

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
October 21, 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: 2467 818 7299

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.

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 INFORMATION/ACTION

5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

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

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

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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 the following Consent Item be approved as presented:

6.1.1 Approve the September 23, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates from State SELPA Administrators

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

7.2 Transition to Special Education Information System (SEIS)

Pam Bender will provide an update on the transition to Special Education Information System (SEIS) from CAHELP JPA Governance Council.

7.3 Bridge to Added Authorizations

Pam Bender will present information regarding the bridge to added authorizations.

7.4 Alternative Diploma

Pam Bender will provide information on the alternative diploma.

7.5 Desert/Mountain Children's Center Client Services Reports and Update

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

7.6 Desert/Mountain Children's Center Mental Health Research Report

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

7.7 Professional Learning Summary and Update

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

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7.8 Resolution Support Services Summary and Update

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

7.9 Case Law Review

Kathleen Peters will provide case law review.

7.10 Career Technical Education (CTE) Update

Adrienne Shepherd-Myles will provide a Career Technical Education (CTE) update.

7.11 Compliance Update

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

7.12 Nonpublic School/Nonpublic Agency Update

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

8.0 FINANCE COMMITTEE REPORTS

9.0 INFORMATION ITEMS

9.1 Desired Results Access Project (DRDP) Memo

9.2 Monthly Audiological Services Reports

9.3 Monthly Occupational & Physical Therapy Services Reports

9.4 Monthly Nonpublic School Placement Report

9.5 Upcoming Professional Learning Opportunities

10.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

11.0 CEO COMMENTS

12.0 MATTERS BROUGHT BY THE PUBLIC

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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.

13.0 DIRECTORS' TRAINING

14.0 ADJOURNMENT

The next regular meeting of the Desert/Mountain SELPA Steering and Finance Committee will be held on Friday, November 18, 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.



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

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

Assembly Bill No. 361

CHAPTER 165

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

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

LEGISLATIVE COUNSEL'S DIGEST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This bill would make legislative findings to that effect.

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

This bill would make legislative findings to that effect.

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

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

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

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

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

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

imposed or recommended measures to promote social distancing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

concerning the conduct of the people's business.

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

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

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

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D/M SELPA MEMBERS PRESENT:

Academy for Academic Excellence – Marcelo Congo, Samantha Gonzalez, Adelanto SD – Michael Baird, Apple Valley USD – David Wheeler, Baker Valley USD – Cecil Edwards, Barstow USD - Julie Carter, Heather Reid, Bear Valley USD – Lucinda Newton, Excelsior Charter Schools – Amber Englehart, Marie Silva, Health Sciences High School and Middle College – Kristen Kosaka, Helendale SD – Mike Esposito, Hesperia USD – Teri McCollum, Elaine Nelson, Lucerne Valley SD – Vici Miller, Needles USD – Jamie Wiesner, Oro Grande SD – Scott Heitman, 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, Jennifer Alvarado, Lorena Gutierrez – San Bernardino County Superintendent of Schools.

CAHELP, SELPA, and DMCC STAFF PRESENT:

Jamie Adkins, Pam Bender, Guille Burgos, Heidi Chavez, Craig Cleveland, Tara Deavitt, Adrien Faamausili, Marina Gallegos, Renee Garcia, Colette Garland, Angela Mgbeke, Lisa Nash, Sheila Parisian, Vianca Padilla, Ana Perez, Karina Quezada, Jennifer Rountree, Veronica Rousseau, Adrienne Shepherd-Myles, Jessica Soto, Pamela Strigglers, Jennifer Sutton, and Athena Vernon.

1.0 CALL TO ORDER

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Desert/Mountain SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender, at 9:00 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 Mike Esposito, seconded by Michael Baird, to approve the September 23, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

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5.0 PRESENTATIONS

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

Jennifer Alvarado presented the SBCSS D/M Operations Fiscal Year 2021-22 LCFF Revenue Transfer information.

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

Jennifer Alvarado presented the SBCSS D/M Operations Fiscal Year 2021-22 Fee-For-Service Year-End Actuals.

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

Jennifer Alvarado presented the SBCSS D/M Operations 2021-22 Fee-For-Service Return information.

6.0 INFORMATION/ACTION

6.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

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

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

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 a motion was made by Mike Esposito, seconded by David Wheeler, to approve the Form D/M 85 SBCSS Desert/Mountain Operations Referral as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham,

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Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

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.

6.3.1 **BE IT RESOLVED** that a motion was made by Mike Esposito, seconded by Marie Silva, to retire Form D/M 173 Referral to SBCSS Desert/Mountain Operations for Related Services Provider as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

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 a motion was made by David Wheeler, seconded by Tanya Benitez, to approve the following Consent Item as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

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 provided legislative updates from State SELPA Administrators Meeting by highlighting the bills listed below:

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Following:

- Senate Bill (SB) 1113 – Special Education: Inclusive Education: Universal Design for Learning – On the Governor’s Desk,
- Assembly Bill (AB) 2121 – School Accountability: California Collaborative for Educational Excellence: Special Education - Dead, did not meet the deadline,
- SB 291 – Advisory Commission on Special Education - On the way to the Governor’s Desk
- SB 866 – Minors: Vaccine Consent - Dead, did not meet the deadline,
- SB 1229 – Mental Health Workforce Grant Program - Dead, did not meet the deadline,
- SB 237 – Special Education: Dyslexia Risk Screening - Dead, did not meet the deadline. It is likely to be brought back next year.

Other Bills to Note:

- AB 152 COVID-19 Relief: Supplemental Paid Sick Leave – On the Governor’s Desk,
- SB 692 – Special Education: Pupils with Disabilities: Least Restrictive Environment - On the Governor’s Desk,
- AB 181 - Education Finance: Education Omnibus Budget Trailer Bill – Signed by the Governor,
- AB 182 - COVID-19 Emergency Response: Learning Recovery Emergency Fund: Appropriation - Signed by the Governor,
- SB 1016 – Special Education – Eligibility of Fetal Alcohol Syndrome under OHI – Headed to the Governor’s Desk.

8.2 Small LEAs and Special Education Monitoring

Pam Bender provided information regarding small LEA monitoring. She reported that moving forward, every district and charter with less than 100 students with disabilities will be monitored by CDE. A three-year cycle begins this year with 1/3 of the State’s small LEAs being selected for this year, another 1/3 in 2023-24, and the remaining 1/3 in 2024-25. Pam stated CDE will be using Special Education Self-Review (SESR) to review at least ten student files for educational benefit and 25 student files for policy and procedure. The reviews are due to CDE by December 5, 2022 with CDE deciding by spring if there are any corrective actions are needed. Pam stated D/M SELPA will help support the LEAs through the process.

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

Pam Bender provided information pertaining to Assembly Bill 2449 Open Meetings: Local Agencies: Teleconferences (Brown Act). Beginning January 1, 2023 meetings are to be held in-person. Pam said there are two provisions for a committee member to attend remotely if they cannot attend in-person: “emergency circumstance” or “just cause”. An emergency circumstance would be a physical or family medical emergency that prevents the member from attending in person. Pam reported the committee must take action to approve the request. Another requirement is that quorum must be present in-person. She continued that participants must have audio and

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visual presence so if a member of the public joins, they can see and hear all participants. Pam stated just cause is defined as childcare or caregiving need, contagious illness, physical or mental disability not otherwise accommodated by an existing process, or official agency business such as a conference or training. She explained there are limits to the number of times a committee member can participate virtually such as no more than three consecutive months, or 20% of meetings in a fiscal year. Pam reassured the participants that there will be more discussion closer to the implementation date.

8.4 Interim Placement Procedures

Pam Bender called on Sheila Parisian to present an updated draft of Interim Placement Procedures. Sheila shared the Interim Placement Procedure document stating it includes more detailed directives due to continued questions about the interim placement process. The document also includes timelines for when students enter the LEAs. Sheila said when an LEA enrolls a student and is not able to obtain special education records, it is important to conduct assessments as soon as possible and to document the attempts made to obtain the records. She said to make a thorough and comprehensive IEP based on the informal data that is available. Sheila encouraged committee members to contact their assigned program specialist with any additional questions.

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

Guille Burgos presented the Desert/Mountain Children's Center Client Services monthly reports and updates. She requested to be contacted with any questions regarding the reports or with changes.

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

Guille Burgos shared the Desert/Mountain Children's Center Mental Health Research Report. She added that over 200,000 children lost one parent or an in-home caregiver due to the pandemic which is approximately 1 out of 360 children. This means that children are living with trauma, anxiety, grief, and depression and it is important to identify those children and provide them with supports. Guille reminded the attendees that phone number 988 is an active suicide prevention phone number and replaced the national suicide hotline.

8.7 Professional Learning Summary and Update

Heidi Chavez presented the D/M SELPA's Professional Learning Summary and update. Heidi reported 905 participants in July and August 2022 in D/M SELPA and close to 300 participants of Charter SELPA LEAs. Heidi is available for brainstorming to meet the needs of the LEAs.

Community Advisory Committee (CAC) meeting was held on 9/22/2022 with a great presentation. Heidi said more representatives are needed as it is an obligation and requirement of D/M SELPA membership. Heidi reported the next CAC meeting is scheduled for November 17, 2022 and will

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be hosted at Hesperia School District with a presentation by the district police department on social media awareness. The following meeting is scheduled for February 23, 2023 and will be hosted at Apple Valley School District. Heidi said the final CAC meeting of the year is scheduled for April 20, 2023 at DMESC.

Heidi continued there will be a Directors' Training on October 21, 2022 regarding special education finance. February 24, 2023 and April 21, 2023 are the dates for the other two trainings for the school year. Heidi said the presenter will be remote but committee members are encouraged to participate in-person as there will be topical conversation.

Heidi reported the I-MTSS Symposium is scheduled for March 8, 2023 as a full day in-person event. The topic will be LGBTQ+ student mental health. The location has not yet been determined.

Heidi concluded there will be a virtual Section 504 Compliance for Educators training by Atkinson, Andelson, Loya, Ruud & Romo (AALRR) on November 2, 2022, 9:00 a.m-10:30 am.

8.8 Resolution Support Services Summary and Update

Lisa Nash presented the D/M Charter SELPA's Resolution Support Services Summary stating there have been five parent-initiated filings, two LEA only filings against the parent to implement, and one cross-filing of a parent filing. Lisa shared there is one case pending from the previous school year.

8.9 Case Law Review

Sheila Parisian provided case law review citing a case in which a parent disagreed with a child's IEP. Sheila said when this occurs, it is important to ask the parent what they do agree with then have them sign the IEP with exception. This action will allow the supports the parent does agree with to be implemented and then use the alternative dispute resolution (ADR) process, facilitated IEPs, and other interventions to move forward. Sheila continued that in Office of Administrative Hearings (OAH) Case 2022040227, the parent provided a "consent with exceptions" letter that stated the parents has various questions, concerns, and requests regarding the student's program. When the parents filed with OAH they alleged the district failed to provide prior written notice in response to the consent with exceptions communication and denial of free appropriate public education (FAPE). The district did not believe they had to respond. Sheila reported though the district was not required to make the changes or agree with the parents, the district was required to provide prior written notice (PWN) to address the parents' concerns and requests. Sheila said the OAH judge the parents' opportunities were impeded to make evidence-based decisions. This finding required the district to pay for a private assessor's time to attend the IEP meeting.

8.10 Compliance Update

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Colette Garland presented an update on compliance items from the California Department of Education (CDE). She reported there are 922 overdue annuals and triennials within D/M SELPA membership. Colette continued that LEAs in Significant Disproportionality must have their plans submitted by November 1, 2022 and must be signed by Pam Bender. LEAs in targeted, intensive, and disproportionality must continue to work on their activities and keep with the implemented timelines.

Colette thanked everyone for their hard work in getting the CalPads End of Year 3 and 4 certifications done by deadline. She reported that Web IEP has been slow in its performance so another server has been initiated for the charter members. Additional LEAs of Baker Valley USD, Health Sciences HS, Helendale SD, Lucerne Valley USD, and Trona JUSD will be added to the new server with the new link being provided via email. Colette said it is important for work to be saved before switching to the new server.

Colette concluded that the MIS meeting is scheduled on September 28, 2022, 9:00 a.m-3:00 p.m with a remote attendance option.

8.11 Nonpublic School/Nonpublic Agency Update

Colette Garland reported there is no nonpublic school/nonpublic agency update at this time.

8.12 Prevention and Intervention Update

Pamela Strigglers presented the Prevention and Intervention update. She reported the PBIS Recognition Event is scheduled for October 20, 2022, 5:00p.m-7:00p.m, with 29 schools recognized for their PBIS implementation. Pamela also highlighted a regional training on bullying prevention scheduled for October 27, 8:30am-12:00pm with trainer Angela Mgebeke.

8.13 Community Outreach Update

Jessica Soto provided the Community Outreach update. She introduced her team members and explained the Community Outreach team is a bridge to the community in providing additional resources to the families. She asked to be contacted with questions or needs for community outreach.

9.0 FINANCE COMMITTEE REPORTS

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

Marina Gallegos presented updated information about one-time Learning Recovery Support and Dispute Prevention/Resolution Funding. She said there is more than \$61,000 of Dispute Prevention/Resolution Funding unclaimed and almost \$650,000 of One-Time Learning Recovery Support unclaimed. Marina reiterated the funds are a reimbursement for claims submitted. The

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purpose of the funding is to mitigate the impact of school disruptions due to COVID-19 during the period of March 13, 2020 through September 1, 2021 and can be claimed as prior year expenditures. Marina reviewed the process of claiming the funding. She said many LEAs have local contributions which are essentially encroachments from the general fund. If activities can be identified as activities covered by the plans can qualify. Marina encouraged the directors to work with fiscal staff to utilize the funds or the funds will be returned to CDE. She has emailed a file to fiscal staff regarding how to access the funding and shared it with the directors as well. Marina instructed the activities reports are to be submitted to Heidi Chavez or Kathleen Peters, depending on which funds are being used. She continued that in reviewing Maintenance of Effort for the LEAs, many have substantial local contribution to the special education fund which means the general fund is being used for special education expenses. There could be a way to access the one-time funding without effecting MOE if it has been included in the 2023 budget. Marina continued there is a workbook that has been emailed to the finance staff that includes the major components of claiming the reimbursements for the funds. Marina continued there is a workbook that has been emailed to the finance staff that includes the major components of claiming the reimbursements for the funds.

9.2 Projected Mental Health Funding

Marina Gallegos provided information regarding projected mental health funding. Marina said the figures are a very rough projection of how funding could be disbursed to LEAs as it has been proposed in legislature.

Pam Bender added if the funding change does occur, new Memorandums of Understanding (MOU) will be developed.

10.0 INFORMATION ITEMS

- 10.1 Monthly Audiological Services Reports
- 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

David Wheeler asked if the Apple Valley County Education Center (AVCEC) moving to a hybrid model with the students being remote some days and being on campus other days could that cause denial of FAPE. Pam replied there have been significant behavioral issues at the campus and the hybrid model is an attempt to reduce those issues. The changes have been done through the IEP process with the incorporation of vocational component as well. If parents did not agree to the hybrid model, it was not

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forced. Pam said there has been a significant reduction and it is a stop gap as DMCC works to get more hands-on programs in place for the students.

12.0 CEO COMMENTS

Pam Bender stressed the importance of self-care, especially during the busy times. She reported that starting next school year, the plan is to transition to Special Education Information System (SEIS) with the final decision being made by CAHELP JPA Governance Council at the October 2022 meeting. If the change is approved, training will begin almost immediately starting with appropriate CAHELP staff.

13.0 MATTERS BROUGHT BY THE PUBLIC

None.

14.0 ADJOURNMENT

Having no further business to discuss, a motion was made by David Wheeler, seconded by Mike Esposito, to adjourn the meeting at 10:19 a.m. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

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.

Bill Updates

Vetoed Bills

- ★ SB 1113 (Ochoa Bogh): Inclusive education: universal design for learning.

Governor's Veto Message

- ★ SB 870 (Portantino): Developmental services

Governor's Veto Message

2

Bills -- Signed into Law (Chaptered)

- ★ AB 2827 (Quirk-Silva): Childcare daycare facilities.
- ★ SB 291 (Stern): Advisory Commission on Special Education: Pupil advisory council.
- ★ AB 1868 (Luz Rivas): School accountability: English learners and special education: data
- ★ SB 692 (Cortese): LCAP State Priorities: LRE
- ★ SB 1016 (Portantino): Special education: eligibility: fetal alcohol syndrome
- ★ AB 1655 (Jones-Sawyer): State Holidays: Juneteenth

3

SB 1113 (Ochoa Bogh)

Amended: 8/23/2022

Title: Special Education: Inclusive Education: Universal Design for Learning

Status: Vetoed by the Governor

Position: Support

Summary:

This bill would have required 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 would have required the CTC to train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning, required the CTC to form a workgroup to propose more inclusive education standards for the administrative services teaching credential, and required administrator preparation programs to include inclusive education instruction.

The Governor's veto message states, in part:

"Serving students with disabilities in inclusive settings is an essential strategy for improving the academic achievement of these and all students, and one that my administration is committed to advancing. In fact, working with legislative partners we have provided \$32 million over the past few years to directly support educators in implementing inclusive practices through a number of systemic investments, including recent investments to expand the Supporting Inclusive Practices Project. Portions of this bill are either subject to an appropriation or are duplicative of other efforts, and therefore add unnecessary cost pressures to future budgets. However, the concept related to the administrative services credential has merit. I encourage the author to work with the Commission on Teacher Credentialing to consider incorporating Universal Design for Learning during its next comprehensive update of the administrative services credential."

SB 870 (Portantino)

Amended: 8/22/2022

Title: Developmental Services

Status: Vetoed by 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 have modified that definition to mean a disability that originates before an individual attains 22 years of age.

The Governor's veto message states, in part:

"While I support the concept of extending the comprehensive services and supports available through the Lanterman Developmental Disabilities Services Act to individuals whose disabilities originated before age 22, such an expansion of eligibility would require regional center and provider staff to be trained, and additional community resources would need to be developed, to serve the expanded consumer population. The planning and preparation for this expansion cannot be completed by January 1, 2023. Furthermore, the proposed expansion would require tens of millions of General Fund dollars to implement and funds were not included in the budget for this purpose. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing."

[SB 291 \(Stern\)](#)

Amended: 8/18/2022

Title: Advisory Commission on Special Education

Status: Signed by the Governor, Chapter 917, Statutes of 2022

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.

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

Amended: 6/21/2022

Title: School Accountability: English Language Acquisition Status: Data

Status: Signed by the Governor, Chapter 907, Statutes of 2022

Position:

Summary:

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

[SB 692 \(Cortese\)](#)

Amended: 8/4/2022

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

Status: Signed by the Governor, Chapter 919, Statutes of 2022

Position:

Summary:

This bill requires 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 1016 \(Portantino\)](#)

Amended: 8/18/2022

Title: Special Education: Eligibility: Fetal Alcohol Spectrum Disorder

Status: Signed by the Governor, Chapter 611, Statutes of 2022

Position: Watch

Summary:

This bill requires 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.

7.2 Transition to SEIS

Verbal report, no materials

7.3 Bridge to Added Authorizations

No materials, verbal report only

7.4 Alternative Diploma

No materials, verbal report only



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

P 760-552-6700
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W www.dmchildrenscenter.org

MEMORANDUM

DATE: October 19, 2022
TO: Special Education Directors
FROM: Linda Llamas, Director

SUBJECT: Desert/Mountain Children's Center Client Reports

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

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

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



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October 5, 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 settle into school routines and begin to see how our clients/students are faring three years into the COVID-19 pandemic I thought it wise to look at what some of the initial research on youth says about how they did during the pandemic and what this says about how we need to proceed with services.

Thus far the research produced during the pandemic focused on¹:

- The mental health consequences of the pandemic
 - This research showed an increase in
 - Eating disorders
 - Suicide risk
 - Family violence and maltreatment
- The impact of the pandemic on pre-existing psychiatric disorders
 - This research showed an increase in
 - Isolation for children with autism spectrum disorders
 - Substance use

One large conclusion from most of the research is that youth who came from vulnerable spaces before the pandemic became even more vulnerable over its course. Thus, those children and families who had high needs before the pandemic have even higher needs now. As we move forward, with service professionals and resources stretched thin, it behooves us to look at how we can leverage our current relationships and partnerships to ensure we are meeting the needs of all our clients/students, but especially our most vulnerable populations.

One way we can do that is to talk about the importance of taking care of our mental health openly and honestly, with no judgment. Arming yourself with the information and tools needed to ensure we are meeting youth where they are is important. A survey conducted by the Boys and Girls Club of America showed that youth have strong social-emotional awareness, but most do not feel equipped to cope with their challenges. In fact, most of the youth in this survey stated that when something went wrong in their lives, they couldn't stop worrying about it but did everything they could to stop people from finding out.² In another student survey, conducted by Youth Truth, many students described feeling ill prepared in their return to in-person learning and felt that the pace of the school day and homework expectations were overwhelming. They felt that their school culture had changed and their sense of belonging to a community had diminished.³ In both these surveys we are hearing directly from students what they need – caring adults who will listen and provide a safe space for them to talk about the emotional, mental, and social support they need. So how can we do this?

We can create an environment where clients/students feel safe and welcome. We can create places and spaces for students to receive the help they need. We can rely on each other and seek assistance when needed. We can create policies and procedures that will establish systems where the priority is ensuring that clients/students have the necessary supports to be successful. We can research programs and services that are having success and implement them in our own schools and districts.

One such possibility is the utilization of yoga and mindfulness programs (YMP) to help clients/students with social-emotional awareness and challenges. A review of the emerging evidence base regarding utilizing YMP with children, shows improvement in social-emotional outcomes for children of all ages. “Yoga and mindfulness provided through school-based programming may provide an important opportunity to address social-emotional needs of children and to provide coping skills for those who do not receive attention to their behavioral or mental health through other channels.”⁴ YMP show marked improvement with anxiety and depression specifically. Making such programs a part of a school-wide effort would help all students and not single out specific kids for intervention. There are existing curriculums out there to use, i.e., Yoga Ed.

In recognition of Latinx Heritage Month, I thought I would share with you some relatively good news I recently read about the resiliency and resourcefulness of Latinx children and their families. In “Latinx Families’ Strengths and Resilience Contribute to their Well-being,”⁵ a brief from the National Research Center on Hispanic Children & Families we learned some things that might be helpful as you work with Latinx families in your community. While we know that Latinx families and their children are more likely to face institutional and socio-structural inequities and social and economic stressors - think, discrimination, poverty, racism, residential segregation, and xenophobia – and that this jeopardizes their well-being. We also know that children who experience these challenging circumstances early in life are at greater risk for things such as:

- Behavior problems that can marginalize them
- Impeded social mobility
- Poor academic performance
- Socioeconomic disadvantages

The challenges Latinx families face have been studied and documented in much of the literature, what has not been studied or documented as much are the assets that many

Latinx families have that contribute to their well-being. The brief highlight those assets and they include:

- Strong social skills exhibited by children
 - Latinx children enter formal schooling with the ability to develop friendships and be liked and accepted by peers and teachers
 - Social skills are important for developing resilience
- Bilingualism
 - Promotes social and cognitive development
- Biculturalism
 - Promotes better parenting behaviors which are related to better outcomes for children
- High quality parenting
 - Characterized by high levels of warmth and supportiveness
- Latinx fathers are highly committed to their children and involved in their lives
 - Starts early in childhood and is long-term
 - This contributes to cognitive, language, and social development
- Latinx parents are highly invested in their children's futures – especially in early childhood
- Latinx children experience routines and predictability which supports healthy social emotional development
- Majority of Latinx children with foreign-born parents live in two-parent households
- Latinx children receive support from extended family and intergenerational households
- High co-parenting – typically more responsive and supportive parenting

It is essential for us to acknowledge these strengths and help build on these assets through culturally sensitive programs and services to ensure Latinx families have better outcomes.

As always, we here at the CAHELP stand ready to assist and support you in serving the needs of the youth and families in our communities.

REFERENCES:

1. Cortese, S., Sabe, M. and Solmi, M. (2022), Editorial Perspective: COVID-19-related publications on young people's mental health – what have been the key trends so far and what should come next?. *J Child Psychol Psychiatr.* <https://doi.org/10.1111/jcpp.13615>
2. <https://www.bgca.org/about-us/youth-right-now>
3. <https://youthtruthsurvey.org/students-weigh-in-part4-mental-health/>
4. Bazzano AN, Sun Y, Chavez-Gray V, Akintimehin T, Gustat J, Barrera D, Roi C. Effect of Yoga and Mindfulness Intervention on Symptoms of Anxiety and Depression in Young Adolescents Attending Middle School: A Pragmatic Community-Based Cluster Randomized Controlled Trial in a Racially Diverse Urban Setting. *International Journal of Environmental Research and Public Health.* 2022; 19(19):12076. <https://doi.org/10.3390/ijerph191912076>
5. Cabrera, N., Alonso, A., Chen, Y., Ghosh, R. (2022). Latinx Families' Strengths and Resilience Contribute to Their Well-Being. Bethesda, MD: National Research Center on Hispanic Children & Families. <https://www.hispanicresearchcenter.org/research-resources/latinx-families-strengths-and-resiliencecontribute-to-their-well-being>

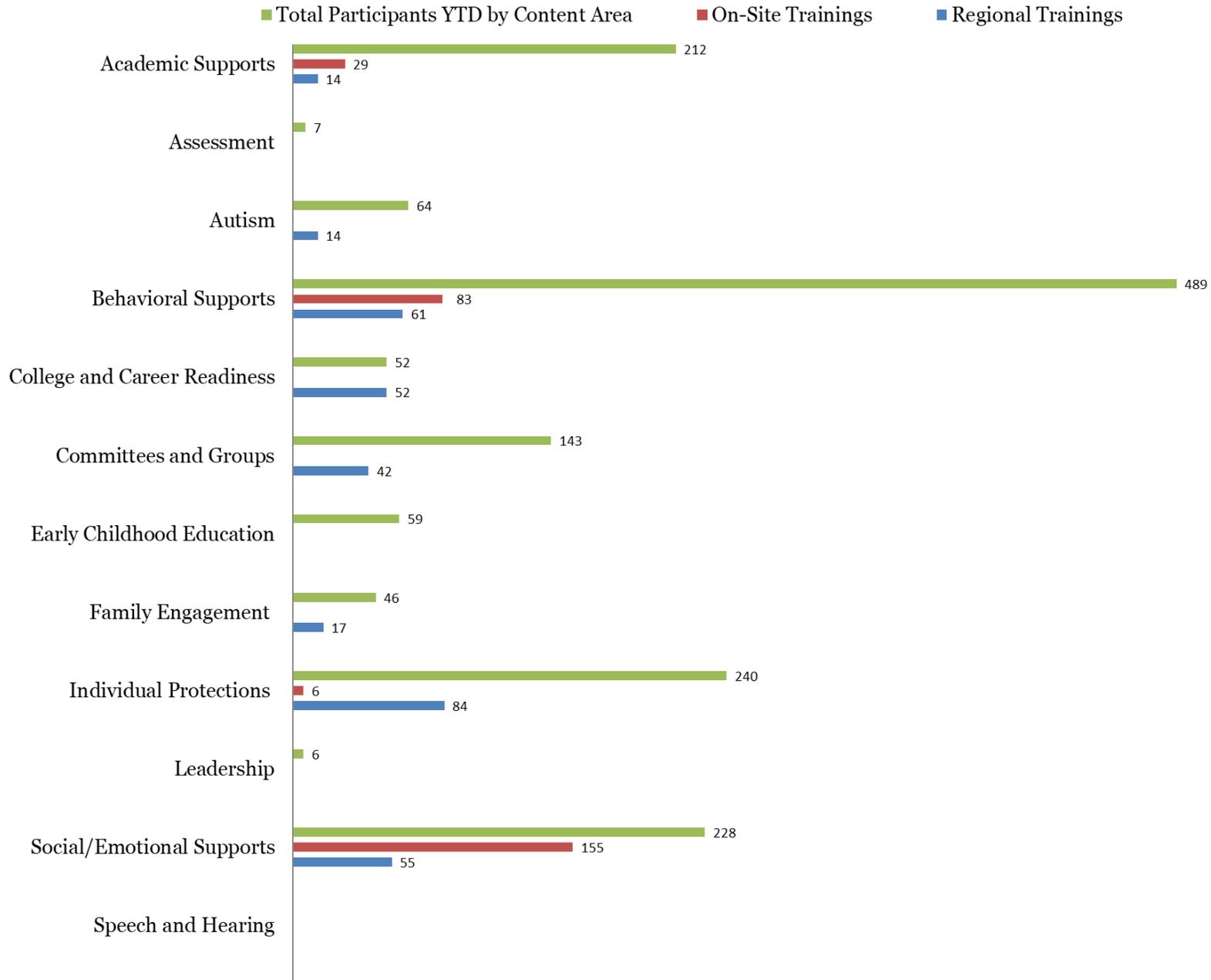
RESOURCES:

- <https://bgca.org/>
- <https://youthtruthsurvey.org/>
- <https://yogaed.com/>
- <https://www.educationworld.com/teachers/yoga-mindfulness-middle-school-compass-curriculum-2020-21-school-year>
- <https://learning2breathe.org/>
- <https://www.samhsa.gov/>
- <https://www.samhsa.gov/blog/using-cuento-support-behavioral-health-needs-hispanic-latinos>

D/M SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

SEPTEMBER 2022 PARTICIPANTS - 612

1,546 YEAR-TO-DATE PARTICIPANTS



Desert/Mountain SELPA
 Due Process Summary
 July 1, 2022- September 30, 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	0	1	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 Excellence	2	1	1	1	0	1	6	0	0	0	0	0	0	1
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	7	206.50	0	1	0	4	0	0	3

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–September 30, 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. 9/22/22 - Case settled CLOSED		
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. 10/03/22 - Mediation held and unsuccessful. Parent seeks private home placement with 1:1 behavioral aide 6 hours at home and District seeks to return student to in-school program		

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2022–September 30, 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	10/31/2022	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. 10/28/22 - Addendum scheduled to review the results of FBA IEEs will be completed first week of Nov. but mediation scheduled Oct. 31,		
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	10/6/2022	9/27-29/2022	8/29/22 - No agreement on 1:1; analyzing records to determine next steps. 10/05/22 - Negotiations for settlement (provide 1:1 support for portion of the day rather than full day, add OT, AAC training and AAC device)		
6. VESD Case no. 2022080518 Filing on parent	Permission to implement IEP; placement	8/17/2022	N/A	9/26/2022 - cancelled by parent	9/13-15/2022 11/01-03/2022	Student not in school. Parent seeking alternate placement.		
7. AAE Case no. 2022090499 Filing on parent	District filed for appropriate placement			Proposed 10/26/2022	10/18-20/2022 New date proposed 11/08-09/2022	Prehearing conference postponed and extended. Parent not in agreement with a district placement in school of residence and parent wants to remain on independent study via AAE and to earn a diploma		

Desert /Mountain SELPA
Legal Expense Summary
As Reported at Steering October 21, 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	\$62,637.97

7.9 Case Law Review

Verbal report, no materials

Transition Planning for All Students

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

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

Presented By

Adrienne Shepherd, Program Manager

Date

November 3, 2022

Time

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

Location

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



Audience

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

Cost

There is no cost for this training.

Registration

Please register online at:

<https://sbcss.k12oms.org/52-222390>

Special Accommodations

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

CAHELP Career Technical Education Programs At-A-Glance

Program	CALWORKS SUBSIDIZED EMPLOYMENT PROGRAM (CSEP)	TRANSITION PARTNERSHIP PROGRAM (TPP)
Contact	<p style="text-align: center;">Bobbie Taylor Project Manger (760) 646-8000 ext. 366 Bobbie.Taylor@cahelp.org</p>	<p style="text-align: center;">Bobbie Taylor Project Manger (760) 646-8000 ext. 365 Bobbie.Taylor@cahelp.org</p>
Who Can Apply	<ul style="list-style-type: none"> • A customer will be considered eligible for CSEP enrollment if they are 25 and up • An active customer of the CalWORKs and WTW program • General knowledge of the expectations associated with the workplace, including: <ul style="list-style-type: none"> • Attendance • Punctuality • Adhering to the workplace requirements • At least three months of their CalWORKs 48-month time limit remaining, if applicable 	<ul style="list-style-type: none"> • Between 16 and 21 years of age • High school junior or senior • Referred by a TPP teacher • Must have an IEP or 504 plan.
Services	<ul style="list-style-type: none"> • Work Readiness Training • Up to 485 hours, or six months, of successful work experience training 	<ul style="list-style-type: none"> • Paid Work Experience • Job Exploration Counseling • Workplace Readiness Training • Instruction in Self-Advocacy • Counseling on Post-Secondary Education
How to Apply	<ul style="list-style-type: none"> • Referrals are submitted to CAHELP from the Transitional Assistance Department (TAD) 	<ul style="list-style-type: none"> • Complete a TPP referral packet provided to students by CTE staff at a workshop

CAHELP Career Technical Education Programs At-A-Glance

Program	WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)		WORKABILITY I (WAI)
Contact	Bobbie Taylor- Enrollment Project Manger (760) 646-8000 ext. 365 Bobbie.Taylor@cahelp.org	Isaac Medina – Program Services Project Manger (760) 646-8000 ext. 360 Isaac.Medina@cahelp.org	Isaac Medina Project Manger (760) 646-8000 ext. 360 Isaac.Medina@cahelp.org
Who can Apply	<ul style="list-style-type: none"> • Between 16 and 24 years of age • Out-of-school • AND meets one or more of the following barriers: <ul style="list-style-type: none"> • No High School Diploma or GED • Documented Disability (IEP, 504) • Low Income • Parenting Youth • Foster Youth • Homeless 	<ul style="list-style-type: none"> • Between 14 and 21 years of age • Attending school including secondary and postsecondary • AND meets one or more of the following barriers: <ul style="list-style-type: none"> • Homeless • Foster Care • Justice Involved 	<ul style="list-style-type: none"> • Between 16 and 21 years of age • High school junior or senior • Referred by a TPP/WorkAbility teacher • Must have an IEP
Services	<ul style="list-style-type: none"> • Paid Work Experience • Vocational Schooling • Individualized Career Development Plan • Financial Literacy • College Enrollment Assistance • Employment Assistance • Occupation Training & Certificates • Supportive Services 		<ul style="list-style-type: none"> • Paid Work Experience • Job Exploration Counseling • Workplace Readiness Training • Instruction in Self-Advocacy
How to Apply	Scan the QR Code and complete the application to determine eligibility for the program 		<ul style="list-style-type: none"> • Complete a WorkAbility I referral packet provided to students by the CTE staff or the WAI teacher

More Information visit the [Career Technical Education About Page](#) or scan the QR code



7.11 Compliance Updates

Verbal report, no materials

7.12 Nonpublic School/Nonpublic Agency Update
Verbal report, no materials



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

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

MEMORANDUM

DATE: October 11, 2022
TO: Special Education Directors and MIS Contacts
FROM: Colette Garland, MIS Support Analyst

SUBJECT: DRDP Fall 2022

The Desired Results Access Project supports special educators, administrators, and families in implementing the California Department of Education's (CDE) Desired Results Developmental Profile (DRDP (2015)) for:

All infants and toddlers with Individualized Family Service Plans (IFSPs) who are reported in the CALPADS (formerly CASEMIS) system; and all preschool-age children (3–5-year-olds not enrolled in transitional kindergarten or kindergarten) who have Individualized Education Programs (IEPs). The Fall 2022 DRDP will be based on observations made between October 1 and January 1.

CDE requires DRDP training for all Early Childhood SPED Educators who assess children with the DRDP. Assessors can create an account and access courses at <https://draccesslearn.org>. Electronic assessment data collection from the Assessors must be completed by the Assessors through the DRAccess Reports Portal at <https://DRAccessReports.org>. This electronic collection of data will allow for our Assessors to access reports based on student data in a more timely manner and allow for a more accurate student plan moving forward. The rating assessments to be used are the DRDP 2015 Preschool Fundamental View and the DRDP 2015 Infant/Toddler View.

The SELPA is responsible for certifying and submitting the completed data to the California Department of Education (CDE). In order to meet the deadline, Assessors must enter the DRDP data directly into the <https://DRAccessReports.org> portal no later than **Friday, January 13, 2023**. For additional information on DRDP, please visit www.draccess.org.

If you have any questions, please feel free to contact me at (760) 955-3565 or via email at colette.garland@cahelp.org.

The Relentless Pursuit of Whatever Works in the Life of a Child

California Association of Health & Education Linked Professions JPA



MEMORANDUM

Date: October 4, 2022
To: Directors of Special Education (RF)
From: Richard Frederick, Area Director

Subject: Audiological Service Reports

Attached are the Audiological Service Reports for the month of September 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: October 21, 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	3			3								
Apple Valley	13	2	5	20	13	2	5	20	14	2	6	22	17	1	8	26								
Baker																								
Barstow	4	2		6	4	2		6	5	2		7	5	2		7								
Bear Valley																								
Helendale																								
Hesperia	17			17	17			17	20	1		21	22	1		23								
High Tech High																								
Lucerne Valley																								
Needles																								
Oro Grande																								
Silver Valley		1		1		1		1		1		1		2		2								
Snowline	6			6	6			6	6			6	7			7								
Trona																								
Victor Elem	6			6	6			6	3	1	4	4	3	1	4	4								
VVUHSD	19		1	20	19		1	20	20		2	22	18		2	20								
TOTALS	70	5	6	81	70	5	6	81	70	6	9	85	75	6	11	92								
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
10/25/2022 12:00 PM - 1:30 PM	PRESCHOOL SCHOOL PSYCHOLOGIST COLLABORATION MEETING	DMESC/VIRTUAL
10/26/2022 2:00 PM - 3:30 PM	WEBIEP AFTERNOON QUESTION AND ANSWER SESSION	VIRTUAL
10/26/2022 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	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
11/1/2022 -	BEHAVIORAL INTERVENTION PLAN PRINCIPLES- THE BIP LEVEL 1	ONLINE
11/1/2022 -	DISABILITY AWARENESS	DMESC
11/1/2022 8:30 AM - 2:30 PM	PBIS COACH AND ADMINISTATOR TRAINING TIER 1 - YEAR 1 - LAKEVIEW LEADERSHIP ACADEMY	DMESC
11/1/2022 -	STRUCTURED LITERACY: WHAT, WHY, WHO, AND HOW? (SELF-PACED COURSE)	VIRTUAL
11/1/2022 8:00 AM - 2:00 PM	YOUTH MENTAL HEALTH FIRST AID	DMESC

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
11/2/2022 8:30 AM - 3:30 PM	CLASSROOM STRUCTURE & MANAGEMENT	DMESC
11/2/2022 9:00 AM - 10:30 A	SECTION 504 COMPLIANCE FOR EDUCATORS	VIRTUAL
11/3/2022 8:30 AM - 11:30 A	SCHOOL-WIDE INFORMATION SYSTEM (SWIS)	DMESC
11/3/2022 9:00 AM - 12:00 PM	TRANSITION PLANNING FOR ALL STUDENTS	VIRTUAL
11/7/2022 8:30 AM - 3:30 PM	HOLA LANGUAGE SERVICES	DMESC
11/8/2022 8:30 AM - 2:30 PM	PBIS COACH AND ADMINISTRATOR TRAINING TIER 2 - YEAR 3 - LOMITAS	DMESC
11/9/2022 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
11/9/2022 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
11/16/2022 8:00 AM - 12:00 PM	BULLYING PREVENTION AND INTERVENTION: USING EXPECT RESPECT CURRICULUM	VIRTUAL
11/30/2022 2:00 PM - 4:00 PM	LITERACY IMPROVEMENT NETWORK	DMESC

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