,665
Lucerne Valley Unified*	\$ 12,210	\$ -	\$ 12,210	\$ 12,210	\$ -
Needles*	\$ -	\$ -	\$ -	\$ -	\$ -
Oro Grande Elementary	\$ 9,974	\$ 14,400	\$ 24,374	\$ 6,355	\$ 18,019
Silver Valley Unified	\$ 7,756	\$ 44,646	\$ 52,402	\$ 13,663	\$ 38,739
Snowline Jt. Unified	\$ 182,584	\$ 522,386	\$ 704,970	\$ 183,813	\$ 521,157
Trona Jt. Unified*	\$ 16,836	\$ -	\$ 16,836	\$ 16,836	\$ -
Victor Elementary	\$ 345,088	\$ 1,144,586	\$ 1,489,674	\$ 388,416	\$ 1,101,258
Victor Valley Union High	\$ 330,423	\$ 633,841	\$ 964,264	\$ 251,421	\$ 712,843
Encore - Hesperia	\$ 155	\$ -	\$ 155	\$ 155	\$ -
Total	\$ 1,675,863	\$ 5,068,256	\$ 6,744,119	\$ 1,780,174	\$ 4,963,947



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.



SBCSS Desert/Mountain Operations Referral

STUDENT INFORMATION

Student Name: _____ Date of Birth: _____ SSID No. _____
 Disability: _____ Grade: _____ Gender: Male Female Non-Binary
 School Site: _____ Teacher Name: _____
 LEA of Attendance: _____ LEA of Residence: _____
 Parent/Guardian: _____
 Home Phone: _____ Work Phone: _____ Other Phone: _____
 Street Address: _____ City: _____ State: _____ Zip Code: _____
 Mailing Address: _____ City: _____ State: _____ Zip Code: _____

REFERRAL PROCESS

NEW REFERRAL **CONTINUATION OF SERVICES**

DATE OF REFERRAL: _____
CURRENT PLACEMENT: _____

Select the appropriate program/placement and/or related service(s):

- | | | |
|---|---|---|
| <input type="checkbox"/> Adapted Physical Education (APE) | <input type="checkbox"/> Orientation & Mobility | <input type="checkbox"/> Speech and Language |
| <input type="checkbox"/> American Sign Language (ASL) Interpreter | <input type="checkbox"/> Orthopedic Impaired (OI) | <input type="checkbox"/> Visual Impaired (VI) |
| <input type="checkbox"/> Deaf and Hard of Hearing | <input type="checkbox"/> Physical Therapy (PT) | |
| <input type="checkbox"/> Occupational Therapy (OT) | <input type="checkbox"/> Preschool Assessment | |

Program/Placement: *Early Childhood Sped* *Moderate/Severe SAI* *Mild/Moderate SAI (SUCCESS / ED / DHH)*

Attach the following documents to the referral:

- Authorization for Use and/or Disclosure of Information (DM 63)
- IEP or IEP Addendum dated within one year of referral for County (Annual and Triennial IEP needs to be current)
- Psycho-educational evaluation dated within three years of referral to County
- Deaf and Hard of Hearing audiogram
- Vision Impaired Ophthalmologist report
- If last triennial completed with Triennial Determination form (DM 119), include the full psycho-educational report
- All current related services (BIP, FBA, health plan, doctor reports, immunizations)

NOTE: E-mail completed packet to sbcss_referrals@sbcss.net

Additional information: _____

Referred by: _____ Title/Position: _____
 Contact Phone: _____ E-mail Address: _____
 Administrator Signature: _____ Date: _____

SBCSS COUNTY USE ONLY

Date referral received by County: _____

- I have reviewed the referral for the above-named student and agree that SBCSS DMOPs *can provide* all of the services required by the student's current IEP.
- I have reviewed the referral for the above-named student and have determined that SBCSS DMOPs is *unable* to meet all of the service requirements as outlined in the student's current IEP.

Area Director: _____ Signature: _____ Date: _____

Upon approval of this referral, the LEA in collaboration with the DMOPs Area Director shall schedule a placement IEP within ten (10) days of receipt of the referral packet.



Administrative Transfer to SBCSS/District Program

ADMINISTRATIVE TRANSFER TO:	<input type="checkbox"/> D/M OPERATIONS, SBCSS, FROM THE DISTRICT <input type="checkbox"/> DISTRICT PROGRAM FROM D/M OPERATIONS, SBCSS
------------------------------------	---

DIRECTIONS: PLEASE MARK THE APPROPRIATE BOX(ES). WHERE APPLICABLE, PROVIDE THE FOLLOWING INFORMATION AND/OR REQUIRED DOCUMENTATION. SIGN/DATE/FORWARD COMPLETED FORM AND AVAILABLE INFORMATION TO THE APPROPRIATE ADMINISTRATOR.

STUDENT INFORMATION

Student Name: _____ Date of Birth: _____ Grade: _____
 District of Attendance: Select... District of Residence: Select...
 School Site: _____
 Parent/Guardian: _____ Home Phone: _____ Work Phone: _____
 Street Address: _____ City: _____ State: _____ Zip Code: _____
 Mailing Address: _____ City: _____ State: _____ Zip Code: _____
 Current Placement: _____
 Transfer to (Special Education Program): _____ Refer to IEP dated: _____

IF APPLICABLE: <input type="checkbox"/> Foster Home/LCI <input type="checkbox"/> Community School/Juvenile Facility <input type="checkbox"/> Hospital		Contact Phone: _____
Name of Foster Parents/Contact Person: _____	Address: _____	
Placing Agency: _____	Court Assignment of Education Rights to: _____	

1. IEP available/attached to this transfer request **OR** All information obtained from previous district/placement via phone _____ INITIAL

Current IEP Date: _____ Three-year Review Date: _____

Describe the Nature of the Disability: _____

Detail Instructional Setting: _____

- Current Assessment(s) Attached (if applicable):
- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Psycho-educational | <input type="checkbox"/> Occupational Therapy | <input type="checkbox"/> Adaptive P.E. | <input type="checkbox"/> Speech and Language |
| <input type="checkbox"/> Physical Therapy | <input type="checkbox"/> Behavior Support Plan | <input type="checkbox"/> FAA/PBIP | <input type="checkbox"/> Other: _____ |

Present Levels of Performance:

Academics: _____

Language: _____

Social/Emotional: _____

Physical: _____ Ambulatory: No Yes

Self-Help: _____

Pre-Vocational/Vocational: _____

Other: _____

Goal Areas: _____

Related Services: LSH APE Direct OT Direct PT Counseling Other: _____

2. Medical/Physical Diagnosis: _____

Significant Health Information (be specific) Medication: _____

Seizures: No Yes, type: _____ Allergies: _____

Special Feeding Needs: _____ Catheterization: _____

Wheelchair: No Yes CCS Eligible: No Yes

3. Specialized Transportation Needs: _____

4. Current Immunization Records: Immunization Records Attached **OR** District Confirmation All Immunizations are Current

5. Confidential records including current psycho-educational evaluation enclosed to be returned to the district of residence.

THIS REFERRAL AND ASSESSMENT WAS DISCUSSED WITH THE PARENT: No Yes

Date: _____ Administrator Signature: _____

COUNTY REFERRAL PROCEDURES

Desert/Mountain Operations or “County” provides educational settings and services to students severely impacted by their disability and who require specialized academic instruction (SAI). There may be times when a student’s access to the curriculum requires significant accommodations that cannot be met within the local education agency (LEA). The LEA can make a referral into a program operated by County when such a class is not operated by the LEA.

Pre-Referral

Local Education Agency (LEA) Responsibility

1. Convene an Individualized Education Program (IEP) meeting to discuss and consider the continuum of placement options and/or services. Invite a County representative to the IEP meeting to discuss available programs and to contribute to the discussion of continuum programs, placement, and service options. In the event County is unable to attend the meeting, the LEA shall present a description and/or informational materials about the available County programs/services and rationale for placement dependent on the student’s unique needs. The only exception to the above-mentioned is the referral for itinerant and preschool assessments.
2. Complete the SBCSS Desert/Mountain Operations (DMOPs) Referral form (DM 85) and obtain the signatures of the person making the referral and the director of special education.

Referral Procedures

Forward the following completed referral packet to County via sbcss_referral@sbcss.net and include the following:

- DM 85 – SBCSS Desert/Mountain Operations Referral form
- DM 63 – Complete the Authorization for Use and/or Disclosure of Information form and obtain the parent/guardian signature. Specify the receiving agency’s name if known. If not, leave the field blank
- IEP or IEP addendum dated within one year of the referral for County placement (annual and triennial IEP needs to be current)
- Psycho-educational evaluation dated within three years of the referral for County placement
- If the last triennial was completed with a Triennial Assessment Determination form (DM 119), to include the last psycho-educational report

COUNTY REFERRAL PROCEDURES

- All current related services assessments (APE, AT, AAC, OT, PT, SLP)
- Deaf and Hard of Hearing audiogram
- Vision Impaired Ophthalmologist report
- Any additional information (BIP, FBA, health plan, doctor reports, immunizations)

Timeline for Services

Upon approval of the completed referral packet, the LEA in collaboration with the DMOPs Area Director shall schedule a placement IEP within ten (10) days of receipt of the referral packet.

NOTE: It is incumbent on the LEA to provide a completed referral packet to County in order to initiate timely service(s) and placement. Incomplete referrals shall be returned to the LEA for completion.



Referral to SBCSS Desert/Mountain Operations for Related Services Provider

STUDENT INFORMATION

Student Name: _____ Date of Birth: _____ Gender: Male Female
School Site: _____ Disability: _____
LEA of Attendance: _____ LEA of Residence: _____
Parent/Guardian: _____
Street Address: _____ City: _____ State: _____ Zip Code: _____
Mailing Address: _____ City: _____ State: _____ Zip code: _____
Home Phone: _____ Work Phone: _____ Other Phone: _____

REFERRAL FOR SERVICES

This student is being referred for the following related services: **Initial** **Continuation of Services**

- Adapted Physical Education (APE)
- American Sign Language (ASL) Interpreter
- Speech and Language
- Deaf and Hard of Hearing
- Occupational Therapy (OT)
- Physical Therapy (PT)
- Visually Impaired
- Orientation and Mobility
- Orthopedic Impaired

Attach current Individualized Education Program (IEP) for the student to this referral.

Referred By: _____ Title/Position: _____ Date: _____

Contact Phone: _____ E-mail Address: _____

Administrator Signature: _____ Date: _____

Action:

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

D/M SELPA MEMBERS PRESENT:

Academy for Academic Excellence – Marcelo Congo, Apple Valley USD – Priscilla Avila, David Wheeler, Bear Valley USD – Robert Hernandez, Raven Uhler, Desert/Mountain Operations (SBCSS) – Rich Frederick, Excelsior Charter Schools – Amber Englehart Marie Silva, Health Sciences High School and Middle College – Kristen Kosaka, Helendale SD – Mike Esposito, Hesperia USD – Eric Land, Teri McCollum, Lucerne Valley SD – Vici Miller, Needles USD – Jamie Wiesner, Oro Grande SD – Scott Heitman, Silver Valley USD – Cheri Rigdon, Snowline JUSD – Pam DeRenard, Trona JUSD – Nicole Yeager, Victor Elementary SD – Melanie Arroyo, Tanya Benitez, and Victor Valley UHSD – Rama Bassham.

GUEST:

Christina Leal – Options for Youth

CAHELP, SELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Codi Andersen, Pam Bender, Guille Burgos, Craig Cleveland, Tara Deavitt, Lindsey Devor, Peggy Dunn, Adrien Faamausili, Marina Gallegos, Colette Garland, Derek Hale, Linda Llamas, Maurica Manibusan, Robin McMullen, Kami Murphy, Lisa Nash, Karina Quezada, Jessica Soto, Pamela Strigglers, Jennifer Sutton, Stephanie Sweem, and Bobbie Taylor.

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 SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender, at 9:03 a.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 Marie Silva, seconded by Mike Esposito, to approve the August 26, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

5.0 INFORMATION/ACTION

5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

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

5.1.1 **BE IT RESOLVED** that a motion was made by Cheri Rigdon, seconded by David Wheeler, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

5.2 Form D/M 114 Behavior Emergency Report (BER) (**ACTION**)

Forms used in the operations of special education programs within the Desert/Mountain 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 SELPA Steering Committee for consideration and approval.

5.2.1 **BE IT RESOLVED** that a motion was made by Tanya Benitez, seconded by Marie Silva, to approve the Form D/M 114 Behavioral Emergency Report (BER) as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

6.0 CONSENT ITEMS

It is recommended that the Steering and Finance 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 a motion was made by Mike Esposito, seconded by Vici Miller, to approve the following Consent Items as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

6.1.1 Approve the June 24, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Minutes.

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates

Pam Bender provided legislative updates highlighting the following bills. State SELPA Administrators meeting is scheduled for September 8-9, 2022, when Pam will receive more information.

- Senate Bill (SB) 1113 – Special Education: Inclusive Education: Universal Design for Learning is at Assembly Appropriations Committee,
- Assembly Bill (AB) 2121 – School Accountability: California Collaborative for Educational Excellence: Special Education Resources is at Senate Appropriations Committee in suspense file,
- SB 291 – Advisory Commission on Special Education is at Assembly Floor on the Consent Calendar,
- SB 866 – Minors: Vaccine Consent is at Assembly Floor for third reading,
- SB 1229 – Mental Health Workforce Grant Program is no longer active.
- SB 237 – Special Education: Dyslexia Risk Screening is no longer active as it did not meet the deadline. It is likely to be brought back next year.

7.2 Service Logs in Web IEP

Pam Bender provided information on Service Logs in Web IEP. She reported that California Department of Education (CDE) provided the exact data they will be asking for. Pam has spoken to other SELPA directors and learned that East Valley SELPA and Riverside County SELPA are running pilot programs with some of their districts. Though she is still waiting to hear how the pilots are transpiring, the SELPA directors agree the services must be documented, whether handwritten or in a student data system. Pam said that at this time, the information will not be automatically submitted to CDE but must be available upon request. She continued that the biggest concern is tracking the times in special day classes (SDC) because the students come in and out of the classroom as they receive different services. Services logs will continue to be a topic of discussion in the upcoming weeks with SELPA administrators and Pam will provide information to the committee as she receives it. Pam confirmed a bell schedule would not be acceptable because students are in and out of the classroom receiving services.

7.3 Educationally Related Mental Health Services (ERMHS)

Pam Bender provided information regarding Emotionally Related Mental Health Services (ERMHS). She said there is a reprieve with ERMHS funds to continue to go to the SELPAs instead of being disbursed directly to LEAs. Pam reported there is discussion at the state level as to whether it will continue or if the funding will instead go to the LEAs beginning 2023-24. Once a decision is made, there will be discussion with the D/M Charter Executive Council and CAHELP

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

JPA Governance Council to have a specific plan.

7.4 Statewide Student Identifiers (SSID) for Preschool Programs

Pam Bender and Rich Frederick presented information on Statewide Student Identifiers (SSID) for Preschool Programs. Pam stated Desert Mountain Operations is a service provider and not the district of residence for students. Pam stated SSIDs must be created through district of residence (DOR) because the students belong to and are tracked by the DOR and not through county services.

Rich stated DMOPS is working with the districts that have large numbers of preschool students that qualify for services in creating SSIDs. Rich reported that listing DMOPS as the district of residence will cause a CALPADS error and that SSIDs are needed to create and close IEPs as well as to exit a student.

In discussion, multiple special education directors shared that they go through the school registration process for their preschool students to create the needed SSID which does not cause an issue or error because that student is most likely going to return to the same LEA for kindergarten. Others also administer assessments to confirm the student needs.

7.5 Desert Mountain Operations Update

Rich Frederick presented Desert Mountain Operations Update. He reported DMOPS continues to struggle with having adequate paraeducator staff but certificated positions are full. Rich shared they received their first state complaint but it was resolved quickly with the parent rescinding after DMOPS added additional staff to the classroom. Rich stressed that when intensive individualized services are listed on an IEP, it does not necessarily constitute a 1 to 1 full time person but instead it could be someone who is supporting multiple students in the same classroom. Also, DMOPS does not provide services for transportation, that is addressed through the district.

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

Pam Bender presented the D/M Children's Center Client Services monthly reports. She asked that Linda Llamas be emailed with changes or questions regarding the reports.

7.7 Professional Learning Summary and Update

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary. She acknowledged virtual trainings and onsite trainings helped overcome some challenges. Heidi reported the following Save The Date information:

- Speech-Language Pathologists Collaborative Group - September 29, 2022, November 16, 2022, February 12, 2023, and May 3, 2023.
- Community Advisory Committee (CAC) – September 22, 2022, at DMESC, November 17, 2022, at Hesperia Unified School District Office, February 23, 2023, at Apple Valley

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

Unified School District Office, and April 20, 2023, at DMESC.

- I-MTSS Symposium – March 8, 2023, with venue pending.
- Special Education Directors’ Trainings – October 21, 2022, February 24, 2023, and April 21, 2023.

7.8 Resolution Support Services Summary and Update

Kathleen Peters presented the D/M SELPA’s Resolution Support Services Summary and update. She reviewed a couple of changes to the documents that allow better tracking of how cases are resolved as well as additional information provided on the activity summary page. Kathleen asked to be contacted with feedback on the document.

Kathleen reported on the training flyer *Conflict Prevention and Resolution Through IEPs* scheduled for September 13-14, 2022, as in-person with lunch provided. She said there are currently eight openings available.

Kathleen said there is a training in November 2022 with David Dowling presenting *Taking the “A” out of ADR*. She said the flyer was emailed to the directors previously by Patty Ochoa.

Kathleen shared the Regional 10 ADR conference has been scheduled for March 16-17, 2023 at the Riverside Convention Center. She also said that Karina Quezada is a member of the planning committee.

Kathleen stated the open platform discussions are still occurring the first Thursday of each month at 9:00am for anyone interested in attending.

Kathleen then spoke to independent study, saying it is important for districts and IEP teams to understand the reasons to be avoided and reasons to be used when denying independent study to a student.

7.9 Case Law Review

Kathleen Peters called on Sheila Parisian to provide case law review. Sheila reported on Office of Administrative Hearings (OAH) case number 2022010227 regarding psychoeducational assessment and parent request for Independent Educational Evaluation (IEE). Parent questioned the psychoeducational assessment because: the student was not observed in-person but via videoconference, qualified providers did not perform assessment of suspected auditory and visual processing deficits, the teacher did not complete the Behavior Assessment System of Children rating scale, and Cabrillo Point Academy failed to hold the initial IEP team meeting within 60 days of when the parent consented to the assessment plan. Cabrillo Point Academy provided documentation that their responses to the assessment request were timely and included intellectual development, adaptive behavior, social-emotional behavior, language, speech, and health, with a general education teacher assessing academic performance. Also, virtual observations lasted 30

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

minutes and in-person during administration of the assessments. OAH found that although the student showed needs in the areas of internalizing problems, atypical behavior, withdrawal, anxiety, attention problems, and interpersonal relationships, they did not adversely impact academic progress, access to the curriculum and they did not require special education or related services.

7.10 Career Technical Education Updates

Isaac Medina presented Career Technical Education (CTE) updates including 2021-22 Year End Reports. Isaac then presented a flyer for the Transition Partnership Program (TPP) Beginning of the Year Meeting. It is scheduled for September 20, 2022, at DMESC with Dr. Shree Walker presenting. There is no cost to attend.

Isaac shared the CAHELP Career Technical Education Programs At-A-Glance that outlines the different services and criteria.

Isaac concluded with the Workforce Innovation and Opportunity Act (WIOA) flyer pointing out the application link at the bottom.

7.11 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She reviewed the number of overdue IEPs with great progress being made between October 8, 2021, and June 30, 2022. Peggy shared that the numbers will continue to be checked once a month with Peggy and program specialists reaching out to provide support to each LEA.

Peggy then reported there are several districts in different levels of disproportionality that are working on required activities. There is a CDE refresher webinar scheduled for September 1 and September 12, 2022, with registration required. Peggy asked to be contacted by anyone interested in attending. Peggy stated Comprehensive Coordinated Early Intervening Services (CCEIS) Plans are due November 1, 2023.

Peggy shared a letter CDE sent to superintendents reporting a California Longitudinal Pupil Achievement Data System (CALPADS) update caused errors that CDE is working to correct with updates being provided weekly.

Peggy concluded by sharing the upcoming MIS meeting is scheduled for September 28, 2022, from 9:00am until 3:00pm with lunch served.

7.12 Nonpublic School/Nonpublic Agency Update

Peggy Dunn provided a nonpublic school/nonpublic agency update. She shared the 3-year costs

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

for nonpublic schools and residential treatment center costs broken down by district.

7.13 Outreach Team Services Introduction

Jessica Soto provided an introduction of Outreach Team services by sharing a brochure that will be emailed to the directors from the Outreach Team member supporting each LEA. She provided a list of community trainings that are offered and said the trainings can be tailored for the LEA needs. The goal of the Outreach Team is to build relationships between schools and families and to encourage family engagement. The team can attend school events such as back to school nights, wellness fairs, family fun days, and others to provide resources available from DMCC and CAHELP JPA.

8.0 FINANCE COMMITTEE REPORTS

8.1 Federal Expenditure Report Summary

Marina Gallegos presented the federal expenditure report summary. Marina shared the status of the 2021-22 federal funding including the IDEA American Rescue Plan Supplemental Local Assistance fund reflecting the amounts allocated for each LEA. She also showed the amount of funds that are still available for each of the LEAs to claim for next reporting period which is July 1 through September 30. The regular local assistance funds have been claimed and the expenditure report submitted to CDE. Marina stated that if an LEA does spend the funds by September 30, the LEA is required to submit a budget plan to D/M SELPA who will compile the data and submit it to CDE. She asked that if an LEA does not plan to spend the American Rescue Plan funds to tell Marina so the funds can possibly be reallocated.

9.0 INFORMATION ITEMS

9.1 Monthly Occupational & Physical Therapy Services Reports

9.2 Monthly Nonpublic School Placement Report

9.3 Upcoming Professional Learning Opportunities

The following training was highlighted *Hola Language Services-Interpreting IEP Meetings (ENG/SPA)*. It will only be offered in September this school year and will be in person, not virtual.

10.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

11.0 CEO COMMENTS

Pam Bender welcomed everyone back. She is looking forward to the 2022-23 school year being fully staffed with students receiving needed services.

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
August 26, 2022 – 9:00 a.m. - Hybrid
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

Pam talked about a webinar she attended the week prior with Atkinson, Andelson, Loya, Ruud and Romo regarding the “Dear Colleague Letter” from U.S Department of Education’s Office of Special Education Programs (OSEP). It was regarding many requirements of Individuals with Disabilities Education Act (IDEA) being the applicable for students with 504 Plans. Pam said OSEP is encouraging districts to assess students that have excessive suspensions to find what supports are needed. Also, students with 504 Plans should have the opportunity to be offered free appropriate public education (FAPE) including accommodations and services. OSEP suggested using alternative methods of correction like Multi-Tiered System of Supports (MTSS) and Positive Behavioral Interventions and Supports (PBIS) to address their behaviors instead of changing placement or expulsion. Pam cited Education Code 48900(w)(1) and (2) states MTSS should be implemented by LEAs. Pam said she will put together a summary of the webinar to share with the directors.

12.0 MATTERS BROUGHT BY THE PUBLIC

None.

13.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Mike Esposito, seconded by David Wheeler, to adjourn the meeting. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain SELPA Steering and Finance Committee will be held on Friday, September 23, 2022, at 9:00 a.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
September 1, 2022

On the Governor's Desk

Bill No./ Author	Title	Position	Current Status	Page
Funding				
*AB 152 Committee on Budget	COVID-19 Relief: Supplemental Paid Sick Leave		To the Governor	1
*AB 185 Committee on Budget	Education Finance: Education Omnibus Trailer Bill		To the Governor	1
AB 2827 Quirk-Silva	Child Daycare Facilities	Support	To the Governor	1
*SB 1113 Ochoa Bogh	Special Education: Inclusive Education: Universal Design for Learning	Support	To the Governor	2
Other				
*AB 408 Quirk-Silva	Homeless Children and Youths: Reporting		To the Governor	2
AB 552 Quirk-Silva	Integrated School-Based Behavioral Health Partnership Program		To the Governor	2
AB 1810 Levine	Pupil Health: Seizure Disorders		To the Governor	3
AB 1868 Rivas, Luz	School Accountability: English Language Acquisition Status: Data		To the Governor	3
AB 2072 Gabriel	Mental Health Professionals: Natural Disasters: County Offices of Education: Personnel Sharing Agreements		To the Governor	3
AB 2281 Lackey	Early Childhood Mental Health Services Act		To the Governor	3
*SB 291 Stern	Advisory Commission on Special Education	Support	To the Governor	4
SB 692 Cortese	Special Education: Pupils With Disabilities: Least Restrictive Environment		To the Governor	4

Bill No./ Author	Title	Position	Current Status	Page
SB 870 Portantino	Developmental Services		To the Governor	4
*SB 882 Eggman	Advisory Council on Improving Interactions Between People With Intellectual and Development Disabilities and Law Enforcement		To the Governor	4
SB 1016 Portantino	Special Education: Eligibility: Fetal Alcohol Spectrum Disorder	Watch	To the Governor	5
*SB 1397 Borgeas	Teacher Credentialing: Emergency Teaching Permits		To the Governor	5

Chaptered

Bill No./ Author	Title	Position	Current Status	Page
Funding				
AB 178 Ting	Budget Act of 2022		Signed by the Governor, Chapter 45, Statutes of 2022	5
AB 181 Committee on Budget	Education Finance: Education Omnibus Budget Trailer Bill		Signed by the Governor, Chapter 52, Statutes of 2022	6
AB 182 Committee on Budget	COVID-19 Emergency Response: Learning Recovery Emergency Fund: Appropriation		Signed by the Governor, Chapter 53, Statutes of 2022	6
SB 154 Skinner	Budget Act of 2022		Signed by the Governor, Chapter 43, Statutes of 2022	7
SJR 4 Wilk	Special Education Funding	Support	Approved by the Legislature, Chapter 114, Statutes of 2022	7

Dead

Bill No./ Author	Title	Position	Current Status	Page
Funding				
AB 1607 Muratsuchi	Education Finance: Local Control Funding Formula		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	7

Bill No./ Author	Title	Position	Current Status	Page
AB 1609 Muratsuchi	Education Finance: Local Control Funding Formula: Attendance Yields		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	8
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	8
AB 1948 Ting	Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness		Senate Education Committee—Bill Did Not Meet Deadline—No Longer Active	8
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	9
SB 579 Allen	Education Finance: Local Control Funding Formula		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	9
SB 830 Portantino	Education Finance: Additional Education Funding		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	9
*SB 878 Skinner	Drivers of Unaccompanied Minors: Workgroup		Assembly Floor—Bill Did Not Meet Deadline—No Longer Active	10
SB 1229 McGuire	Mental Health Workforce Grant Program	Support	Assembly Higher Education Committee—Bill Did Not Meet Deadline—No Longer Active	10
Other				
AB 563 Berman	School-Based Health Programs		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	10
AB 586 O'Donnell	Pupil Health: Health and Mental Health Services: School Health Demonstration Project		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	11
AB 1838 Bauer-Kahan	Parental Notices: Primary Language Translations		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	11
AB 1877 Fong	State Teachers' Retirement: Retirees		Assembly Public Employees and Retirement Committee—Bill Did Not Meet Deadline—No Longer Active	11

Bill No./ Author	Title	Position	Current Status	Page
AB 2034 O'Donnell	Local Educational Agency: Medi-Cal Billing Option	Support	Senate Education Committee—Bill Did Not Meet Deadline—No Longer Active	12
AB 2121 Garcia, Eduardo	School Accountability: California Collaborative for Educational Excellence: Special Education Resource Leads	Support	Assembly Desk—Bill Did Not Meet Deadline—No Longer Active	12
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	12
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	13
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	13
SB 237 Portantino	Special Education: Dyslexia Risk Screening		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	13
SB 293 Limón	Medi-Cal Specialty Mental Health Services		Assembly Appropriations Committee—Bill Did Not Meet Deadline—No Longer Active	14
SB 387 Portantino	Pupil Health: School Employee and Pupil Training: Youth Mental and Behavioral Health		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	14
SB 673 Portantino	Pupils With Exceptional Needs: Individualized Education Programs: Emergency Safety Procedures		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	15
SB 866 Wiener	Minors: Vaccine Consent		Assembly Floor Third Reading—Bill Did Not Meet Deadline—No Longer Active	15
SB 871 Pan	Public Health: Immunizations		Senate Judiciary Committee—Bill Did Not Meet Deadline—No Longer Active	15

SCHOOL SERVICES OF CALIFORNIA INC.
Legislative Report Prepared by Kyle Hyland for:
Coalition for Adequate Funding for Special Education
September 1, 2022

On the Governor's Desk

Funding

***[AB 152](#) (Committee on Budget)**

Amended: 8/27/2022

Title: COVID-19 Relief: Supplemental Paid Sick Leave

Status: To the Governor

Position:

Summary:

Assembly Bill 152 would extend the deadline for the current allotment of COVID-19 supplemental paid sick leave from September 30 to December 31, 2022.

***[AB 185](#) (Committee on Budget)**

Amended: 8/26/2022

Title: Education Finance: Education Omnibus Trailer Bill

Status: To the Governor

Position:

Summary:

Assembly Bill 185 is the clean-up trailer bill for the K-12 education provisions in the 2022-23 Enacted Budget that would increase the base increase for the Local Control Funding Formula above the cost-of-living-adjustment from 6.2% to 6.7% and make a number of other changes to existing programs and some new statutes.

[AB 2827](#) (Quirk-Silva)

Amended: 8/18/2022

Title: Child Daycare Facilities

Status: To the Governor

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 1113 (Ochoa Bogh)*Amended:** 8/23/2022**Title:** Special Education: Inclusive Education: Universal Design for Learning**Status:** To the Governor**Position:** Support**Summary:**

This bill would require the California Department of Education to work with the Commission on Teacher Credentialing (CTC) to develop guidance on staffing inclusive classrooms and to provide recommendations for changes necessary to eliminate barriers to staffing inclusive placements. The bill also requires the CTC to train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning, requires the CTC to form a workgroup to propose more inclusive education standards for the administrative services teaching credential, and requires administrator preparation programs to include inclusive education instruction.

Other

AB 408 (Quirk-Silva)*Amended:** 8/16/2022**Title:** Homeless Children and Youths: Reporting**Status:** To the Governor**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 existing law relative to the rights of homeless youth and responsibilities of LEA liaisons. The bill would require the California Department of Education to develop a risk-based monitoring plan for homeless education requirements.

AB 552 (Quirk-Silva)**Amended:** 6/20/2022**Title:** Integrated School-Based Behavioral Health Partnership Program**Status:** To the Governor**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 1810 (Levine)**Amended:** 3/30/2022**Title:** Pupil Health: Seizure Disorders**Status:** To the Governor**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 1868 (Rivas, Luz)**Amended:** 6/21/2022**Title:** School Accountability: English Language Acquisition Status: Data**Status:** To the Governor**Position:****Summary:**

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

AB 2072 (Gabriel)**Amended:** 6/21/2022**Title:** Mental Health Professionals: Natural Disasters: County Offices of Education: Personnel Sharing Agreements**Status:** To the Governor**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 2281 (Lackey)**Amended:** 6/6/2022**Title:** Early Childhood Mental Health Services Act**Status:** To the Governor**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 and their parents, families, and caregivers, with emphasis on prevention and early intervention and disparities.

***SB 291 (Stern)**

Amended: 8/18/2022

Title: Advisory Commission on Special Education

Status: To the Governor

Position: Support

Summary:

This bill increases membership on the Advisory Commission on Special Education (ACSE) from 17 members to 19 members. The two additional members will be appointed by the ACSE and must be students with disabilities between the ages of 16 to 22.

***SB 692 (Cortese)**

Amended: 8/4/2022

Title: Special Education: Pupils With Disabilities: Least Restrictive Environment

Status: To the Governor

Position:

Summary:

This bill would require that the California Department of Education publish local educational agency data related to federal measures of least restrictive environment for pupils with disabilities on its website, and include it as a resource on the California School Dashboard by November 30, 2023.

SB 870 (Portantino)

Amended: 8/22/2022

Title: Developmental Services

Status: To the Governor

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 882 (Eggman)**

Amended: 8/15/2022

Title: Advisory Council on Improving Interactions Between People With Intellectual and Developmental Disabilities and Law Enforcement

Status: To the Governor

Position:

Summary:

This bill would, contingent upon an appropriation, create an advisory council within the Department of Justice (DOJ) responsible for evaluating and reporting on existing training for peace officers related to interactions between law enforcement and people with intellectual and developmental disabilities. The bill would sunset provisions related to the advisory council on July 1, 2026. The bill would also require use of force incident reports sent to the DOJ by local law enforcement agencies to include information on whether the officer perceived that someone involved had a intellectual or developmental disability.

SB 1016 (Portantino)**Amended:** 8/18/2022**Title:** Special Education: Eligibility: Fetal Alcohol Spectrum Disorder**Status:** To the Governor**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:** 8/22/2022**Title:** Teacher Credentialing: Emergency Teaching Permits**Status:** To the Governor**Position:****Summary:**

This bill was gutted and amended and now would require the Commission on Teacher Credentialing to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute permit until July 1, 2024.

Previous versions of the bill would have authorized for an additional year any holder of a credential or permit issued by the commission 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.

Chaptered

Funding

AB 178 (Ting)**Amended:** 6/26/2022**Title:** Budget Act of 2022**Status:** Signed by the Governor, Chapter 45, Statutes of 2022**Position:****Summary:**

This is the budget bill junior, which reflects the agreement between the Administration and the Legislature on the 2022-23 State Budget. Once this bill is signed into law, it will make amendments to Senate Bill 154.

AB 181 (Committee on Budget)

Amended: 6/25/2022

Title: Education Finance: Education Omnibus Budget Trailer Bill

Status: Signed by the Governor, Chapter 52, Statutes of 2022

Position:

Summary:

This is the education omnibus budget trailer bill, which contains the implementing language for the education provisions in the 2022-23 State Budget, including the following:

- \$500 million ongoing to increase the special education funding formula base rate to \$820
- Changes to independent study to clarify requirements for special education students
- Shifting funding for Educationally Related Mental Health Services funds from Special Education Local Plan Areas to local educational agencies (LEAs), beginning in the 2023-24 fiscal year
- Requirement for an Individuals with Disabilities Education Act (IDEA) Addendum process for the Local Control and Accountability Plan (LCAP) that will be adopted by the State Board of Education by 2025 to coordinate IDEA spending planning process with existing LCAP spending planning
- Allocates \$3.48 billion one-time for the Arts, Music, and Instructional Materials Discretionary Block Grant, to all LEAs, based on average daily attendance

AB 182 (Committee on Budget)

Amended: 6/25/2022

Title: COVID-19 Emergency Response: Learning Recovery Emergency Fund: Appropriation

Status: Signed by the Governor, Chapter 53, Statutes of 2022

Position:

Summary:

This is a budget trailer bill detailing the Learning Recovery Emergency Fund, which would provide \$7.9 billion one-time to transitional kindergarten-12 local education agencies (LEAs), for use through the 2027-28, for learning recovery initiatives. Funds are allocated based on the LEA's unduplicated pupil count and can be used for the following purposes:

- Instructional learning time, providing summer school or intersessional instructional programs, or taking any other action that increases or stabilizes the amount of instructional time or services provided to pupils, or decreases or stabilizes staff-to-pupil ratios, based on pupil learning needs
- Implementation, expansion, or enhancement of learning supports
- Addressing other barriers to learning, such as providing health, counseling, or mental health services, school meals, or programs to address trauma

SB 154 (Skinner)**Amended:** 6/8/2022**Title:** Budget Act of 2022**Status:** Signed by the Governor, Chapter 43, Statutes of 2022**Position:****Summary:**

This is the Legislative Version of the 2022-23 State Budget Act. The bill is essentially a placeholder budget bill that will be amended by budget bill junior (Assembly Bill/Senate Bill 178) when it is signed into law. The budget bill junior will reflect the agreement between the Administration and the Legislature when it is signed into law.

SJR 4 (Wilk)**Amended:** 6/20/2022**Title:** Special Education Funding**Status:** Approved by the Legislature, Chapter 114, Statutes of 2022**Position:** Support**Summary:**

This measure would respectfully memorialize Congress and the President to enact S. 3213, known as the IDEA Full Funding Act, which would fully fund the Individuals with Disabilities Education Act.

Dead

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 was an urgency bill that would have shifted 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 was an urgency bill that would have shifted 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 have 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 1948 (Ting)

Amended: 5/3/2022

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

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

Position:

Summary:

This bill would have made 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 have required 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.

[SB 579](#) (Allen)

Amended: 1/20/2022

Title: Education Finance: Local Control Funding Formula

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

Position:

Summary:

This bill would have required 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 Education Committee—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This bill would have provided 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 have made any changes to the existing LCFF formula or statute, but rather would have created a categorical program to provide supplemental funding to LEAs based on the difference between their average daily attendance and enrollment.

SB 878 (Skinner)*Amended:** 8/15/2022**Title:** Drivers of Unaccompanied Minors: Workgroup**Status:** Assembly Floor—Bill Did Not Meet Deadline—No Longer Active**Position:****Summary:**

As completely rewritten, this bill would have created a working group to develop recommendations pertaining to safety standards for drivers of unaccompanied minors to school. The bill would have, by April 1, 2023, required the California Department of Education to submit the workgroup's recommendations to the appropriate budget and policy committees of the Legislature.

SB 1229 (McGuire)**Amended:** 4/28/2022**Title:** Mental Health Workforce Grant Program**Status:** Assembly Higher Education Committee—Bill Did Not Meet Deadline—No Longer Active**Position:** Support**Summary:**

This bill would have, subject to an appropriation, required 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 have required 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 have prescribed 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 have required 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 563 (Berman)**Amended:** 4/5/2021**Title:** School-Based Health Programs**Status:** Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active**Position:****Summary:**

This bill would have required 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 have also required 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: Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This bill would have established 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 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 expanded 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 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 have 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:** 6/13/2022**Title:** Local Educational Agency: Medi-Cal Billing Option**Status:** Senate Education Committee—Bill Did Not Meet Deadline—No Longer Active**Position:** Support**Summary:**

This bill would have required 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 have required the DHCS to report to the relevant policy committees and post on its website any changes made to the state plan. The bill would also require the DHCS to provide technical assistance to the LEA or to complete appeals by the LEA within 180 days if an audit disallows a specified percentage of an LEA's total value of claims. The bill would have prohibited an auditor from disallowing certain claims. The bill would have required the DHCS' summary of activities in the above-described report to also include training for LEAs and a summary of the number of audits conducted of Medi-Cal Billing Option claims.

AB 2121 (Garcia, Eduardo)**Amended:** 3/7/2022**Title:** School Accountability: California Collaborative for Educational Excellence: Special Education Resource Leads**Status:** Assembly Desk—Bill Did Not Meet Deadline—No Longer Active**Position:** Support**Summary:**

This bill would have required 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 have required 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 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 have established 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 have required 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 have, beginning July 1, 2024, reduced 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 have, beginning July 1, 2024, reduced 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.

SB 237 (Portantino)

Amended: 6/28/2021

Title: Special Education: Dyslexia Risk Screening

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

Position:

Summary:

This bill would have required 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 have then required 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 293 (Limón)

Amended: 5/20/2021

Title: Medi-Cal Specialty Mental Health Services

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

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 have required 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 have authorized 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 have required 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—Bill Did Not Meet Deadline—No Longer Active

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 have included referrals to special education services in that instruction requirement for identified training programs. The bill would have required, 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 have prohibited training in youth behavioral health to be a condition of employment or hiring.

SB 673 (Portantino)**Amended:** 6/16/2022**Title:** Pupils With Exceptional Needs: Individualized Education Programs: Emergency Safety Procedures**Status:** Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active**Position:****Summary:**

This bill would have required, beginning with the 2024-25 school year, the Individualized Education Program (IEP) for students with disabilities to include a description of the necessary accommodations regarding emergency safety procedures. If the pupil transfers to a different school site, the bill would have required the IEP team to, within 30 days of the transfer, meet to review and update the description of the necessary accommodations based on the procedures in the comprehensive school safety plan applicable to that school site. The bill would have also required local educational agencies (LEAs), beginning with the 2024-25 school year, to create and maintain an Inclusive School Emergency Plan and require that those safety procedures be included in the plan for any pupil whose parent provides written consent in compliance with specified federal law. The bill would have required a physical copy of the plan to be kept at every school site under the jurisdiction of the LEA and would have required the plan to be maintained and used in compliance with all applicable state and federal privacy laws. The bill would have required a comprehensive school safety plan to include procedures for the use of the Inclusive School Emergency Plan, the location of the Inclusive School Emergency Plan at the school site, and the persons or classes of persons who have access to the Inclusive School Emergency Plan.

SB 866 (Wiener)**Amended:** 6/16/2022**Title:** Minors: Vaccine Consent**Status:** Assembly Floor Third Reading—Bill Did Not Meet Deadline—No Longer Active**Position:****Summary:**

This bill would have permitted minors ages 15 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. Before being amended on June 16, 2022, this bill originally would have permitted those 12 years and older to get vaccinated without parental consent for the federally approved vaccines.

SB 871 (Pan)**Title:** Public Health: Immunizations**Status:** Senate Judiciary Committee—Bill Did Not Meet Deadline—No Longer Active**Position:****Summary:**

This bill would have added the COVID-19 vaccine to the list of compulsory vaccines required for students to attend school. The bill would have also repealed 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.

8.2 Small LEAs and Special Education Monitoring

No materials, verbal report only

FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

Teleconference Location Flexibility Bill Signed



BY KYLE HYLAND

Copyright 2022 School Services of California, Inc.

posted September 16, 2022

On Tuesday, September 13, 2022, Governor Gavin Newsom signed [Assembly Bill \(AB\) 2449](#) (Rubio, B., Statutes of 2022) into law, which makes changes to the teleconferencing requirements under the Brown Act.

Existing law requires local agencies, including local educational agencies (LEAs), to post agendas at all teleconference locations, requires each teleconference location to identify the notice and agenda of the meeting, and requires each teleconference location to be accessible to the public. AB 2449 changes the law by allowing members of local agency legislative bodies, including LEAs, to use teleconferencing, under specified circumstances, without noticing each teleconference location or making it publicly accessible, provided that at least a quorum of the members of the body participates in person at a singular physical location.

In order to utilize this flexibility, the physical location where the quorum of members reside must be open to the public and situated within the boundaries of where the local agency exercises its authority. The legislative body must also comply with all of the following requirements:

- Provide a two-way audio-visual platform or a two-way telephonic service and a live webcasting of the meeting by which the public may remotely hear and visually observe the meeting as well as remotely address the legislative body
- Give notice of the means for the public to access the meeting and offer public comment in each instance the legislative body notices the meeting or posts the agenda
- Identify and include an opportunity for all persons to attend and address the legislative body directly via a call-in or internet-based service option, and at the in-person location of the meeting
- Provide an opportunity for the public to address the legislative body and offer comment in real time

AB 2449 stipulates that a member of a legislative body that wishes to participate remotely pursuant to the provisions of the bill may only do so under “just cause” or “emergency circumstances.”

In order for a member to use the “just cause” rationale, they must notify the legislative body at the earliest opportunity possible of their need to participate remotely and provide a general description of the circumstances relating to their need to appear remotely. A member can only use the “just cause” clause twice in a calendar year, which is defined as any of the following circumstances:

- Childcare or caregiving need that requires them to participate remotely
- A contagious illness that prevents a member from attending in person
- A need related to a physical or mental disability not otherwise accommodated
- Travel while on official business of the legislative body or another state or local agency

In order for a member to use the “emergency circumstances” justification, they must request the legislative body to allow them to participate in the meeting remotely due to an “emergency circumstance” and then the legislative body must subsequently take action to approve the request. The bill defines an “emergency circumstance” as a physical or family medical emergency that prevents the member from attending in person. The legislative body must request a general description of the circumstances; however, this description does not need to exceed 20 words, nor does it require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law.

Since AB 2449 is not an urgency measure, its provisions do not take effect until January 1, 2023. This means that your LEA cannot utilize the flexibilities detailed in AB 2449 until the beginning of the 2023 calendar year. It is also important to note that the measure has a sunset date of January 1, 2026, meaning unless there is subsequent legislation to extend the bill’s provisions, it will become inoperative after three years.



AB-2449 Open meetings: local agencies: teleconferences. (2021-2022)



Date Published: 09/14/2022 09:00 PM

Assembly Bill No. 2449

CHAPTER 285

An act to amend, repeal, and add Sections 54953 and 54954.2 of the Government Code, relating to local government.

[Approved by Governor September 13, 2022. Filed with Secretary of State September 13, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2449, Blanca Rubio. Open meetings: local agencies: teleconferences.

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 generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. The act authorizes a legislative body to take action on items of business not appearing on the posted agenda under specified conditions. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. 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.

Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health.

This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body, as prescribed. The bill, until January 1, 2026, would authorize a legislative body to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request

does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The bill would define terms for purposes of these teleconferencing provisions.

This bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

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.

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.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

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

SECTION 1. Section 54953 of the Government Code, as amended by Section 3 of Chapter 165 of the Statutes of 2021, 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. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted 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.

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

(D) 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.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. 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).

(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 (Division 10 (commencing with Section 7920.000) 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) The legislative body of 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) 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.

(B) In the event of a disruption that prevents the legislative body 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 that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative 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 that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) 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.

(D) 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.

(E) (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) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) (1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) 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.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body 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 that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative 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 that prevents the legislative body 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.

(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.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

(g) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(h) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(i) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(j) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) "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).

(6) "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.

(7) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(8) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(9) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

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

SEC. 2. Section 54953 of the Government Code, as added by Section 4 of Chapter 165 of the Statutes of 2021, 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. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted 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.

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

(D) 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.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. 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).

(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 (Division 10 (commencing with Section 7920.000) 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) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) 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.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body 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 that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative 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 that prevents the legislative body 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.

(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.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

(f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(g) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(h) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(i) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (f).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (e), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) "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.

(6) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(7) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(8) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(j) This section shall become operative January 1, 2024, shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 3. 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, 2026.

SEC. 4. Section 54954.2 of the Government Code is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city,

county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Section 54953, if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote of the legislative body.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 5. Section 54954.2 is added to the Government Code, to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or

redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of

Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall become operative January 1, 2026.

SEC. 6. The Legislature finds and declares that Sections 1 and 2 of this act, which amend Section 54953 of the Government Code, impose a limitation on 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:

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 hospital 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. 7. The Legislature finds and declares that Sections 1 and 2 of this act, which amend 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.

INTERIM PLACEMENT FOR STUDENTS TRANSFERRING INTO LOCAL EDUCATION AGENCY (LEA)

Whenever a child with a disability with an existing Individualized Education Program (IEP) transfers into a local education agency (LEA), the LEA shall provide a free appropriate public education (FAPE), including services comparable to those described in the last consented-to IEP. To facilitate the transition from one LEA to another, the new LEA in which the child enrolls shall take reasonable steps to promptly obtain the child’s records, including his/her IEP and the supporting documents related to the provision of special education and related services to the child, from the previous school in which the child was enrolled (*Title 34 of the Code of Federal Regulations § 300.323; Education Code § 56325*).

If a child transfers into the LEA without an IEP or special education documentation, do not assume the child is currently receiving special education services based upon parental input. Best practice is to place the child in a general education setting until verification is received. If the child transfers into the LEA without a signed IEP, obtain additional information through CALPADS. There may be times when the student records are not delivered in a timely manner and the LEA may want to consider proposing an expedited assessment based on parent/guardian input.

I. STUDENT TRANSFERS WITHIN DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA

If a child with a disability transfers into a LEA during the school year from a LEA within the Desert/Mountain Special Education Local Plan Area hereinafter refer to as “SELPA,” the receiving LEA shall continue, without delay, to provide services comparable to those described in the existing IEP, unless the child’s parent/guardian and the LEA agree to develop, adopt, and implement a new IEP that is consistent with state and federal laws (*Title 34 of the Code of Federal Regulations § 300.323; Education Code § 56325*).

A. LEA Designee Responsibility

1. Request student records from the previous LEA.
2. The LEA of Residence or Accountability shall update information in the IEP system and notify the special education department’s MIS contact regarding the child’s enrollment status and LEA access to the IEP system.
3. Complete the Interim Placement packet and contact the previous LEA if there is insufficient information to determine eligibility and placement.
4. Review records and the incoming IEP to determine whether comparable services can be provided.

- a. If YES,

INTERIM PLACEMENT FOR STUDENTS TRANSFERRING INTO LOCAL EDUCATION AGENCY (LEA)

- Implement the IEP immediately, including services comparable to those described in the existing IEP in consultation with the parent/guardian.
- The IEP team may but is not required to conduct a 30-day review IEP or an IEP amendment in the IEP system to review the child's current performance data and meet with the parent/guardian.

b. If comparable services CANNOT be provided,

- Discuss substantive changes and program options to determine what, if any, comparable services can be provided.
 - ◆ Input what services cannot be provided in the Comments/Notes section of the Interim Placement packet.
- Immediately convene an Addendum IEP meeting.
- Offer FAPE.

NOTE: When programs or services that were provided in the previous LEA are not available, an alternative program must be considered, whereby a referral to a County-operated program, placement in a nonpublic school (NPS), or residential placement may be necessary.

5. If the child's placement **continues** in a county-operated program within the SELPA, the LEA shall change the LEA of Residence/Accountability on the Interim Placement form (DM 68IP).

If the child's previous IEP requires intensive special day class services and such a class is not operated by the LEA, the LEA can refer the child to a county-operated program (hereinafter referred to as DMOPs), a nonpublic school (NPS), or residential placement.

The LEA special education administrator/designee shall complete the Interim Placement packet (DM 68IP) as well as the following procedures to help expedite the placement in a timely manner:

- Evaluate and consider the most comparable placement in which the child's IEP goals/objectives can be appropriately implemented while considering the continuum of placement options.
- Convene a 30-day IEP meeting and invite an agency representative to discuss the program/placement being considered for consult.
- Complete the appropriate transfer referral:

INTERIM PLACEMENT FOR STUDENTS TRANSFERRING INTO LOCAL EDUCATION AGENCY (LEA)

1. SBCSS Desert/Mountain Operations Referral
2. Nonpublic School Transfer Referral

NOTE: Incomplete referral packets will be returned to the LEA. It is essential that all information be forwarded to avoid unnecessary delays. The LEA of residence remains responsible for making an offer of FAPE to students, including meeting legal timelines, even if DMOPs becomes the LEA of service.

II. STUDENT TRANSFERS FROM OUTSIDE OF DMSELPA

When a child with a disability transfers into a district from a district not operating programs under the same local plan (i.e., LEA in Los Angeles, San Diego, etc.) in which he/she was last enrolled in a special education program within the same academic year, the LEA shall provide the child with FAPE, including services comparable to those described in the previously approved IEP, in consultation with the parent/guardian, for a period not to exceed 30 days, by which time the receiving LEA shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

A. LEA Designee Responsibility

1. Request student records from the previous LEA.
2. Complete the Interim Placement packet and contact previous LEA if there is insufficient information to determine eligibility and placement.
3. Review records and the incoming IEP to determine whether comparable services can be provided.
 - a. If YES,
 - Implement the IEP immediately, including services comparable to those described in the previous LEA's IEP in consultation with the parent/guardian not to exceed 30 days.
 - Conduct a 30-day review to:
 - ◆ Adopt previously approved IEP, or develop, adopt, and implement a new IEP.
 - Transfer data into the IEP system.
 - b. If comparable services CANNOT be provided,
 - Discuss substantive changes and program options to determine what, if any, comparable services can be provided.

INTERIM PLACEMENT FOR STUDENTS TRANSFERRING INTO LOCAL EDUCATION AGENCY (LEA)

- ◆ Input what services cannot be provided in the Comments/Notes section of the Interim Placement packet.

- Immediately convene an Addendum IEP meeting.

NOTE: When programs or services that were provided in the previous LEA are not available, an alternative program must be considered, whereby a referral to a county-operated program, placement in a nonpublic school (NPS), or residential placement may be necessary.

4. If the child's previous IEP requires intensive special day class services and such a class is not operated by the LEA, the LEA can refer the child to a county-operated program (hereinafter referred to as DMOPs), a nonpublic school (NPS), or residential placement.

The LEA special education administrator/designee shall complete the Interim Placement packet (DM 68IP) as well as the following procedures to help expedite the placement in a timely manner:

- Evaluate and consider the most comparable placement in which the child's IEP goals/objectives can be appropriately implemented while considering the continuum of placement options.
- Hold/convene a 30-day IEP meeting and invite an agency representative to discuss the program/placement being considered for consult.
- Complete the appropriate transfer referral:
 1. SBCSS Desert/Mountain Operations Placement/Services Referral
 2. Nonpublic School Transfer Referral
 3. Residential Placement

NOTE: Incomplete referral packets will be returned to the LEA. It is essential that all information be forwarded to avoid unnecessary delays. The LEA of residence remains responsible for making an offer of FAPE to students, including meeting legal timelines, even if DMOPs becomes the LEA of service.

III. STUDENT TRANSFERS FROM OUT-OF-STATE

When a child with a disability transfers from an LEA located outside the State of California into a LEA within California, the LEA shall provide the student with FAPE, including services comparable to those described in the previously approved IEP, in

INTERIM PLACEMENT FOR STUDENTS TRANSFERRING INTO LOCAL EDUCATION AGENCY (LEA)

consultation with the parents, until the LEA conducts an assessment (*Title 20 of the United States Code Section 1414(1)(a)*), if determined to be necessary by the LEA, and develops a new IEP, if appropriate, that is consistent with federal and state law.

A. LEA Designee Responsibility

1. Request student records from the previous LEA.
2. Complete Interim Placement packet and contact the previous LEA if there is insufficient information to determine eligibility and placement.
3. Review records and the incoming IEP to determine whether comparable services can be provided.
 - a. If YES,
 - Implement the IEP immediately including services comparable to those described in the student’s existing IEP in consultation with the parent/guardian.
 - Transfer data into the IEP system.
 - Convene a 30-day review (best practice) to review child’s current performance data and meet with the parent/guardian to determine whether assessment is necessary. If an assessment is needed, hold an IEP meeting to develop a new IEP for the student.
 - b. If comparable services CANNOT be provided,
 - Discuss substantive changes and program options to determine what, if any, comparable services can be provided.
 - ◆ Input what services cannot be provided in the Comments/Notes section of the Interim Placement packet.
 - Immediately convene an Addendum IEP meeting.

NOTE: When programs or services that were provided in the previous LEA are not available, an alternative program must be considered, whereby a referral to a County-operated program, placement in a nonpublic school (NPS), or residential placement may be necessary.

4. If the child’s previous IEP requires intensive special day class services and such a class is not operated by the LEA, the LEA can refer the child to a county-operated program (hereinafter referred to as DMOPs), a nonpublic school (NPS), or residential placement.

INTERIM PLACEMENT FOR STUDENTS TRANSFERRING INTO LOCAL EDUCATION AGENCY (LEA)

The LEA special education administrator/designee shall complete the Interim Placement packet (DM 68IP) as well as the following procedures to help expedite the placement in a timely manner:

- Evaluate and consider the most comparable placement in which the child's IEP goals/objectives can be appropriately implemented while considering the continuum of placement options.
- Hold/convene a 30-day IEP meeting and invite an agency representative to discuss the program/placement being considered for consult.
- Complete the appropriate transfer referral:
 1. SBCSS Desert/Mountain Operations (DMOPs) Placement/Services Referral
 2. Nonpublic School Transfer Referral
 3. Residential Placement

NOTE: Incomplete referral packets will be returned to the LEA. It is essential that all information be forwarded to avoid unnecessary delays. The LEA of residence remains responsible for making an offer of FAPE to students, including meeting legal timelines, even if DMOPs becomes the LEA of service.

**DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA (CODE 3601)
DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA (CODE 3651)
17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 • (760) 552-6700**

Interim Placement

STUDENT INFORMATION:

Last: _____ First: _____ Mid. Initial: _____ Suffix: _____
 DOB: _____ Age: _____ Student No: _____ Gender: M F Non-Binary Grade: _____
 Ethnicity: Select one only YES, Hispanic or Latino **OR** NO, not Hispanic or Latino Indicate one or more race(s) below:
 (1) _____ (2) _____ (3) _____
 Medi-Cal Eligible: Yes No Medi-Cal No.: _____ SSID No.: _____
 Parent/Guardian/Surrogate: _____ Home Phone: _____
 Address: _____ Work Phone: _____
 Mailing Address: _____ Emg. Phone: _____
 Contact Person (if student address different): _____ Contact Phone: _____
 Student's Address (if different): _____ Residency Code: _____
 LEA of Residence (Accountability): _____ School of Residence: _____
 LEA of Service: _____ Attending School: _____
 School Type Code: _____ Weekly % of Time the Student is in the General Education Setting: _____
 Infant Setting (Ages 0-2): _____ Preschool Setting (Ages 3-5): _____ School Age Setting (Ages 6-22): _____

DISABILITY:

PRIMARY DISABILITY: _____

SECONDARY DISABILITY: _____

Check all that apply below and indicate the Primary and Secondary Disability Codes in the space provided above: (*Low Incidence)

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Intellectual Disability (210) | <input type="checkbox"/> Hard of Hearing (220)* | <input type="checkbox"/> Deafness (230)* | <input type="checkbox"/> Speech / Lang. Imp. (240) |
| <input type="checkbox"/> Visual Impairment (250)* | <input type="checkbox"/> Emotional Disturbance (260) | <input type="checkbox"/> Orthopedic Impairment (270)* | <input type="checkbox"/> Other Health Imp. (280) |
| <input type="checkbox"/> Est. Med. Disability (281) | <input type="checkbox"/> Spec. Learning Disability (290) | <input type="checkbox"/> Deaf / Blindness (300)* | <input type="checkbox"/> Multiple Disabilities (310) |
| <input type="checkbox"/> Autism (320) | <input type="checkbox"/> Traumatic Brain Injury (330) | | |

DATE: _____

TIMELINE INFORMATION (DATES)

Please mark the appropriate box and complete all information as they relate to the child.

CHECK HERE IF INFANT (AGE 0-2) CHECK HERE IF CHILD IS AGE 3-22

Pre-referral Intervention w/in last 2 Years: Yes No

Referred by for Initial Assessment: _____

Date LEA Received Initial Signed AP: _____

Initial Referral Date: _____ Initial IEP Meeting Date: _____

If assessment not completed prior to student's 3rd birthday, specify Code No.: _____

If assessment not completed within 60-day timeline, specify Code No.: _____

Low Incidence Disability: Yes No Disability Code: 220 230 250 270 300

Original S.E. Entry Date: _____ S.E. Re-entry Date: _____

Exit S.E. Date: _____ Exit S.E. Code: _____

Current Annual Date: _____ Next Annual Review Date: _____

Annual Delay Date: _____ Reason for Delay: _____

Current Triennial Date: _____ Next Triennial Date: _____

Triennial Delay Date: _____ Reason for Delay: _____

Early Start Transition Plan Meeting Date: _____ Home Language Code: _____

English Language Learner: Yes No Reclassified:

Migrant: Yes No Extended School Year: Yes No No. of Days: _____

Agency Services: CCS Rehab CARE Reg. Ctr. Other: _____

Severe Disability Non-severe Disability Solely Low Incidence Disability (0-2 Years Only)

GRADUATION INFORMATION

Participate in High School Curriculum to Graduate with a Diploma Yes No

High School Program Leading to a Certificate of Completion Yes No

SPECIAL TRANSPORTATION INFORMATION

Check if student requires special transportation arrangements to participate in special education services.

Eligible (indicate type and provider) Eligible – Parent Declined Not Eligible

Type: _____

Provider: _____

REASON FOR DECISION / ELIGIBILITY STATEMENT:

Student Name: _____ DOB: _____ Date: _____

INTERIM PLACEMENT

INDIVIDUALIZED EDUCATION PROGRAM INCLUDES:

- | | | |
|---|--|---|
| <input type="checkbox"/> Assistive Technology (AT) | <input type="checkbox"/> Health Care Plan | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Assistive Technology (AT) for Low Incidence Disability | <input type="checkbox"/> Transition Plan (Age 15+) | <input type="checkbox"/> Extended School Year |
| <input type="checkbox"/> Behavior Intervention Plan (BIP) | <input type="checkbox"/> Other: _____ | |

Whenever a pupil transfers into a district from a district not operating programs under the same local plan in which he or she was last enrolled in a special education program within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents to the extent possible within existing resources, for a period not to exceed 30 days, by which time the local education agency shall adopt the previously approved individualized education program or shall develop, adopt, and implement a new individualized education program that is consistent with federal and state law. EC 56325

- | | | |
|---|------------------------------|---------------------------|
| <input type="checkbox"/> New to LEA from within the Desert/Mountain SELPA/Charter SELPA | <input type="checkbox"/> N/A | 30 Day Review Date: _____ |
| <input type="checkbox"/> New to LEA from outside of the Desert/Mountain SELPA/Charter SELPA | Previous LEA Name: _____ | 30 Day Review Date: _____ |
| <input type="checkbox"/> New to LEA from outside the State of California | Previous LEA Name: _____ | 30 Day Review Date: _____ |

COUNTY OPERATED PROGRAMS

When a student moves into a LEA and has an IEP requiring supports and services that are unable to be provided by the LEA, the LEA can make an interim placement into a county program operated by Desert/Mountain Operations.

- Referral to Desert/Mountain Operations (The LEA special education administrator/designee must complete the SELPA Interim Placement Form and Form D/M 85)

RESIDENTIAL NONPUBLIC SERVICES

Residential nonpublic school provision applies to this student: Yes No

Note: For a pupil placed and residing in a residential NPS prior to transferring to a school district in another special education local plan area, and this placement is not eligible for funding pursuant to Section 56836.16, the special education local plan area that contains the district that made the residential NPS placement shall continue to be responsible for the funding of the placement, including related services, for the remainder of the school year. An extended year session is included in the school year in which the session ends. EC 56325 (c)

ADOPTION OF PREVIOUS INDIVIDUALIZED EDUCATION PROGRAM

Adopt current IEP:

- Yes No (Schedule an Addendum)

COMMENTS/NOTES:

METHODS OF CONSULT WITH PARENT/GUARDIAN/SURROGATE:

- | | | | | | |
|------------------------------------|---|----------------------------------|--------------------------------|---|-----------------------------|
| <input type="checkbox"/> IN PERSON | <input type="checkbox"/> PHONE CONFERENCE | <input type="checkbox"/> VIRTUAL | <input type="checkbox"/> EMAIL | <input type="checkbox"/> WRITTEN CORRESPONDENCE | Date of Consultation: _____ |
|------------------------------------|---|----------------------------------|--------------------------------|---|-----------------------------|

Administrator/Case Manager Name: _____ Title/Position: _____

Student Name: _____ DOB: _____ Date: _____

SPECIAL EDUCATION AND RELATED SERVICES / OFFER OF FAPE

SPECIAL EDUCATION AND RELATED SERVICES							
	SERVICE (CODE NO.)**	CLASS NO.	PROVIDER	LOCATION OF SERVICE (CODE NO.)	PROJECTED START DATE	FREQUENCY (CODE NO.)	DURATION (MINUTES PER FREQUENCY)
Primary	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
2	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
3	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
4	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
5	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
6	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
7	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
8	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
9	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
10	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
11	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
12	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
13	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
14	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
15	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
16	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
17	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						
18	<input type="checkbox"/> Indiv. <input type="checkbox"/> Group						

** NOTE: Programs and services will be provided according to where the student is in attendance and consistent with the LEA of service calendar and scheduled services, excluding holidays, vacations, and non-instructional days unless otherwise specified.

COMMENTS:

OFFER OF FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

OFFER OF FAPE:

Interim Placement for Students Transferring into LEA

REVIEW INCOMING IEP
Who: Administrator / Case Manager
Can COMPARABLE SERVICES be provided for the student in the following scenarios?

1

Transfers within SELPA

If YES,

- Implement IEP immediately including services comparable to those in previously approved IEP in consultation with parent
- Best practice is to review student's current performance data and meet with the parent (30 day review)

2

Transfers Outside of SELPA

If YES,

- Implement IEP immediately including services comparable to those in previously approved IEP in consultation with parent not to exceed 30 days
- IEP review/addendum within 30 days:
 - Adopt previously approved IEP, or develop, adopt, implement new IEP
 - Transfer onto SELPA WebIEP forms

3

Transfer from Out of State

If YES,

- Implement IEP immediately including services comparable to those in previously approved IEP in consultation with parent
- Best practice is to review student's current performance data (30 day review)
- Determine if assessment is necessary
- Hold IEP meeting to develop a new IEP
- Transfer onto SELPA WebIEP forms

If comparable services CANNOT be provided

Schedule Addendum IEP meeting immediately:

- Discuss substantive changes and program options - offer FAPE
- Refer to appropriate transfer option above

For LEAs that have an agreement with D/M Operations: List the related and itinerant services provided by D/M Operations as comparable services on page 2 of the Interim Placement form





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

P 760-552-6700
F 760-946-0819
W www.dmchildrenscenter.org

MEMORANDUM

DATE: September 21, 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



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

September 16, 2022

From: D/M Children's Center: Linda Llamas, LMFT; Linda.Llamas@cahelp.org

To: Steering Committee Members

Re: Mental Health Research Information Article

As we head into the new school year with renewed enthusiasm and some trepidation, most of us recognize that we are doing a little bit better than we were at this time last year. The COVID-19 pandemic continues to loom over our experiences but vaccines, updated recommendations, an understanding that COVID-19 is something we will be living with for a long time, and knowing that we can adjust as needed, has made things smoother for the start of the school year.

A recent survey points to the fact that “The pandemic has taken a clear and significant toll on students’ mental health,” ... Peggy G. Carr, commissioner of the National Center for Education Statistics, which conducted the survey.¹ The survey provides a snapshot of how students, teachers, and school communities are faring after most schools have returned to in-person instruction. Some of the findings include:

- 7 in 10 public schools have seen a rise in students seeking MH services
- 76% of family and staff members have expressed concerns about anxiety, depression, and trauma in students
- Teachers have seen stunted emotional growth during the pandemic
- 50% of public schools said they could provide effective services
- 2 in 3 schools increased types or amounts of MH services

- 96% provided some sort of MH services
- 50% offered teacher training to help students with social, emotional, and mental wellbeing
- 7 out of 10 schools have social emotional learning

We are sure that you are all seeing what the survey simply highlights, there is a great need for mental health services amongst your students and staff and much of that responsibility seems to lie with schools. DMCC is here to support your efforts and to continue to partner with you to support the needs of students and staff. We will continue to feel the effects of the pandemic for many years to come and DMCC looks forward to continuing to be your partners as we seek to do what is best for students and their families.

One of the additional staggering aftereffects of the COVID-19 pandemic is the estimation that over 200,000 children lost a parent or other in-home caregiver due to COVID-19, that is approximately one out of every 360 children who lost a caregiver. “For these children, COVID has done more than hurt their lives; it has ended their world. Especially early in development, a parent or family caregiver fills a child’s entire sky – providing most of his or her stability, confidence, and care. The sudden, seemingly unexplainable departure of a caregiver leaves a void of affection and direction that each child will struggle to fill.”³ It is imperative that we find the students who are grieving the loss of a caregiver to provide support and additional services, if needed. We know that losing a parent/caregiver can be devastating but losing a parent to COVID-19 brings with it its own set of lingering effects. The trauma of losing a parent/caregiver to COVID-19 is exacerbated by the constant discussion of the pandemic – serving as a constant reminder of how they lost their loved one. Some children may blame themselves, especially if they somehow feel responsible for bringing COVID-19 into the home. They may feel guilt that they could have done more to protect their parent/caregiver. For some, especially early in the pandemic, there was no funeral, no memorial, no sense of closure, no chance to say goodbye surrounded by others who also loved their parent/caregiver – this compounds the sense of loss and the trauma associated with it. We also know that the pandemic has disproportionately affected

Black, Indigenous, and other People of Color (BIPOC) communities adding to the already stressful life experiences of these children – for some communities the rate of losing a parent/caregiver is almost four times more than of white children. The devastating effects of losing their parent/caregiver is compounded by the loss of income that may have come with that loss now forcing children away from their friends, neighborhoods, schools – all the familiar places that could have provided some comfort. For children in single parent/caregiver households this could mean placement with relatives or foster care adding to the trauma of the event. It is imperative that we do our best to find those kids who have been affected in this way to provide them with the support and service they need.

I also want to take this time to remind you that 988 is now active and individuals can use it to seek help when in the middle of a crisis. Dialing 988 will route callers to the newly minted Suicide and Crisis Lifeline (formerly the National Suicide Prevention Lifeline). Individuals can call, text, or chat 988 (988lifeline.org) and they will be connected to trained counselors who will listen and provide support and resources as needed.

The 988 reminder is especially timely as September is designated as National Suicide Prevention Awareness Month. We want to take the opportunity this month to spread awareness, destigmatize, and share vital information regarding suicide.

Individual Impact:

- 79% of all people who die by suicide are male
- Although more women than men attempt suicide, men are 4x more likely to die by suicide
- Suicide is the **2nd leading** cause of death among people aged 10–14 and the **3rd leading** cause of death among people aged 15-24 in the U.S
- Suicide is the **12th leading** cause of death overall in the U.S

- 46% of people who die by suicide had a diagnosed mental health condition - but research shows that 90% may have experienced symptoms of a mental health condition

Community Impact:

- Annual prevalence of serious thoughts of suicide, by U.S. demographic group:
 - 4.9% of all adults
 - 11.3% of young adults aged 18-25
 - 18.8% of high school students
 - 45% of LGBTQ youth
- The highest rates of suicide in the U.S. are among American Indian/Alaska Natives followed by non-Hispanic whites
- Lesbian, gay and bisexual youth are **nearly 4x more** likely to attempt suicide than straight youth
- Transgender adults are **nearly 9x more** likely to attempt suicide than the general population
- Suicide is the leading cause of death for people held in local jails⁴

Suicide is complicated and tragic, but it is preventable. Knowing the warning signs and how to get help can save lives. DMCC can educate you and your staff so that talking about suicide is not awkward or scary. Please let us know how we can support you.

REFERENCES:

1. <https://www.washingtonpost.com/education/2022/05/31/schools-mental-health-covid-students/>
2. https://www.webmd.com/children/story/covid-deaths-of-parents-effects-on-children?ecd=wnl_prg_082122&ctr=wnl-prg-082122_lead_cta&mb=JLyn0wirqYkVMXK4MqS0YEnsa10Q%40rFBpnxE%2f9%40%40SLY%3d
3. Treglia, D., Cutuli, J. J., Arasteh, K., J. Bridgeland, J.M., Edson, G., Phillips, S., Balakrishna, A. (2021).
Hidden Pain: Children Who Lost a Parent or Caregiver to COVID-19 and What the Nation Can Do to Help Them. *COVID Collaborative*.
4. [https://www.nami.org/Get-Involved/Awareness-Events/Suicide-Prevention-Awareness-Month-\(SPAM\)](https://www.nami.org/Get-Involved/Awareness-Events/Suicide-Prevention-Awareness-Month-(SPAM))

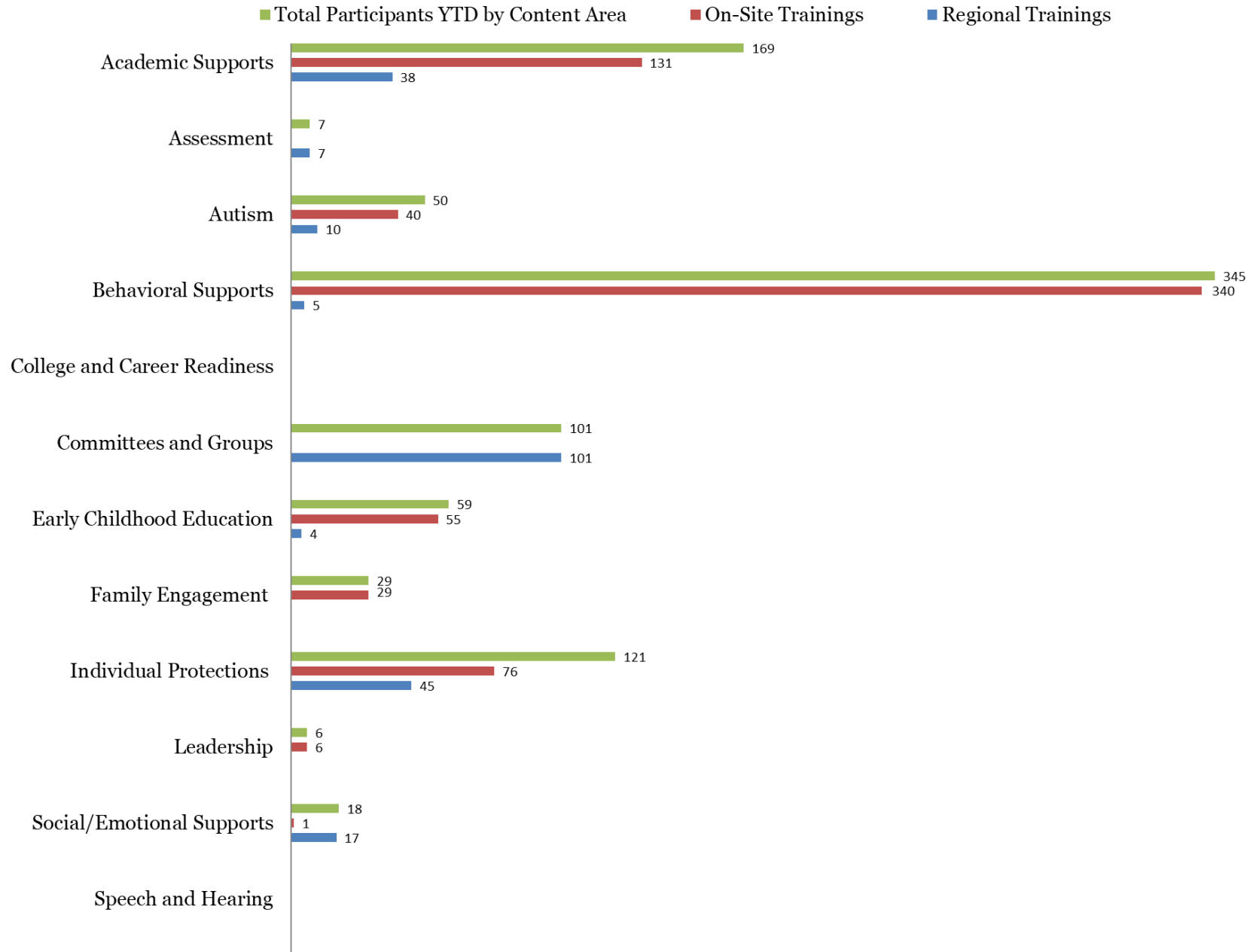
RESOURCES:

- <https://www.hiddenpain.us/>
- <https://nacg.org/>
- <https://www.newyorklife.com/foundation/bereavement-support/grief-sensitive-schools-initiative>
- <https://988lifeline.org/current-events/the-lifeline-and-988/>
- <https://www.samhsa.gov/suicide>
- <https://www.nimh.nih.gov/health/topics/suicide-prevention>
- <https://nami.org/Your-Journey/Kids-Teens-and-Young-Adults/What-You-Need-to-Know-About-Youth-Suicide>
- <https://www.sprc.org/>
- <https://theactionalliance.org/>

D/M SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

JULY - AUGUST 2022 PARTICIPANTS

905 YEAR-TO-DATE PARTICIPANTS



**Desert/Mountain SELPA
Due Process Summary
July 1, 2021 - June 30, 2022**

DISTRICT													CASE ACTIVITY FOR CURRENT YEAR					Filed on Parent
	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	Total	D /W	Resolution	Mediation	Settled	Hearing	
Adelanto SD	0	3	6	5.5	2.5	5	3	3.5	3	3.5	4	39	0	0	0	4	0	0
Apple Valley USD	0	0	2	1	1.5	1.5	0	3.5	10	5	5	29.5	0	0	1	4	0	1
Baker USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Barstow USD	0	0	0	0	1	3.5	0	2	0	1	1	8.5	0	0	1	0	0	0
Bear Valley USD	1	0	0	0	0	1	2	0	0	1	1	6	0	0	0	1	0	0
Helendale SD	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0
Hesperia USD	5.5	4	3	5	7.5	7	6	7	17.5	7	12	81.5	1	0	0	11	0	1
Lucerne Valley USD	0	1	2	1	1	2	0	1.5	0	0	0	8.5	0	0	0	0	0	0
Needles USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oro Grande SD	0	0	0	0	0	0	0	0	2	0	1	3	0	0	0	1	0	0
Silver Valley USD	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Snowline USD	2	1	1	5	4.5	6.5	2	8.5	7	2	3	42.5	0	0	1	2	0	0
Trona USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Victor Elementary SD	1	1	4.33	3.33	1.83	2.5	6.5	0	7	1	6	34.49	0	0	0	6	0	0
Victor Valley Union High SD	2	4	3.33	4.3	7.83	4	4	8.5	6.5	10	6	60.46	0	0	0	6	0	0
Academy for Academic Excellenc	0	0	4	2	0	1	2	1	1	1	0	12	0	0	0	0	0	0
CA Charter Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Desert/Mountain OPS	0.5	1	1.33	0.83	4.33	3	1.5	3	2	1	0	18.49	0	0	0	0	0	0
Excelsior Education Center	0	0	0	0	0	0	0	0.5	2	1	1	4.5	0	0	0	1	0	0
Health Sciences HS & MS	0	0	0	0	0	0	0	1	1	0	0	2	0	0	0	0	0	0
SELPA-WIDE TOTALS	13	15	26.99	27.96	31.99	37	28	40	59	33.5	40	352.44	1	0	3	36	0	2

Districts showing a value of .50 above indicates that the district is a co-respondent with another district.
*Number accounts for High Tech High but has exited from CAHELP. Actual count for 2019-20 is 67.

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
1. Victor Valley USD Case No. 2021070206	LEA filed on parent for permission to assess, pursuant to assessment plan of 3-19-21	7/7/2021	7/26/2021		08/03–05/21 9/21-23/21	Filing was necessary because the parent filing of 10/20 was withdrawn and left with open IEP's and lack of student attendance. 7/26/21 Continuance granted for parent to obtain attorney. 9/21/21 - Parent unrepresented at hearing; did not present his case. Written closing statement submitted. Awaiting judgement. 10/21/21 - Ruling-permission to assess. LEA prevailed. CLOSED
2. Victor El. Case No. 2021070710	Failure to provide FAPE 1. Program 2. Speech/Lang. 3. Appropriate Assessment	7/21/2021	8/6/2021	9/7/2021	9/14–16/21	Mediation - Settlement Agreement 1. IEE - (Sp & Lang and Psycho ed). 2. SP & Lang (2W x 20 min) individual therapy added to IEP. 3. Comp Ed (academic, SP/Lang, OT contingent on results) 4. 1:1 until assessments completed not stay put. Settlement Agreement CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
3. Hesperia USD Case No. 2021070965	Failure to provide FAPE 1. Communication 2. Academics 3. Behavioral management	7/29/2021	8/5/2021		9/21-23/21	Full execution of settlement agreement on 8/11/2021 - 1. Conduct Assessments: Supplemental Speech and Central Auditory Processing. 2. 1:1 instructional assistance through 12/17/2021 until TISA is reviewed. 3. Amend IEP: Speech 4M/30 min group and 4M/30 min individual. 4. Comp Ed (Speech and Lang). 5. Reimburse parents for intensive reading services. Settlement Agreement CLOSED
4. Hesperia USD Case No. 2021080484	Denial of FAPE 1. Student not making progress 2. Failed to provide appropriate program	8/17/2021	8/30/2021	10/19/2021	10/12-10/14-2021 11/30- 12/02/2021	Resolution Negotiations in Progress. 9/23/21 IEP held to address EL needs, DMCC, SAI class. Settlement agreement: IEP EL updated goals, Sylvan comp ed. CLOSED
						Parent moved and withdrew complaint. CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
6. Hesperia USD Case No. 2021090391	1. Failure to Implement 2. Unilaterally modified IEP & placement to home	9/10/2021	9/21/2021		11/09-11/21 12/14-16/2021	Neither parent nor counsel could elaborate on what assessments they were seeking. 10/26/21 - Opposing counsel not responsive, student graduated with diploma age 19. 11/21/21 - no movement. 12/10/21 - Case withdrawn by parent when OAH denied continuance. CLOSED
7. Oro Grande Case No. 2021090564	Denial of FAPE 1. Failure to implement. 2. Lack of progress 3. Lack of access to remote learning 4. Impeded parental participation 5. Anxiety related to bullying unaddressed	9/20/2021	10/13/2021	12/3/2021	11/16-18/2021 1/19-20/2022	9/28/21 - Opposing attorney seeking to extend 2 yr. statute; seeking "dialectical therapy" and other. 10/21 Mediation scheduled. 12/02/21 - Settlement agreement consent to IEP, comp. ed. Withdrawn from Riverside Prep Charter. CLOSED
8. Victor El. Case No. 2021100026	Denial of FAPE 1. Failure to conduct comprehensive psycho educational assessment. 2. Indadequate LAS service 3. Failure to provide SAI, LAS, insufficient reading, writing and math goals	10/1/2021	10/6/2021 10/18/2021		11/23-24/2021	10/22/21 - Settlement agreement comp ed, IEE. CLOSED
9. Victor Valley USD Case No. 2021100113	Denial of FAPE 1. Academics 2. Social-Emotional and behavioral	10/5/2021	10/13/2021		11/30-12/02/2021	10/20/21 - Settlement agreement for comped IEE, increased ERMHS in IEP. CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
10. Hesperia USD Case No. 2021100364	Child Find	10/13/2021	10/27/2021	3/11/2022	12/21-23-2021 4/26-28/2022	10/13/21 - Address verification challenged. 11/21- discovery investigation found student not in district. Disenrolled as a term of expulsion decision. Due Process still open. 12/21 - Awaiting AVUSD assessment. 02/21/22 - Student qualified. Comp services to be determined. 03/14/22 - Settlement agreement reached. CLOSED
11. Hesperia USD Case No. 2021100499	Denial of FAPE 1. Independent Study 2. Lack of Services and SAI	10/19/2021	10/26/2021		12/14-16/2021	10/26/21 - Offer made: negotiations continue. 11/3/21- Settlement agreement: Provision of Instructional Assistance while on Independent Study. CLOSED
12. Victor El. Case No. 2021100682	Denial of FAPE 1. Program failure 2. Lack of progress 3. School closure	10/19/2021	11/2/2021		12/14-16/2021	11/15/21 Settlement agreement: Return to in-person with 1:1 aide until further assessment. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
13. Bear Valley USD/SBCSS Case No. 2021100692	Denial of FAPE 1. Failure to assess a. Behavior b. OT c. APE d. AT e. Psycho-ed 2. Material Implementation 3. Placement, LRE 4. Goals not data driven 5. Procedural violations	10/26/2021	11/4/2021		12/21-23/2021	Settlement 11/30/21: PT, IEE, 1:1 aide, comp ed. CLOSED
14. Snowline JUSD Case No. 2021110015	Denial of FAPE 1. MD Determination 2. Failure to provide ERMHS 3. Failure to conduct Triennial. 4. Failure to provide 1:1 aide 5. Predetermined placement 6. Assessment timelines violated	10/29/2021	11/5/2021 11/4/2021	11/16/2021 Expedited Withdrawn	11/30 - 12/2/2021 expedited 12/26 - 28/2021	10/29/21 - Expedited 11/18/21- Withdrawn 11/19/21- Settlement agreement: placement, behavior support. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
15. Hesperia USD Case No. 2021110034	Child Find	11/1/2021	11/29/2021	2/22/2022	4/4-6/2022 4/5-7/2022	11/2/21 Assessment begun. Awaiting results. 12/21 -Mediation scheduled to be held post assessment -agreement to await IEE. 1/25/2022 - IEP with IEE to be held after this date. 02/21 SAI support increased, DMCC, medical release of information. 03/01/22 - Settelement Agreement. CLOSED
16. Hesperia USD Case No. 2021110032	Denial of FAPE: 1. More restrictive placement 2. Comprehensive Assessment 3. Lack of Educational Benefit 4. Goals not reasonably calculated	11/1/2021	11/29/2021	2/15/2022	12/28-30/2021 3/29-30/2022	11/2/21 Seeking reimbursement for private school placement; parent to visit HUSD class; seeking prospective placement, IEE. 12/21 - Agreement to await IEE. 02/21 - Placement and private school reimbursement still at issue. 03/15/22 - Settlement agreement: 1. Reimburse for appropriately qualified tutoring. 2. No reimbursement for private school. 3. District to provide assessment and hold IEP within 2020-21 year and offer placement for 2021-22 school year. 03/15/22 - Settlement agreement reached. CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
17. Victor Valley USD Case No. 2021118403	Denial of FAPE: 1. Inadequate speech services 2. Deficient academic goals	11/12/2021	12/6/2021		1/4-6/2022	12/7/21 - Settlement agreement SPL increase in IEP, comp. ed. CLOSED
18. Victor El. Case No. 2022010453	Denial of FAPE: Failure to provide an appropriate educational program. 1. Academics 2. Fine Motor 3. Behavior 4. Communication	1/18/2022	2/1/2022	2/24/2022	3/8-10/2022	02/01/22 - District asked for TISA, FBA, AP signed. 02/24/22 - Placement and 1:1 still at issue. 03/09/22 - Settlement agreement reached: Diagnostic placement through 2021-22, further assessment and comp ed. CLOSED
19. Hesperia USD Case No. 202201449	Denial of FAPE: 1. Unilaterally modifying IEP 2. Program location to home 3. Altered service delivery	1/18/2022	1/31/2022	2/16/2022	3/08-10/2022	This is the second filing of this nature by a graduated student seeking COVID 19 compensation. 11/31/22 - Unable to clarify services and assessments being sought. 02/16/22 - District offer declined, 10 day offer letter sent preparing for hearing. 03/08-10/22 - Hearing held. Closing briefs submitted 03/28/22. Awaiting judges decision. 04/08/22 - District prevailed on all issues. CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
20. Victor Valley USD Case No. 2022010560	Denial of FAPE: 1. Failure to assess fully 2. Failure to consider communication needs 3. Failure to adhere to IEP Timelines 4. Failure to seek parent input 5. Failure to assess student progress 6. Failure to include transition goals 7. Other substantive and procedural claims	1/20/2022	Waived	Expedited 2/3/2022 Regular 4/25/2022	Expedited 2/15-17/2022 Regular 3/08-10/2022 05/24-26/22	02/03/22 - LEA seeking transition on back to school; Parent seeking 6 hours a day tutoring. 02/14/22 - parent dismissed expedited. 04/25/22 - Terms agreed upon; negotiating exorbitant attorney fees. 05/16/22 - Settlement agreement: comp ed, NPA SPL, transition IEE, provide SELPA facilitator at all IEPs CLOSED
21. Adelanto Elementary SD Case No. 2022010641	Denial of FAPE: 1. Failure to implement 2. Lack of progress 3. Failure to communicate emergency behaviors 4. Unilaterally changing placement without parent consent	1/24/2022	2/8/2022	3/15/2022 6/21/2022	03/22-24/2022 7/19-21/2022	Main issue- Transportation to NPS, LEA struggling to obtain. 03/22/22 - Continue to struggle with placement due to staffing needs. 04/22 - Touring NPS placements. 05/22 - Visits to NPA sites. 06/30/22 - Placement resolved, ABAservices, comp ed. Settlement agreement. CLOSED
22. Hesperia USD Case No. 2022020170	Child Find	2/4/2022	2/17/2022	4/18/2022	03/22-24/2022 05/10-12/2022	LEA agrees to expedite assessments. 04/26/22 - Settlement agreement to allow LEA to complete assessments and participate in IEP of 05/04/22. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
23. Hesperia USD Case No. 2022020199	Child Find	2/4/2022	2/17/2022	4/18/2022	03/29-30/2022	LEA agrees to expedite assessments. 04/26/22 - Settlement agreement to allow LEA to complete assessments and participate in IEP of 05/04/22. CLOSED
24. Hesperia USD Case No. 202202189	Child Find	2/7/2022	2/24/2022	5/4/2022	3/22-24/2022	LEA agrees to expedite assessments. 03/22 - Student attending school; assessments in progress. 05/05/22 - Settlement Agreement Comp services - tutoring SPL, counseling. CLOSED
25. Adelanto Elementary SD Case No. 2022020510	Denial of FAPE: 1. Failure to provide appropriate program 2. Failure to conduct appropriate assessments	2/15/2022	3/1/2022	4/7/2022	04/05-07/2022 5/17-19/2022	03/22 - Making progress toward agreement; IEE's dropped; large comp ed. Requested. 03/31/22 - Settlement agreement. CLOSED
26. Adelanto Elementary SD Case No. 2022030247	Denial of FAPE: 1. Failure to provide 1:1 nurse. 2. Failure to assess for AAC	3/4/2022	3/31/2022	4/18/2022	4/19-21/2022 06/01-2/2022	03/31/22 - Dropped comp nurse services, agreement on comp ed; attorneys continuing discussion. 04/05/22 - Settlement agreement. Comp Ed and IEE. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
27. Snowline JUSD Case No. 2022030433	Denial of FAPE 1. Failure to assess a. Behavior b. Social Skills c. AAC d. Audiology 2. Failure to provide behavior interventions 3. Failure to provide for communication needs 4. Failure to provide transportation	3/11/2022	3/28/2022 4/05/2022 Cancelled Resolution	4/20/2022 8/25/2022	4/26-28/2022 06/14-16/2022 07/26-28/2022 10/18-20/2022	03/22 - Student filed last year in HUSD. 04/20/22 - Parent alleging retaliation; seeks school change; LEA continuing to SARB. 05/2022 - Parent revised complaint 7/2022 - Continuance 8/24/22 - Mediation #2 purpose - get student back in school; attending district program. NPS application made
28. Victor Valley USD Case No. 2022030679	Denial of FAPE: • District offered 504 despite qualifying as SLD	3/21/2022	3/30/2022		5/10-12/2022	03/30/22 - Resolution held sans attorneys, agreement reached. 04/01/22 - Settled resolution with no attorney. Social worker assistance. CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
29. Apple Valley USD Case No. 2022030691	Denial of FAPE 1. Change of placement when schools closed 2. Failure to provide services during COVID-19 shut down 3. Failure to provide goals for ed benefit 4. Failure to address regression 5. Failure to offer 1:1 aide in the home 6. Failure to provide OT 7. Failure to provide at home ABA 8. Failure to offer parent training	3/21/2022	4/1/2022		5/10-12/2022 06/07-09/2022	04/01/22 - Resolution attended by advocate. Refused to sign confidentiality agreement or update demand. Seeking \$800,000 in comp ed and reimbursement. Refusing mediation or continuance. 06/01/22 - Submitted a final offer totaling \$17,500: Preparing for hearing. 06/06/22 - Settlement agreement; significant comp ed fund through 12/2023. CLOSED
30. Hesperia USD Filed on Parent Case No. 2022040067	Permission to assess without parent consent	3/31/2022	N/A		4/26-28/2022	Student out of school since October, 2021. Last assessment October, 2017. Assessment plan issued February 25, 2022. 04/14/22 - Parent agreed to assessment. CLOSED
31. Hesperia USD Case No. 2022040271	Denial of FAPE 1. Ed Benefit 2. Lack of social/behavioral support 3. Psycho Ed not in all areas	4/6/2022	4/14/2022 4/19/2022	6/6/2022	5/24-26/2022 06/28-30/2022	04/19/2022 - Seeking autism assessment and comp services. 06/01/22 - Settlement agreement: FBA, SPL assessments, BCBA, Comp ed. CLOSED
32. Victor El. Case No. 2022040260	Denial of FAPE 1. Failure to offer LRE 2. Reduced services without assessment 3. Goals not reasonably calculated to ensure educational benefit	4/7/2022	04/20/2022 05/6/2022	7/6/2022	6/1-2/2022 08/16-18/2022	05/06/22 - Awaiting assessments for OT, SLP. Propose less restrictive environment in VVUHSD. 7/06/22 - Settlement agreement; comp ed. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
33. Snowline JUSD Case No. 2022040260	Denial of FAPE 1. De Minimis of progress 2. Research based reading	4/18/2022	4/27/2022 05/11/2022	7/18/2022	6/12/2022 09/13-15/2022	4/27/22 - Parent cancelled last minute. 05/2022 - Request for continuance. 07/18/22 - Settlement for tutoring. CLOSED
34. Victor El. Case No. 2022040542	Denial of FAPE 1. Psycho Ed. Not comprehensive 2. Found not eligible	4/18/2022	5/2/2022		6/7-9/2022	05/17/22 - Settlement agreement: Complete additional assessments. Comp ed if student is found eligible, IEE if found ineligible. CLOSED
35. Snowline JUSD Case No. 2022040768	Denial of FAPE 1. De Minimis of progress 2. Insufficient goals a. reading b. writing c. math 3. Failure to provide research based reading program	4/25/2022	5/11/2022		6/7-9/2022	6/2/2020 - Settlement agreement: Comp ed, placement, IEE for FBA. CLOSED
36. Excelsior Case No. 2022050415	Failure to assess upon parent request. Denial of FAPE	5/11/2022	5/18/2022 7/08/2022 - part II	7/6/2022 7/26/2022	09/7-8/2022	05/18/22 - Declined resolution due to not having toured placements in time. 06/22 - Toured placement 07/18/22 - Settlement agreement; Placement and comp. ed. CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
37. Apple Valley USD Case No. 2022050372	Denial of FAPE: 1. Failed to hold IEP's for two years. 2. Discontinued services without consent.	5/11/2022	05/23/2022 06/6/2022	9/20/2022	06/28-30/2022 10/11-13/2022	5/23/22 - Opposing attorney not in possession of last grades. AVUSD dispute lack of progress. 6/22 - Assessment to be done first 30 days of school to determine owed services. 8/2022 - Assessment in progress
38. Adelanto Elementary SD Case No. 2022050571	Denial of FAPE: 1. Goals not reasonable 2. Trivial progress 3. Not fully assessed - TISA, FBA, social skills	5/12/2022	5/19/2022 6/1/2022	7/15/2022	06/28-30/2022 8/16-18/2022	6/2022 - Partial agreement. 07/15/22 - Agreement reached 7/28/22 - Settlement agreement signed. CLOSED
39. Victor Valley USD Case No. 2022050605	Denial of FAPE 1. Academics 2. Transition 3. SPL 4. ERMHS	5/18/2022	5/31/2022 6/22/2022		7/6-7/2022	6/28/22 - Settlement agreement; Assessment plan, consent for information, retained in 11th grade, comp ed. CLOSED
40. Barstow USD Case No. 2022050634	Denial of FAPE 1. Safety 2. 1:1 3. Social Skills 4. Full assesment	5/18/2022 7/08/22	6/23/2022	8/4/2022	7/6-7/2022 9/27-29/2022	6/01/22 - Parent seeking NPS as comp ed through age 22 (4years). Refused. 8/04/22 - Settlement agreement fund RPS and Comp Ed. CLOSED
41. Apple Valley USD Case No. 2022050935	Denial of FAPE 1. Deminimus benefit 2. Academic goals	5/24/2022	6/3/2022		07/12-14/2022	6/29/22 - Settlement agreement; comp ed, 80 hours. CLOSED
42. Apple Valley USD vs. SaMo Case No. 2022050776	Seeking an order to implement IEP with out parent consent	5/23/2022	N/A	6/6/2022	6/14-16/2022	6/22 - Combined cases, see case no. 2022030691 06/06/22 - Settlement agreement. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–June 30, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
43. Apple Valley USD Case No. 202206022	Child Find	5/27/2022	7/7/2022 7/11/2022	8/22/2022	7/19-21/2022 8/9-11/2022 10/04-6/2022	07/11/22 - Adult student seeking to file beyond the statutory timeline. No agreement at resolution. 8/18/22 - Educational services reimbursed of a considerable amount. CLOSED

Desert /Mountain SELPA
Legal Expense Summary
As Reported at Steering August 26, 2022

2000-2001	\$39,301.51
2001-2002	\$97,094.90
2002-2003	\$37,695.13
2003-2004	\$100,013.02
2004-2005	\$136,514.09
2005-2006	\$191,605.08
2006-2007	\$140,793.00
2007-2008	\$171,614.04
2008-2009	\$263,390.71
2009-2010	\$114,076.96
2010-2011	\$293,578.50
2011-2012	\$567,958.10
2012-2013	\$321,646.04
2013-2014	\$250,372.65
2014-2015	\$297,277.76
2015-2016	\$204,756.26
2016-2017	\$233,130.03
2017-2018	\$247,459.52
2018-2019	\$314,479.71
2019-2020	\$475,930.79
2020-2021	\$354,582.16
2021-2022	\$401,072.52

Desert/Mountain SELPA
Due Process Summary
July 1, 2022- August 31, 2022

DISTRICT								CASE ACTIVITY FOR CURRENT YEAR					Hearing	Filed on Parent
	17/18	18/19	19/20	20/21	21/22	22/23	Total	D/W	Resolution Active	Resolution Settled	Mediation Active	Mediation Settled		
Adelanto SD	3	3.5	3	3.5	4	1	18	0	0	0	1	0	0	0
Apple Valley USD	0	3.5	10	5	5	2	25.5	0	0	0	1	0	0	1
Baker USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Barstow USD	0	2	0	1	1	0	4	0	0	0	0	0	0	0
Bear Valley USD	2	0	0	1	1	0	4	0	0	0	0	0	0	0
Helendale SD	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Hesperia USD	6	7	17.5	7	12	1	50.5	0	0	1	0	0	0	0
Lucerne Valley USD	0	1.5	0	0	0	0	1.5	0	0	0	0	0	0	0
Needles USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oro Grande SD	0	0	2	0	1	0	3	0	0	0	0	0	0	0
Silver Valley USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Snowline USD	2	8.5	7	2	3	0	22.5	0	0	0	0	0	0	0
Trona USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Victor Elementary SD	6.5	0	7	1	6	2	22.5	0	1	0	1	0	0	1
Victor Valley Union High SD	4	8.5	6.5	10	6	0	35	0	0	0	0	0	0	0
Academy for Academic Excellenc	2	1	1	1	0	0	5	0	0	0	0	0	0	0
CA Charter Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Desert/Mountain OPS	1.5	3	2	1	0	0	7.5	0	0	0	0	0	0	0
Excelsior Education Center	0	0.5	2	0	1	0	3.5	0	0	0	0	0	0	0
Health Sciences HS & MS	0	0	1	1	0	0	2	0	0	0	0	0	0	0
SELPA-WIDE TOTALS	28	39	59	33.5	40	6	205.50	0	1	1	3	0	0	2

Districts showing a value of .50 above indicates that the district is a co-respondent with another district.

*Number accounts for High Tech High but has exited from CAHELP. Actual count for 2019-20 is 67.

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2022–August 31, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
1. Adelanto Elementary SD Case No 2022070569	Denial of FAPE 1. Placement 2. ERICS/ERMHS 3. Parent Participation	7/19/2022	8/4/2022 8/9/2022 8/23/2022	9/13/2022	9/7-8/2022 10/24/2022	8/23/22 - Student not in school; parent wants virtual; mental, physical health concerns.		
2. Apple Valley USD Case No 2022070781	Denial of FAPE 1. Deficient psycho ed assessment. 2. Deficient functional communication assessment 3. Deficient OT assessment 4. Deficient PT assessment 5. Inadequate placement 6. Inadequate SPL services 7. Inadequate OT services 8. Inadequate PT services 9. Inadequate communication program	7/25/2022	8/5/2022	10/3/2022	9/20-22/2022	8/5/22 - Parent seeking NPS. Not available in our region. Demanding private placement; moving to mediation. Consolidated with case # 2022080051.		
3. Apple Valley USD Case No 2022080051 Filing on parent	District filed to defend assessments	8/1/2022	N/A	10/3/2022	11/1-3/2022	*OAH Consolidated Case # 22022070781 with Case # 2022080051 Moving to mediation.		

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2022–August 31, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
4. HUSD Case no. 2022080186	Denial of FAPE 1. Failure to assess 2. Inadequate assessment Failure to provide emergency interventions.	8/5/2022	8/17/2022		9/20-22/2022	8/17/22 - Student not in school; seeking 1:1 for "global supervision; district provided NPS; student no show. 8/29/22 - Interim settlement for placement during assessments.		
5. VESD Case no. 2022080379	Denial of FAPE 1. Failure to provide 1:1 2. SPL 3. OT 4. AAC	8/12/2022	8/24/2022 8/29/2022		9/27-29/2022	8/29/22 - No agreement on 1:1; analyzing records to determine next steps.		
6. VESD Case no. 2022080318 Filing on parent	Permission to implement IEP; placement	8/17/2022	N/A	9/26/2022	9/13-15/2022	Student not in school. Parent seeking alternate placement.		

Desert /Mountain SELPA
Legal Expense Summary
As Reported at Steering September 23, 2022

2000-2001	\$39,301.51
2001-2002	\$97,094.90
2002-2003	\$37,695.13
2003-2004	\$100,013.02
2004-2005	\$136,514.09
2005-2006	\$191,605.08
2006-2007	\$140,793.00
2007-2008	\$171,614.04
2008-2009	\$263,390.71
2009-2010	\$114,076.96
2010-2011	\$293,578.50
2011-2012	\$567,958.10
2012-2013	\$321,646.04
2013-2014	\$250,372.65
2014-2015	\$297,277.76
2015-2016	\$204,756.26
2016-2017	\$233,130.03
2017-2018	\$247,459.52
2018-2019	\$314,479.71
2019-2020	\$475,930.79
2020-2021	\$354,582.16
2021-2022	\$401,072.52
2022-2023	\$31,601.96

8.9 Case Law Review

No materials, verbal report only

Desert/Mountain SELPA
OVERDUE IEP SUMMARY

LEA	07/01/22 through 09/08/22
Academy for Academic Excellence	16
Adelanto SD	63
Apple Valley USD	129
Baker Valley USD	4
Barstow USD	79
Bear Valley USD	31
Excelsior Charter Schools High Desert	14
Excelsior Charter Schools Corona-Norco	0
Health Sciences MS & HS Charter School	0
Helendale SD	2
Hesperia USD	166
Lucerne Valley USD	9
Mojave River Academy -Gold Canyon	0
Mojave River Academy -Marble City	2
Mojave River Academy -National Trails	2
Mojave River Academy -Oro Grande	0
Mojave River Academy -Rockview Park	1
Mojave River Academy -Route 66	1
Mojave River Academy -Silver Mountain	1
Needles USD	2

Norton	5
Options for Youth	9
Oro Grande SD	6
SB County Office of Ed	40
Silver Valley USD	10
Snowline JUSD	52
Trona JUSD	12
Victor Elementary SD	40
Victor Valley Union High SD	99
Total	796

CALPADS Update Flash #236



Date: September 6, 2022

To: Local Educational Agency (LEA) Representatives

From: California Department of Education (CDE) —
California Longitudinal Pupil Achievement Data System (CALPADS) Team

End-of-Year Deadline Extension

The 2022 End-of-Year (EOY) certification deadline has been extended to Friday, September 16, 2022. It is crucial that LEAs certify their data by this deadline, as EOY data are reported publicly through DataQuest and the California School Dashboard (Dashboard). Failure to certify your EOY submissions will result in missing data for state indicators, which will significantly impact the proper calculation of such indicators. In such cases, performance determinations may be made that reflect this lack of data on both the 2022 and the 2023 Dashboard. Failure to certify the EOY submissions will also impact state and federal reporting.

LEAs are also reminded that it is critical to review the graduation and completer data in the *15.1 - Cohort Outcome - Counts and Rates* report in CALPADS. This includes reviewing these data with the appropriate filters applied, such as the "UC/CSU Requirements Met" filter. These data are publicly reported on DataQuest and are used for the Graduate Rate Indicator on the Dashboard. These data will also be extracted from the CALPADS Operational Data Store (ODS) on September 16, 2022. While the cohort data are not technically certified, failure to certify the CALPADS EOY 3 submission will result in LEAs not having any one-year and cohort graduation or completer data reported on DataQuest or in the Dashboard.

The CDE appreciates the dedication of LEA staff and your tireless efforts working overtime and giving up weekends to report and verify your data by the deadline. We recognize that you continue to struggle with the system changes implemented in April, which has not only resulted in system instability but has made the system harder to use.

8.11 Nonpublic School/Nonpublic Agency Update

No materials, verbal report only

8.12 Prevention and Intervention Update

No materials, verbal report only

8.13 Community Outreach Update

No materials, verbal report only

Desert/Mountain SELPA
 Dispute Prevention Dispute Resolution (Resource 6536) Claim Summary
 September 6, 2022

Total Apportionment 1,816,998
 Desert/Mountain SELPA Allocation (20%) 363,400
 LEA Allocation 1,453,598

Funds must be encumbered no later than June 30, 2023 and expended by September 30, 2023.

A	B	C	D	E	F
LEA	Allocation	Amount Claimed	Balance	FAR Actuals as of 9/6/22	Actuals Unclaimed
Academy for Academic Excellence	14,026	-	14,026.00	-	-
Adelanto Elementary	133,034	-	133,034.00	-	-
Apple Valley Unified	180,106	-	180,106.00	-	-
Baker Valley Unified	1,700	-	1,700.00	-	-
Barstow Unified	108,489	-	108,489.00	-	-
Bear Valley Unified	34,746	-	34,746.00	-	-
Excelsior Charter	25,077	-	25,077.00	-	-
Excelsior Charter School Corona-Norco	638	-	638.00	-	-
Health Sciences High and Middle College	10,413	-	10,413.00	-	-
Helendale Elementary	17,214	-	17,214.00	-	-
Hesperia Unified	320,364	-	320,364.00	25,920.00	25,920.00
Lucerne Valley Unified	16,470	-	16,470.00	-	-
Needles Unified	21,570	-	21,570.00	-	-
Norton Science and Language Academy	9,988	-	9,988.00	-	-
Oro Grande	37,296	-	37,296.00	-	-
Silver Valley Unified	41,547	-	41,547.00	-	-
Snowline Joint Unified	122,621	13,729.75	108,891.25	48,950.85	35,221.10
Trona Joint Unified	7,544	-	7,544.00	-	-
Victor Elementary	188,819	-	188,819.00	-	-
Victor Valley Union High	161,936	-	161,936.00	-	-
Total	1,453,598	13,729.75	1,439,868.25	74,870.85	61,141.10

Desert/Mountain SELPA
Learning Recovery Support (Resource 6537) Claim Summary
September 6, 2022

Total Apportionment	8,176,491
Desert/Mountain SELPA Allocation (20%)	1,635,298
LEA Allocation	6,541,193

Funds must be encumbered no later than June 30, 2023 and expended by September 30, 2023.

A	B	C	D	E	F
LEA	Allocation	Actuals Claimed	Balance	FAR Actuals as of 9/6/2022	Actuals Unclaimed
Academy for Academic Excellence	63,117	-	63,117.00	-	-
Adelanto Elementary	598,653	-	598,653.00	240,908.73	240,908.73
Apple Valley Unified	810,477	-	810,477.00	-	-
Baker Valley Unified	7,651	-	7,651.00	109.99	109.99
Barstow Unified	488,199	-	488,199.00	-	-
Bear Valley Unified	156,357	-	156,357.00	-	-
Excelsior Charter	112,845	-	112,845.00	-	-
Excelsior Charter School Corona-Norco	2,869	-	2,869.00	-	-
Health Sciences High and Middle College	46,859	-	46,859.00	-	-
Helendale Elementary	77,461	-	77,461.00	-	-
Hesperia Unified	1,441,644	-	1,441,644.00	74,226.54	74,226.54
Lucerne Valley Unified	74,114	-	74,114.00	-	-
Needles Unified	97,066	-	97,066.00	-	-
Norton Science and Language Academy	44,947	-	44,947.00	-	-
Oro Grande	167,833	-	167,833.00	-	-
Silver Valley Unified	186,960	-	186,960.00	186,960.00	186,960.00
Snowline Joint Unified	551,794	-	551,794.00	140,189.33	140,189.33
Trona Joint Unified	33,949	-	33,949.00	985.50	985.50
Victor Elementary	849,686	-	849,686.00	-	-
Victor Valley Union High	728,712	-	728,712.00	-	-
Total	6,541,193	-	6,541,193.00	643,380.09	643,380.09

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.

How to Use the Excel File to Access Learning Recovery Support (Resource 6537) and Dispute Prevention/Dispute Resolution (Resource 6536) Funding

Activities

- ◆ Collaborate with LEA fiscal team to make sure expenditures and activities align and confirm that expenditures are coded to the correct resource
- ◆ Select LEA from dropdown menu
- ◆ Select the service activity that most closely matches the SELPA plan from the dropdown menu (column D) for which you are seeking reimbursement
- ◆ Write a narrative describing the activities to support step 2 - see column headers for required information (column E) (Example: LEA will fund up to 60 hours each for 20 certificated staff to work before or after contracted work hours to assess and write overdue IEPs)
- ◆ Provide the number of students, disabilities, and demographics of pupils served with the supplemental funding
- ◆ Submit Learning Recovery Support Excel file to Heidi Chavez and for review and approval with a copy to Marina Gallegos
Submit Dispute Prevention/Dispute Resolution Excel file to Kathleen Peters for review and approval with a copy to Marina Gallegos
- ◆ Retain fiscal and program records to support activities and claims

How to Use the Excel File to Access Learning Recovery Support (Resource 6537)
and Dispute Prevention/Dispute Resolution (Resource 6536) Funding


Assurances

- ◆ Collaborate with program team to make sure expenditures and activities align
- ◆ Create budgets with CDE-assigned resources and code expenditures accordingly
- ◆ Select LEA from dropdown menu at top of form
- ◆ Review funding parameters and requirements
- ◆ Line 1 Enter amount allocated to LEA
- Line 2 Enter amount claimed on prior reports
- Enter actual expenditures by major object for reporting period - this should
- Lines 3-9 tie to the financial activity report for the same period
- Line 10 This field auto-calculates the total expenditures for the period
- Line 11 This field auto-calculates current and prior expenditures
- Line 12 Enter payments received for prior claims
- Line 13 This field auto-calculates total expenditures less payments
- Line 14 This field auto-calculates available funds
- ◆ Sign, date, and return form to Marina Gallegos
- ◆ Retain fiscal and program documentation to support claim

Desert Mountain SELPA Mental Health Funding	
2022-23 Projected AB114	6,457,762
2021-22 Federal Mental Health ADA	<u>1,180,337</u>
Total Funding	7,638,099
Amount Per ADA	85.30

<u>LEA</u>	<u>2021-22 P-2 Certified ADA</u>		<u>Mental Health Funding</u>
County Operated Programs	67.55	\$	5,762
Academy for Academic Excellence	1,321.07	\$	112,689
Norton Science and Language Academy	965.35	\$	82,346
Adelanto Elementary	6,792.50	\$	579,411
Apple Valley Unified	11,436.12	\$	975,520
Baker Valley Unified	122.40	\$	10,441
Barstow Unified	5,187.07	\$	442,466
Bear Valley Unified	1,940.66	\$	165,541
Excelsior Education Center	2,012.49	\$	171,669
Excelsior Charter School Corona-Norco	115.38	\$	9,842
Health Sciences High and Middle College	537.91	\$	45,885
Helendale Elementary	1,083.52	\$	92,426
Hesperia Unified	19,814.32	\$	1,690,194
Lucerne Valley Unified	875.48	\$	74,680
Needles Unified	904.83	\$	77,183
Oro Grande Elementary	5,121.46	\$	436,869
Silver Valley Unified	1,781.62	\$	151,975
Snowline Joint Unified	7,057.81	\$	602,043
Trona Joint Unified	209.83	\$	17,899
Victor Elementary	11,229.75	\$	957,916
Victor Valley Union High	<u>10,965.12</u>	\$	<u>935,343</u>
	89,542.24	\$	7,638,100

MEMORANDUM

Date: September 14, 2022
To: Directors of Special Education
From: Richard Frederick, Area Director 

Subject: Audiological Service Reports

Attached are the Audiological Service Reports for the month of August 2022 by district.

If you have any questions concerning these reports, please contact Dale Folkens, Ed. D. Principal at (760) 244-6131 ext. 247 or via email at dale.folkens@sbcss.net.



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

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

MEMORANDUM

Date: September 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 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

Desert Mountain SELPA
2022-2023 Non-Public School Placement Report

	July				August				September				October				November				December			
	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL
Adelanto	5			5	5			5	2			2												
Apple Valley	13	2	5	20	13	2	5	20	14	2	6	22												
Baker																								
Barstow	4	2		6	4	2		6	5	2		7												
Bear Valley																								
Helendale																								
Hesperia	17			17	17			17	20	1		21												
High Tech High																								
Lucerne Valley																								
Needles																								
Oro Grande																								
Silver Valley		1		1		1		1		1		1												
Snowline	6			6	6			6	6			6												
Trona																								
Victor Elem	6			6	6			6	3		1	4												
VVUHSD	19		1	20	19		1	20	20		2	22												
TOTALS	70	5	6	81	70	5	6	81	70	6	9	85												
2021-22 Totals	83	4	8	95	82	4	8	94	80	4	10	94	80	4	9	93	80	4	9	93	78	5	10	93
2020-21 Totals	78	6	16	100	69	6	15	90	81	4	18	103	80	4	18	102	80	4	17	101	83	4	17	104
2019-20 Totals	80	11	19	110	74	11	16	101	73	8	17	98	74	8	19	101	75	8	19	102	75	8	19	102
2018-19 Totals	56	18	10	84	63	15	10	88	66	15	13	94	76	13	15	103	81	12	17	110	82	12	17	111
2017-18 Totals	32	17	5	54	30	16	5	51	33	16	6	55	30	17	5	51	21	17	6	44	23	17	5	45

California Association of Health and Education Linked Professions

Upcoming Trainings

Date/Time	Event	Location
9/27/2022 2:30 PM - 4:00 PM	HONK! HONK! STOP, ASSESS, AND DRIVE YOUR READING INSTRUCTION	VIRTUAL
9/27/2022 12:30 PM - 2:30 PM	PARAEDUCATOR ACADEMY COLLABORATIVE	IN PERSON OR VIRTUAL
9/27/2022 8:30 AM - 3:30 PM	PBIS TEAM TRAINING TIER 2 - YEAR 3 TEAM - LOMITAS	DMESC
9/28/2022 9:00 AM - 3:00 PM	MIS AND CALPADS WORKSHOP	DMESC
9/28/2022 8:30 AM - 12:45 PM	ORTON-GILLINGHAM APPROACH	VIRTUAL
9/28/2022 2:30 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE: REINFORCEMENT	Virtual
9/29/2022 1:00 PM - 3:00 PM	SLP COLLABORATIVE #1	
10/1/2022 -	BEHAVIORAL INTERVENTION PLAN PRINCIPLES- THE BIP LEVEL 1	ONLINE
10/1/2022 -	DISABILITY AWARENESS	ONLINE
10/1/2022 -	STRUCTURED LITERACY: WHAT, WHY, WHO, AND HOW? (SELF-PACED COURSE)	VIRTUAL

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

Upcoming Trainings

Date/Time	Event	Location
10/4/2022 2:30 PM - 4:00 PM	DE-ESCALATION STRATEGIES FOR EDUCATORS	VIRTUAL
10/4/2022 8:30 AM - 3:30 PM	PBIS TEAM TRAINING TIER 1 - YEAR 1 TEAM - LAKEVIEW LEADERSHIP ACADEMY	DMESC
10/5/2022 2:00 PM - 4:00 PM	LITERACY IMPROVEMENT NETWORK	VIRTUAL
10/5/2022 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
10/7/2022 8:30 AM - 3:30 PM	CLASSROOM STRUCTURE & MANAGEMENT	DMESC
10/7/2022 8:30 AM - 3:30 PM	CPI	DMESC
10/10/2022 2:00 PM - 4:00 PM	DYSLEXIA: FOUNDATIONS, SCREENING, AND ASSESSMENTS	VIRTUAL
10/10/2022 12:30 PM - 2:30 PM	EFFECTIVE CLASSROOM STRATEGIES FOR STUDENTS WITH MENTAL HEALTH DISORDERS	DMESC
10/12/2022 8:30 AM - 2:30 PM	PBIS COACH AND ADMINISTRATOR TRAINING TIER 2 - YEAR 2 - CIMS	DMESC
10/17/2022 2:00 PM - 4:00 PM	LITERACY IMPROVEMENT NETWORK	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

Upcoming Trainings

Date/Time	Event	Location
10/25/2022 12:00 PM - 1:30 PM	PRESCHOOL SCHOOL PSYCHOLOGIST COLLABORATION MEETING	DMESC/VIRTUAL
10/27/2022 8:00 AM - 12:00 PM	BULLYING PREVENTION AND INTERVENTION: USING EXPECT RESPECT CURRICULUM	DMESC
10/27/2022 2:30 PM - 4:00 PM	STRUCTURED LITERACY WITH ORTON-GILLINGHAM: FOUNDATIONAL	VIRTUAL
10/28/2022 8:30 AM - 11:30 A	DESIGNING EFFECTIVE CLASSROOM ENVIRONMENTS (P-K, T-K, AND KINDER)	DMESC
10/28/2022 12:30 PM - 3:30 PM	VISUAL CUES TO SUPPORT SELF-REGULATION (P-K TO 3RD GRADE)	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