

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEETING**  
*January 26, 2023 – 10:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **AGENDA**

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**NOTICE:** This meeting will be held as a hybrid council meeting with some council 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: 2451 415 9250

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 D/M Charter SELPA Executive Council to the recording secretary via fax at 1-760-242-5363 or email [jamie.adkins@cahelp.org](mailto:jamie.adkins@cahelp.org). Please include your name, contact information and which item you want to address.

**1.0 CALL TO ORDER**

**2.0 ROLL CALL**

**3.0 PUBLIC PARTICIPATION**

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

**4.0 ADOPTION OF THE AGENDA**

4.1 **BE IT RESOLVED** that the January 26, 2023 Desert/Mountain Charter SELPA Executive Council Meeting Agenda be approved as presented.

**5.0 CONSENT ITEM**

It is recommended that the Desert/Mountain Charter SELPA Executive Council 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.

5.1 **BE IT RESOLVED** that the following Consent Item be approved as presented:

5.1.1 Approve the October 20, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Minutes.

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**6.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS**

6.1 Assembly Bill 361 and Assembly Bill 2449 Brown Act Update

Pam Bender will provide a Brown Act Update pertaining to Assembly Bills 361 and 2449.

6.2 Small LEAs and Special Education Monitoring

Pam Bender will provide information regarding small LEA monitoring.

6.3 Transition to Special Education Information System (SEIS) IEP Platform

Pam Bender will provide an update on the transition to Special Education Information System (SEIS) IEP platform.

6.4 Learning Recovery Support and Dispute Prevention/Resolution Funding Update

Pam Bender will provide a Learning Recovery Support and Dispute Prevention/Resolution Funding update.

6.5 IEP Implementation and Monitoring of Tracking Service Minutes

Pam Bender will present information regarding IEP implementation and monitoring of service minute tracking.

6.6 Educationally Related Mental Health Services (ERMHS) Funding Information

Pam Bender will provide Educationally Related Mental Health Services (ERMHS) funding information.

6.7 Alternative Diploma Update

Pam Bender will present an update on alternative diplomas.

6.8 Low Incidence Ending Balance

Pam Bender will lead a discussion on options for the Low Incidence Fund ending balance.

6.9 2023-24 Set-Aside Fund

Pam Bender will lead a discussion on options for the 2023-24 Set-Aside Fund.

6.10 Professional Learning Summary

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

6.11 Resolution Support Services Summary

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

6.12 Compliance Updates

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

**7.0 INFORMATION ITEMS**

7.1 Upcoming Professional Learning Opportunities

**8.0 DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS COMMENTS / REPORTS**

**9.0 CEO COMMENTS**

**10.0 MATTERS BROUGHT BY CITIZENS**

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

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

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

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

**11.0 ADJOURNMENT**

The next regular meeting of the Desert/Mountain Charter SELPA Executive Council will be held on Thursday, March 23, 2023, at 10:00 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*

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*(760) 955-3555, at least seven days prior to the date of this meeting.*



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### **COUNCIL MEMBERS PRESENT:**

Allegiance STEAM Academy – Sebastian Cогnetta, Miguel Angel Espinoza, Ballington Academy – Doreen Mulz, Desert Trails Preparatory Academy (DTPA) & La Verne Elementary Preparatory Academy (LEPA) – Debbie Tarver, Elite Academic Academy – Meghan Freeman, Julia Lee Performing Arts Academy – Tanya Taylor, Leonardo da Vince Health Sciences – Courtney Cox, Odyssey Charter Schools – Lauren O’Neill, Pasadena Rosebud Academy – Shawn Brown, Pathways to College – Craig Merrill, Taylion High Desert Academy – Brenda Congo, and Virtual Prep Academy at Lucerne – Michelle Romaine.

### **CAHELP STAFF PRESENT:**

Jamie Adkins, Pam Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, Linda Llamas, Kathleen Peters, Adrienne Shepherd-Myles, and Jennifer Sutton.

### **1.0 CALL TO ORDER**

The regular meeting of the Desert/Mountain Charter SELPA Executive Council Meeting was called to order by Chairperson Pam Bender, at 10:14 a.m., at the Desert/Mountain Educational Service Center, Apple Valley, California.

### **2.0 ROLL CALL**

### **3.0 PUBLIC PARTICIPATION**

None.

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

4.1 **BE IT RESOLVED** that a motion was made by Courtney Cox, seconded by Debbie Tarver, to approve the October 20, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Agenda as presented. The motion carried on the following vote 12:0, Ayes: Brown, Cогnetta, Congo, Cox, Freeman, Merrill, Mulz, O’Neill, Rios, Romaine, Tarver, and Taylor, Nays: none, Abstentions: none.

### **5.0 INFORMATION/ACTION**

#### **5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements**

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

5.1.1 **BE IT RESOLVED** that a motion was made by Shawn Brown, seconded by Sebastian Cогnetta, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting

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Requirements as presented. The motion carried on the following vote 12:0, Ayes: Brown, Cогnetta, Congo, Cox, Freeman, Merrill, Mulz, O’Neill, Rios, Romaine, Tarver, and Taylor, Nays: none, Abstentions: none.

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

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

5.2.1 **BE IT RESOLVED** that a motion was made by Meghan Freeman, seconded by Shawn Brown, to approve Form D/M 114 Behavioral Emergency Report (BER) as presented. The motion carried on the following vote 12:0, Ayes: Brown, Cогnetta, Congo, Cox, Freeman, Merrill, Mulz, O’Neill, Rios, Romaine, Tarver, and Taylor, Nays: none, Abstentions: none.

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

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

5.3.1 **BE IT RESOLVED** that a motion was made by Shawn Brown, seconded by Meghan Freeman, to approve Form D/M 85 SBCSS Desert/Mountain Operations Referral as presented. The motion carried on the following vote 12:0, Ayes: Brown, Cогnetta, Congo, Cox, Freeman, Merrill, Mulz, O’Neill, Rios, Romaine, Tarver, and Taylor, Nays: none, Abstentions: none.

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

5.4.1 **BE IT RESOLVED** that a motion was made by Lauren O’Neill, seconded by Sebastian Cогnetta, to retire Form D/M 173 Referral to SBCSS Desert/Mountain Operations for

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Related Services Provider as presented. The motion carried on the following vote 12:0, Ayes: Brown, Coggnetta, Congo, Cox, Freeman, Merrill, Mulz, O’Neill, Rios, Romaine, Tarver, and Taylor, Nays: none, Abstentions: none.

### **6.0 CONSENT ITEM**

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

6.1 **BE IT RESOLVED** that a motion was made by Meghan Freeman, seconded by Debbie Tarver, to approve the following Consent Item as presented. The motion carried on the following vote 12:0, Ayes: Brown, Coggnetta, Congo, Cox, Freeman, Merrill, Mulz, O’Neill, Rios, Romaine, Tarver, and Taylor, Nays: none, Abstentions: none.

6.1.1 Approve the June 23, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Minutes.

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

#### 7.1 State SELPA Administrators Update

Pam Bender provided a legislative update as it pertains to special education. Both Senate Bill (SB) 1113 re: inclusive education and universal design for learning and SB 870 for developmental services were vetoed. Pam reported the following bills were chaptered: SB 291, Assembly Bill (AB) 1868, and SB 692. SB 1016 Special Education, eligibility of Fetal Alcohol Spectrum Disorder was also signed into law with being listed as Other Health Impairment (OHI). Pam pointed out that a student with a medical diagnosis of Fetal Alcohol Spectrum Disorder must still qualify for special education services.

#### 7.2 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 will review 25 student files. She continued that CDE has hosted a webinar regarding monitoring and has given the LEAs access to The Box platform. Pam said the Educational Benefit portion will consist of reviewing the last assessments and the IEPs since to report the students’ progress. Pam reported the reason for the monitoring is the federal government deciding California is to monitor small LEAs more closely to ensure student are making growth. The due date is January 30, 2023

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with any corrective actions being provided in the spring.

Lauren O'Neill suggested advocating for the federal government to fully fund the Individuals with Disabilities Education Act (IDEA) so LEAs can make the type of progress and improvement they would like to see. Lauren also said her LEA puts a lot of resources into students and services, with small caseloads for inclusion teachers. She is concerned the monitoring will be a heavy increase in paperwork that might require more administrative support so the teachers can continue to serve the students.

Pam responded that State SELPA Administrators have noted that as well. She said that Peggy Dunn and the program specialists are working diligently with staff at the LEAs selected for monitoring to assist them through the process.

### 7.3 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), implementing January 1, 2023. She stated all meetings must be held in-person but there are two provisions allowing a committee member to attend remotely: emergency circumstance or just cause. Emergency Circumstance is a physical or family medical emergency that prevents the committee member from attending in person and must be approved by the legislative body. The requirement also includes that quorum must be present in person with both audio and visual presence so a member of the public can see and hear all participants. Just Cause is defined as childcare or caregiving needs, contagious illness, physical or mental disability not otherwise accommodated, or travel while on official business of the legislative body or another state or local agency. Pam continued there are additional limits to the number of times a committee member can participate virtually with no more than three consecutive months or 20% of the meetings in a fiscal year.

Pam reported she will be getting legal response in order to have a better understanding and asked for the committee members to plan on being in person effective January 2023.

Meghan Freeman expressed her interest in the legal opinion because the current Brown Act, outside of the state of emergency provisions, allows for virtual meetings with certain stipulations including the addresses being on the agendas for public locations. Due to the locations of the member LEAs, there will be a large amount of time away from the school sites for administrators when the virtual platform allows more public participation and flexibility to the participants.

Pam agreed with Meghan noting that parents and the public are more likely to join a meeting with the virtual option instead of traveling to a site to participate.

Lauren O'Neill reported the governor passed a law that charter school parents must have access to virtual meetings at their child's school site. This created a need for a staff member to be at each site in case a parent attended. She continued that if there is advocacy around AB 2449, to let her know.

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Lauren shared she works with California Charter Schools Association (CCSA) in letting them know the impact of bills on charter schools.

### 7.4 2022-23 Desert/Mountain Charter SELPA Application for Membership

Pam Bender provided an update on the 2022-23 D/M Charter SELPA Application for Membership stating Allegiance STEAM Academy-Fontana was approved at the October 17, 2022 CAHELP Governance Council meeting.

Sebastian Cogna thanked the D/M Charter SELPA staff and the Executive Committee members that assisted and supported the addition. He said it is an honor to bring their second school on board to be part of this SELPA. Sebastian introduced Miguel Angel Espinoza as the principal for the new site.

### 7.5 Transition to Special Education Information System (SEIS)

Pam Bender provided an update on the transition to Special Education Information System (SEIS) from CAHELP JPA Governance Council. The proposed transition was brought to October 17, 2022 CAHELP Governance Council meeting. Pam said a big thing that stood out was the DocuSign contract that is \$800,000 for three years with one year left on the contract. She continued that there was a motion to approve SEIS and move forward but the cost and duration of the DocuSign contract caused the item to be tabled. Pam said that it was not talked about at Governance that CAHELP also uses DocuSign outside of Web IEP. She confirmed there is approximately \$200,000 due for next year's portion of the DocuSign contract due in April 2023. Pam reported it will be brought back to Governance Council at the next meeting that is scheduled for January 2023 which will cause a two-month delay in the timeline. The plan is to continue to move forward as soon as it is approved and begin training CAHELP JPA staff including program specialists then train appropriate staff at the LEAs.

Sebastian Cogna asked if it is possible to separate the implications of DocuSign and call a special meeting of the Governance Council to meet again before the January date in order to stay on the projected timeline and start migrating data to SEIS.

Pam responded that three Governance Council members have voiced their concerns and she is working with the Governance chairperson on that.

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

Marina Gallegos presented information about one-time Learning Recovery Support and Dispute Prevention/Resolution Funding. She said that not many claims have been submitted and funds must be encumbered by June 30, 2023 then spent by September 30, 2023. Marina continued that the funding is for prior years which is not typical practice, but it is meant to mitigate the impact of Covid-19. Marina acknowledged there is concern about how using the funding could impact Maintenance of Effort but with LEAs making local contributions, using general fund revenue for

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special education purpose, these funds can be used to offset that. Marina directed the council members to Heidi Chavez and Kathleen Peters for questions about activities.

Heidi Chavez confirmed demographics can be general statements when submitting for the funding reimbursement.

Marina added there must be a methodology for segregating and identifying the expenditures by specific resource. She said a fiscal report is also needed to support the claim.

### 7.7 Projected Mental Health Funding

Marina Gallegos provided information regarding projected mental health funding. She shared a rough estimated projection of what each LEA could receive. She stated that Pam Bender is working on an MOU with Governance Council on a possible Memorandum of Understanding (MOU) between DMCC and charter LEAs that are in the desert mountain area to serve those students and well as virtual students. Marina said the LEAs that are out of the area would possibly retain their funding at the LEA level.

Lauren O'Neill asked if there has been any talk of increases to mental health supports considering the toll the pandemic has taken on students' mental health. She cited the current amount of \$81 per ADA is significantly low.

Pam Bender responded there are grants and other funding outside of Educationally Related Mental Health Services (ERMHS). ERMHS funding has not changed as of the date of the meeting. She continued that mental health is a huge area of concern currently and there is a lot of discussion about making sure there are services available. Pam said she does not have information about accessing the grants but will collect data then email it to the council members.

### 7.8 Bridge to Added Authorizations

Pam Bender presented information regarding the bridge to added authorizations. The California Commission on Teacher Credentialing (CTC) is changing current credentials for special education: Mild Moderate Disability is now Mild Moderate Support Needs, Moderate Severe Disabilities is now Extensive Support Needs, Early Childhood Special Education continues to be Early Childhood Special Education, but they will be able to teach both transitional kindergarten and kindergarten. Pam shared State SELPA Administrators is working with CTC and CDE to create a bridge that will assist teachers in getting the authorizations. The teacher would still have to file the forms and pay any fees to CTC, but free professional development trainings will help meet the requirements instead of the teachers returning to a university program.

### 7.9 Alternative Diploma

Pam Bender provided information on the alternative diploma. Pam reported there is significant discussion at State SELPA Administrators meetings about what an alternative diploma will look

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like but at this time, it is a local decision with no additional guidance from CDE. As more information is provided at State SELPA Administrators meetings, it will be shared at the D/M Charter SELPA Steering and Finance Committee meetings.

### 7.10 Professional Learning Summary

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary. She reported the Directors' Training schedule for October 21, 2022 will be on Special Education Finance. Heidi said all are welcome to attend and highlighted it is a hybrid meeting that will start at 12:00 p.m.

### 7.11 Resolution Support Services Summary

Kathleen Peters presented the D/M Charter SELPA's Resolution Support Services Summary. Kathleen shared that she watched part of CDE's Small LEA Monitoring Educational Benefit webinar. She believes the monitoring process will help reduce complaints related to educational benefit. Kathleen shared *Taking the "A" Out of ADR* will be a virtual training on November 4, 2023, 9:00am-12:00pm. David Dowling will be the trainer. The skills learned will help not only with IEP meetings but with any difficult meetings.

### 7.12 Compliance Updates

Peggy Dunn reported there are no updates on compliance items from the California Department of Education (CDE) aside from the previous discussion on small LEA monitoring.

## **8.0 INFORMATION ITEMS**

### 8.1 Upcoming Professional Learning Opportunities

## **9.0 DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS COMMENTS / REPORTS**

## **10.0 CEO COMMENTS**

Pam Bender stated that due to the funding for current contracts with the Department of Behavioral Health, DMCC is required to complete monthly "exclusion" checks on three federal and one state database in order to verify that none of our employees, contractor, or Council members have been excluded from participation in Medicare, and all other Federal health care programs. These sites have listings of individuals that have been excluded or disqualified from health care programs or organizations awarded or receiving federal funds. Pam continued that previously, the clearance process only required the use of the first and last names, but it now requires the individual's full legal names, date of birth, and social security number in order to be compliant with the funding contracts. The information will only be provided to the quality compliance analyst and only used for the required exclusion checks. Pam stressed the information will not be shared.

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She said Jamie Adkins will email the form to the council members and asked for the completed document be returned to Jamie via encrypted email.

Pam Bender shared that November 1, 2022 will be her one year anniversary with CAHELP JPA. She expressed her appreciation of the wonderful staff and the support of the council members.

### **11.0 MATTERS BROUGHT BY CITIZENS**

None.

### **12.0 ADJOURNMENT**

Having no further business to discuss, a motion was made by Craig Merrill, seconded by Lauren O’Neill, to adjourn the meeting at 11:21 a.m. The motion carried on the following vote 12:0, Ayes: Brown, Cognetta, Congo, Cox, Freeman, Merrill, Mulz, O’Neill, Rios, Romaine, Tarver, and Taylor, Nays: none, Abstentions: none.

The next regular meeting of the Desert/Mountain Charter SELPA Executive Council will be held on Thursday, January 26, 2023, at 10:00 a.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

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# FISCAL REPORT

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PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

## Teleconference Location Flexibility Bill Signed



**BY KYLE HYLAND**

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posted September 16, 2022

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

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

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

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

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

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

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

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

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



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



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

### **Assembly Bill No. 2449**

#### CHAPTER 285

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

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

#### LEGISLATIVE COUNSEL'S DIGEST

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

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. The act authorizes a legislative body to take action on items of business not appearing on the posted agenda under specified conditions. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.

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

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

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

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

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

This bill would make legislative findings to that effect.

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

This bill would make legislative findings to that effect.

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

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

**SECTION 1.** Section 54953 of the Government Code, as amended by Section 3 of Chapter 165 of the Statutes of 2021, is amended to read:

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

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

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

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

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

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

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).

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

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

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

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

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

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

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

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

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

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

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

(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

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

(C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

(i) A two-way audiovisual platform.

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

(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.

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

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

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

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

website or online platform to participate.

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

(A) One of the following circumstances applies:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(6) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

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

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

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

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

**SEC. 2.** Section 54953 of the Government Code, as added by Section 4 of Chapter 165 of the Statutes of 2021, is amended to read:

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

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

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

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

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

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

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.



(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d).

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

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

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

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

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

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

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

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

(i) A two-way audiovisual platform.

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

(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.

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

(D) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further

action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

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

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

(A) One of the following circumstances applies:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

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

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

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

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

**SEC. 3.** Section 54953 is added to the Government Code, to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Platform independent and machine readable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Platform independent and machine readable.

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

redistribution of the agenda.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 3 of Article I of the California Constitution.

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

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

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

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

**SEC. 6.** The Legislature finds and declares that Sections 1 and 2 of this act, which amend Section 54953 of the Government Code, impose a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

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

**SEC. 7.** The Legislature finds and declares that Sections 1 and 2 of this act, which amend Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

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



## 6.2 Small LEAs and Special Education Monitoring

No materials, verbal report only

### 6.3 Transition to SEIS IEP Platform

No materials, verbal report only

Americans, Asian-Pacific Islanders, Latinos, and people who are lesbian, gay, bisexual, transgender, or questioning youth.

(B) Eligible activities for an Antibias Education Grant may include, but are not limited to, any of the following:

(i) Professional development on topics that address hate, bigotry, racism, or any form of bias or prejudice, including, but not limited to, classroom management techniques, self-regulation, and strategies designed to increase teachers' skills for managing pupils in academic and disciplinary settings.

(ii) Opportunities for teachers, administrators, pupils, other school staff, and members of the governing board or body of the local educational agency to review policies, practices, and procedures that can promote bias, such as referrals for discipline, special education, and course placement, and to update those policies, practices, and procedures to foster in pupils a sense of belonging and connection.

(iii) The development of a comprehensive diversity plan based on the identified needs of the local educational agency using its data and tied to specific outcomes, such as increasing staff diversity or more racially proportionate pupil discipline referrals.

(iv) Curriculum that is appropriate for pupils in kindergarten or any of grades 1 to 12, inclusive, on topics that address hate, bigotry, racism, or any form of bias or prejudice.

(v) Support of pupil-initiated efforts to combat hate, bigotry, racism, or any form of bias or prejudice.

(C) Professional development and curriculum under this paragraph shall use evidence-based strategies, and may include, but are not limited to, those made available on the State Department of Education's internet website.

(d) On or before September 1, 2022, the State Department of Education shall submit a report to the appropriate budget and policy committees of the Legislature regarding the awarding of Antibias Education Grant Program funds, including, but not limited to, the number of awards, the award recipients, the amount of each award, and how funds will be used.

(e) For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

**SEC. 158.** (a) The sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to administer the Dual Language Immersion Grant Program, which is hereby established, to expand access to quality dual language learning and foster languages that English learners bring to California's education system.

(b) (1) The State Department of Education shall award a minimum of 25 one-time Dual Language Immersion Grants over a period of three fiscal years of up to three hundred eighty thousand dollars (\$380,000) per grant to an eligible entity to expand or establish dual language immersion programs that provide integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

(2) The State Department of Education shall identify criteria for evaluation of applicants and awarding grants.

(3) When awarding a grant to an applicant proposing to establish a new dual language immersion program, the State Department of Education shall provide additional funding of up to twenty thousand dollars (\$20,000) over the amount of the grant award pursuant to paragraph (1).

(c) Applicants for a Dual Language Immersion Grant may include any of the following eligible entities that meet the criteria established pursuant to paragraph (2) of subdivision (b):

(1) A school.

(2) A school district.

(3) A county office of education.

(4) A charter school.

(5) Consortia composed of any of the entities described in paragraphs (1) to (4), inclusive.

(d) A Dual Language Immersion Grant shall be used for activities that directly support the development of dual language immersion programs, as described in paragraph (1) of subdivision (b), in elementary and secondary schools, including any of the following activities:

(1) Instructional materials and resources.

(2) Professional development for teachers and school administrators.

(3) Teacher recruitment.

(4) Development of instructional materials.

(5) Development of curriculum.

(6) Family and pupil outreach.

(e) On or before June 1, 2026, the State Department of Education shall submit a report to the appropriate budget and policy committees of the Legislature regarding outcomes resulting from the use of Dual Language Immersion Grant Program funds including, but not limited to, the number of awards, the award recipients, the amount of each award, and how funds were used.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

**SEC. 159.** (a) For the 2021–22 fiscal year, the Superintendent of Public Instruction shall add twenty-five million dollars (\$25,000,000) to the amount to be apportioned pursuant to Sections 2574 and 2575 of the Education Code to the Kern County Office of Education. These funds shall be made available for the Kern County Office of Education to contract with the Child Mind Institute for purposes of developing mental health and wellness instructional resources and trainings for caregivers, educators, and youth to address impacts of the COVID-19 pandemic on children's mental health and to promote mental wellness within families and school communities.

(b) (1) Of the amount specified in subdivision (a), ten million dollars (\$10,000,000) is for the production and development of a series of instructional training videos, print resources, and toolkits for caregivers, youth, and educators that cover youth mental health and wellness skill sets.

(2) Of the amount specified in subdivision (a), fifteen million (\$15,000,000) is for direct compensation to educators for their participation in the completion of the instructional training video series.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

**SEC. 160.** (a) The sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction on a one-time basis for allocation to special education local plan areas for the purpose of supporting member local educational agencies in conducting dispute prevention and voluntary alternative dispute resolution activities to prevent and resolve special education disputes resulting from school disruptions stemming from the COVID-19 public health emergency during the period of March 13, 2020, to September 1, 2021, inclusive, in a collaborative and equitable manner.

(b) The Superintendent of Public Instruction shall allocate the funds appropriated in subdivision (a) to special education local plan areas no later than August 31, 2021. The funds shall be appropriated in an equal amount per pupil using the following methodology:

(1) For each special education local plan area, determine the total number of pupils who are 3 to 22 years of age, inclusive, with exceptional needs enrolled in each member local educational agency using the greater of Fall 1 Census special education data for the 2019–20 or 2020–21 fiscal years.

(2) The sum of the totals determined pursuant to paragraph (1) is the total statewide number of pupils with exceptional needs for the applicable year.

(3) Calculate a per pupil amount by dividing the amount appropriated in subdivision (a) for purposes of this section by the total statewide number of pupils with exceptional needs calculated in paragraph (2).

(4) Calculate a grant for each special education local plan area by multiplying the per pupil amount calculated in paragraph (3) by the total number of pupils with exceptional needs for the member local educational agency determined in paragraph (1).

(c) As a condition of receiving these funds, the special education local plan areas shall do all of the following:

(1) On or before October 1, 2021, develop and submit a plan to the Superintendent of Public Instruction detailing how they will support their member local educational agencies in conducting dispute prevention and voluntary alternative dispute resolution activities, including detailed proposed expenditure information broken down by eligible activity, the number, disabilities, and demographics of pupils proposed to be served, and any other information required by the State Department of Education.

(2) Support member local educational agencies in activities required by subdivision (d).

(3) On or before September 13, 2021, each special education local plan area shall allocate 80 percent of the amount received pursuant to subdivision (b) proportionally to their member local educational agencies using the greater of the member's Fall 1 Census special education data for the 2019–20 or 2020–21 fiscal years.

(d) Funds allocated pursuant to paragraph (3) of subdivision (c) shall be used by the local educational agencies in collaboration with their special education local plan area to support all of the following:

(1) Early intervention to promote collaboration and positive relationships between families and schools and to prevent disputes through proactive communication, collaborative problem solving, and parent support activities, including, but not limited to, parent education regarding special education processes and rights under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), parent peer support, language access provided as a supplement to that required to be provided by local educational agencies pursuant to state and federal law, and collaboration with family empowerment centers and other family support organizations.

(2) Conduct voluntary alternative dispute resolution activities, including offering voluntary alternative dispute resolution for issues that are not resolved through the individualized education program process. If alternative dispute resolution is offered to parents by the local educational agency, the local educational agency shall ensure that the parents are provided notice of procedural safeguards established in state and federal law and are informed that alternative dispute resolution is a voluntary process, and make a good faith effort to ensure that any involvement of staff to a local educational agency or special education local plan area, family empowerment center, or other organization involved in alternative dispute resolution is acting as a neutral party in that process. Local educational agencies are encouraged to reach any agreements through voluntary alternative dispute resolution processes expeditiously and at no cost to a parent, with the goal of allowing learning recovery support to commence at the earliest possible date.

(3) As practicable, work in partnership with family empowerment centers or other family support organizations, including by providing support to those organizations to assist in the activities specified in this subdivision to prevent and resolve disputes in a pupil-centered, collaborative, and equitable manner.

(4) Develop and implement plans to identify, and conduct outreach to, families who face language barriers and other challenges to participation in the special education process, and whose pupils have experienced significant disruption to their education as a result of the COVID-19 pandemic.

(e) Local educational agencies that received support from their special education local plan area for alternative dispute resolution activities under this section shall submit a report to their special education local plan area by September 30, 2023, that includes all of the following information:

(1) The number of cases mediated through alternative dispute resolution services.

(2) The number of cases totally resolved by agreement.

(3) The number of cases refusing alternative dispute resolution services and requesting due process.

(4) A list of the issues that generated the request for dispute resolution services.

(5) The demographics of pupils served, including, but not limited to, the pupil's disability, family income, English learner classification, and the parent's primary language.

(6) A summary of outreach activities conducted pursuant to this section.

(7) A summary of activities conducted in partnership with family support organizations pursuant to this section.

(f) (1) On or before October 1, 2023, the special education local plan areas shall submit the information collected pursuant to subdivision (e) to the State Department of Education. On or before December 1, 2023, the State Department of Education shall summarize this information and submit a summary to the appropriate fiscal and policy committees of the Legislature and to the Department of Finance.

(2) A report required to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(g) This section does not do any of the following:

(1) Abridge any right granted to a parent under state or federal law, including, but not limited to, the procedural safeguards established pursuant to Section 1415 of Title 20 of the United States Code.

(2) Require that alternative dispute resolution be used to resolve a dispute.

(3) Imply that conflicts should not be resolved in the individualized education program process.

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

(1) "Local educational agency" means a school district, county office of education, or charter school.

(2) "Pupil" means an individual with exceptional needs, as defined in Section 56026 of the Education Code, during the COVID-19 school disruptions from March 13, 2020, to September 1, 2021, inclusive, or an individual who was referred for assessment pursuant to Section 56029 of the Education Code whose assessment was delayed due to the COVID-19 school disruptions from March 13, 2020, to September 1, 2021, inclusive.

(i) Funds allocated pursuant to this section shall be available for encumbrance until June 30, 2023. Upon the expiration of its period of availability, the unencumbered balance of any apportionment made under this section shall be returned to the State Department of Education to return to the state.

(j) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

**SEC. 161.** (a) The sum of four hundred fifty million dollars (\$450,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction on a one-time basis for allocation to special education local plan areas and shall be expended by special education local plan areas and their member local educational agencies for purposes of providing learning recovery support to pupils, as defined in this section, associated with impacts to learning due to school disruptions stemming from the COVID-19 public health emergency during the period of March 13, 2020, to September 1, 2021, inclusive.

(b) The Superintendent of Public Instruction shall allocate the funds appropriated in subdivision (a) to special education local plan areas no later than August 31, 2021. The funds shall be appropriated in an equal amount per pupil using the following methodology:

(1) For each special education local plan area, determine the total number of pupils who are 3 to 22 years of age, inclusive, with exceptional needs enrolled in each member local educational agency using the greater of Fall 1 Census special education data for the 2019–20 or 2020–21 fiscal years.

(2) The sum of the totals determined pursuant to paragraph (1) is the total statewide number of pupils with exceptional needs for the applicable year.

(3) Calculate a per pupil amount by dividing the amount appropriated in subdivision (a) for purposes of this section by the total statewide number of pupils with exceptional needs calculated in paragraph (2).

(4) Calculate a grant for each special education local plan area by multiplying the per pupil amount calculated in paragraph (3) by the total number of pupils with exceptional needs for the member local educational agency determined in paragraph (1).

(c) As a condition of receiving funding under this section, the special education local plan areas shall, on or before October 1, 2021, work with its member local educational agencies to develop and submit a plan to the Superintendent of Public Instruction detailing how the special education local plan area and its member local educational agencies will implement the requirements of this section, including detailed proposed expenditure information broken down by eligible activity, the number, disabilities, and demographics of pupils proposed to be served, evidence of matching funds as required by this section, and any other information required by the State Department of Education.

(d) Funds allocated pursuant subdivision (b) shall be used by the local educational agencies in collaboration with their special education local plan area to provide learning recovery support for pupils with disabilities related to impacts to learning resulting from COVID-19 school disruptions during the period of March 13, 2020, to September 1, 2021, inclusive.

(e) In expending funds appropriated pursuant to this section, local educational agencies and special education local plan areas shall do all of the following:

(1) Ensure that learning recovery support provided with these funds are related to COVID-19 school disruptions during the period of March 13, 2020, to September 1, 2021, inclusive.

(2) Match funding received under this section on a one-to-one basis by other funds spent for these purposes.

(3) Not use funds received under this section to supplant existing expenditures or obligations of the local educational agency.

(4) Not use funds received under this section for, or use these funds to match expenditures for, attorney's fees.

(f) As a condition of receiving funding under this section, special education local plan areas shall submit a report to the State Department of Education on or before September 30, 2023, that describes how funding received under this section was spent and that includes a summary of learning recovery services provided pursuant to this section. The summary shall include the demographics of pupils served through the provided learning recovery and supports, including, but not limited to, the pupil's disability, family income, English learner classification, and the parent's primary language.

(g) (1) On or before December 1, 2023, the State Department of Education shall summarize this information and submit the summary to the appropriate fiscal and policy committees of the Legislature and to the Department of Finance.

(2) A report required to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(h) Funds allocated pursuant to this section shall be available for encumbrance until June 30, 2023. Upon the expiration of its period of availability, the unencumbered balance of any apportionment made under this section shall be returned to the State Department of Education to return to the state.

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

(1) "Local educational agency" means a school district, county office of education, or charter school.

(2) "Pupil" means an individual with exceptional needs, as defined in Section 56026 of the Education Code, during the COVID-19 school disruptions from March 13, 2020, to September 1, 2021, inclusive, or an individual who was referred for assessment pursuant to Section 56029 of the Education Code whose assessment was delayed due to the COVID-19 school disruptions from March 13, 2020, to September 1, 2021, inclusive.

(j) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

**SEC. 162.** (a) The sum of fifteen million dollars (\$15,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to the Riverside County Office of Education and the El Dorado County Office of Education in equal amounts in support of the Supporting Inclusive Practices project, for purposes of increasing opportunities for pupils with disabilities to meaningfully participate in the least restrictive environment, as appropriate, and improving local educational agencies' outcomes on performance indicators as mandated by the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and the

Desert Mountain Charter SELPA  
 Learning Recovery Support (Resource 6537) Claim Summary  
 January 11, 2023

Total Apportionment	413,801
Desert/Mountain Charter SELPA Allocation (20%)	82,760
Charter Allocation	331,041

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

LEA	Allocation by LEA	Amount Claimed	Balance
Allegiance STEAM Academy	43,834	-	43,834.00
Aveson Global Leadership Academy	31,049	-	31,049.00
Aveson School of Leaders	21,004	-	21,004.00
Ballington Academy	11,415	-	11,415.00
Desert Trails Preparatory Academy	17,351	-	17,351.00
Elite Academic Academy Lucerne	25,570	25,570.00	-
Encore High School	52,055	-	52,055.00
Julia Lee Performing Arts Academy	20,091	-	20,091.00
Laverne Elementary Preparatory Academy	10,045	-	10,045.00
Leonardo da Vinci	15,525	-	15,525.00
Odyssey Charter School	25,113	12,882.59	12,230.41
Odyssey Charter School South	12,328	7,100.70	5,227.30
Pasadena Rosebud Academy	5,936	-	5,936.00
Pathways to College	22,374	-	22,374.00
Taylion High Desert Academy	15,068	-	15,068.00
Virtual Prep Lucerne	2,283	-	2,283.00
DM Charter SELPA	82,760	27,421.62	55,338.38
<b>Total</b>	<b>413,801</b>	<b>72,974.91</b>	<b>340,826.09</b>



(Revised September 2021)

## Learning Recovery Plan

**Fiscal Year 2021–22**

Due Date: **October 1, 2021**

As a condition of receiving funding, the special education local plan area shall, on or before October 1, 2021, work with its member local educational agencies to develop and submit a plan to the Superintendent of Public Instruction.

The requirement states the plan must include:

- how the special education local plan area and its member local educational agencies will implement the requirements;
- detailed proposed expenditure information broken down by eligible activity;
- the number, disabilities, and demographics of pupils proposed to be served.

If the SELPA has LEAs that are using their allocations in different ways due to the unique needs of the LEA, the SELPA submits a separate plan for LEAs that addresses their intent to use funds under one SELPA submission.

### SELPA Information

SELPA Name:

SELPA Code:

### Plan Description

Applicable LEAs for this Plan

Impacted Areas	Learning Recovery Services for Pupils with Disabilities Related to Impacts of Learning Resulting from COVID-19 School Disruptions (Including Objectives and Metrics that will be used to measure success)	Students Served by Proposed Plan
<p><b>Additional Support and Services Needed to Address Identified Learning Needs</b></p>	<p>Transportation services before school, after school, and summer camps outside of ESY to get students to campuses for additional supports and services. <span style="float: right;">+</span></p>	<p>TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard <span style="float: right;">+</span></p>
<p><b>Positive Behavior Supports</b></p>	<p>ABA or Psych led social skills groups offered before school, after school, Saturdays, or summer camps outside of ESY designated time <span style="float: right;">+</span></p>	<p>TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard <span style="float: right;">+</span></p>

Impacted Areas	Learning Recovery Services for Pupils with Disabilities Related to Impacts of Learning Resulting from COVID-19 School Disruptions (Including Objectives and Metrics that will be used to measure success)	Students Served by Proposed Plan
<b>Assessing Learning and Academic Needs of Students</b>	Hiring additional staff: TOSA(s), academic coach(es), interns, lead teachers, tutoring agencies, or other positions. Purchase iReady program or other programs for Math & ELA to target gaps in <b>+</b>	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories <b>+</b>
<b>Social Emotional Needs</b>	Hiring additional staff: school counselors, social workers, mental health clinicians - services, school psychologists, or other positions Tiered supports through MTSS framework <b>+</b>	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
<b>High Quality and Instruction</b>	UDL Training, Implementation, & Coaching Training on Evidence Based Practices Expand training for early education teachers and paraeducators Orton Gillingham (ELA) and Singapore Math <b>+</b>	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
<b>Supporting Students Return to In-Person Instruction</b>	Family events at the district or site level - nights and weekends Parent training through parent support centers Hiring Community Outreach Liaison <b>+</b>	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories <b>+</b>
<b>Child Find</b>	Parent training/education Hiring a Community Outreach Liaison Response to Intervention (RtI) Programs developed and implemented Multi-tiered Systems of Support (MTSS) <b>+</b>	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of <b>+</b>
<b>Assessing Students who are Waiting of Initial IEPs</b>	Hiring additional qualified staff or contracting qualified personnel to provide psycho-education assessments and observations. Paying staff additional hours or contracted days outside their contract to hold IEPs, <b>+</b>	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of <b>+</b>
<b>Complete Overdue IEPs</b>	Hiring additional qualified staff or contracting qualified personnel to provide psycho-education assessments and observations. Paying staff additional hours or contracted days outside their contract to hold IEPs, <b>+</b>	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of <b>+</b>
<b>Other Impacted Areas (Identify the impacted Area and the plan for using the funds)</b>	Secondary Transition and graduation planning for students with disabilities age 15 to 22. Work-Based Learning(WBL) Placements Establish additional workability partners for <b>+</b>	Students with disabilities ages 15 - 22 transitioning from high school to adulthood to provide supports and services through their transition and meeting the <b>+</b>

## Implementation Timeline of Proposed Plan or Activities

Please describe your plan for implementation, including a timeline and milestones

It may take several years for full recovery of learning losses due to extended, repeated school closures, and traumatic events faced by students. The timeline will begin in September 2021 and will continue through September 2023. LEAs will address the following four (4) domains as we move through and address learning recovery. These domains may intertwine at times based on the need of each student. Domain 1: Leadership for rapid improvement; Prioritize improvement, Monitor goals, Customize supports. Domain 2: Talent management; Recruit, retain, and sustain talent, Target professional learning opportunities, Set performance expectations. Domain 3: Instructional Transformation; Diagnose student needs, Provide rigorous instruction, Remove barriers and provide supports. Domain 4: Culture and Climate

## Proposed Expenditures

Object Codes	Learning Recovery Funds (Expenditures)	Itemized Description and Justification
1. 1000–Certificated Salaries	\$150,000.00	Salary for certificated staff providing services directly related to LEA dispute prevention and resolution plans.
2. 2000–Classified Salaries	\$65,000.00	Salary for clerical staff providing support to staff carrying out dispute prevention and resolution plans.
3. 3000–Employee Benefits	\$89,127.00	Benefits for certificated and support staff.
4. 4000–Materials and Supplies (cannot exceed 10%)	\$30,000.00	Office supplies and materials for trainings, staff meetings, and parent engagement activities.
5. 5000–Services and other operating costs	\$49,555.00	Consultants, LEA participant stipends, and other services related to community outreach and the promotion of parent engagement.
<b>6. Total Direct Costs (Total of 1 through 5)</b>	<b>\$383,682.00</b>	
7. 6000–Capital Outlay (cannot exceed 10% of allocation or \$10,000 per purchase)	\$0.00	
8. 7300–Indirect Costs CDE approved rate: 0.0785 (Enter 7.5% as 0.075)	\$30,119.00	CDE approved 2021/22 indirect cost rate for San Bernardino County Superintendent of Schools.
<b>9. Total Grant Budget (Total 6 through 8)</b>	<b>\$413,801.00</b>	

## Assurance of Matching Funds

I am providing assurances that this plan will meet the grant cash match requirement required by Learning Recovery Plan Grant. To meet the cash match requirement, the SELPA will create a SELPA-level grant match. For multi-district SELPA's, the SELPA will collect/receive and review the grant match expenditure report for each member LEA.

These expenditure reports will be on file at the SELPA and will be made available upon CDE request. The grant match expenditure report will require the following items:

- Amount of grant allocation
- Amount of cash match
- List of expenditures for the amount (i.e. Purchase Order, Invoice, Payment Voucher, Journal Entry, Labor Report, etc.)
- Attestation or declaration that the amount qualified as a match for the purposes of the grant
- Agreement that the expenditures are subject to review

SELPA Name

**Desert Mountain Charter SELPA**

SELPA Director Name

Jenae Holtz

Date

09/28/2021

Desert Mountain Charter SELPA  
 Dispute Prevention Dispute Resolution (Resource 6536) Claim Summary  
 January 11, 2023

Total Apportionment	91,956
Desert/Mountain Charter SELPA Allocation (20%)	18,391
Charter Allocation	73,565

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

LEA	Allocation by LEA	Amount Claimed	Balance
Allegiance STEAM Academy	9,741	-	9,741.00
Aveson Global Leadership Academy	6,900	-	6,900.00
Aveson School of Leaders	4,668	-	4,668.00
Ballington Academy	2,537	-	2,537.00
Desert Trails Preparatory Academy	3,856	-	3,856.00
Elite Academic Academy Lucerne	5,682	5,682.00	-
Encore High School	11,567	-	11,567.00
Julia Lee Performing Arts Academy	4,465	-	4,465.00
Laverne Elementary Preparatory Academy	2,232	-	2,232.00
Leonardo da Vinci	3,450	-	3,450.00
Odyssey Charter School	5,581	-	5,581.00
Odyssey Charter School South	2,740	-	2,740.00
Pasadena Rosebud Academy	1,319	-	1,319.00
Pathways to College	4,972	-	4,972.00
Taylion High Desert Academy	3,348	-	3,348.00
Virtual Prep Lucerne	507	-	507.00
DM Charter SELPA	18,391	1,105.32	17,285.68
	91,956	6,787.32	85,168.68

(Revised September 2021)

## Alternative Dispute Resolution Allocation Plan Fiscal Year 2021–22

Due Date: **October 1, 2021**

As a condition of receiving these funds, the special education local plan areas shall, on or before October 1, 2021, develop and submit a plan to the Superintendent of Public Instruction detailing how they will support their member local educational agencies in conducting dispute prevention and voluntary alternative dispute resolution activities, including:

- detailed proposed expenditure information broken down by eligible activity;
- the number, disabilities;
- and demographics of pupils proposed to be served.

### SELPA Information

SELPA Name: **Desert/Mountain Charter SELPA**

SELPA Code: **3651**

### Plan Description

Impacted Areas	Plans by the SELPA and LEA to Conduct Dispute Prevention and Voluntary Alternative Dispute Resolution to Prevent and Resolve Special Education Disputes	Students Served by Proposed Plan
<p><b>Early intervention to promote collaboration and positive relationships between families and schools and to prevent disputes through proactive communication, collaborative problem solving, and parent support activities.</b></p>	<p>Integrate outreach activities with existing parent advisory/action groups: SSC, ELAC, DLAC, PTA, CAC, parent resource centers, community liaisons, other. Provide training in cultural diversity, empathy, how to diffuse conflict, and promote "the best interest of the child."</p>	<p>TK-12 students with learning disabilities, English learners at risk of not graduating or reclassifying, students identifying as African American, students with Autism, students on the CDE Dashboard.</p>
<p><b>Parent education regarding special education processes and rights under the federal Individuals with Disabilities Education Act</b></p>	<p>Develop parent education modules: RTI, sped continuum, home supports, parent IEP role, advocacy, dispute resolution, transition, mental health, trauma other.</p>	<p>TK-12 students with learning disabilities, Autism, English learners at risk of not graduating or reclassifying, Af Am. students, students on CDE Dashboard.</p>
<p><b>Parent peer support</b></p>	<p>Identify parents to support other parents; provide resources, trainings and make connections to parent groups.</p>	<p>TK-12 students with learning disabilities and students subject to "Child-find" regulations.</p>

<b>Impacted Areas</b>	<b>Plans by the SELPA and LEA to Conduct Dispute Prevention and Voluntary Alternative Dispute Resolution to Prevent and Resolve Special Education Disputes</b>	<b>Students Served by Proposed Plan</b>
<b>Language access provided as a supplement pursuant to state and federal law</b>	Increase translation staff, translate all information docs to align with the LEA-ELL population, purchase translation equipment, provide training, plan for literacy needs.	All English language learners identified with disabilities, who are at risk of not reclassifying or not graduating.
<b>Collaboration with family empowerment centers and other family support organizations.</b>	Connect liaisons to CAC, P&I, Celebrate Families; parent education and experiential learning; work with IRC, Rockin' Our Disabilities, CAPTAIN, Moses Ministry, other.	Students with Autism and other disabilities, those subject to "Child-find", identified in dispro data, ELL, African Am. students and with chronic absenteeism.
<b>Conduct voluntary alternative dispute resolution activities, including offering voluntary alternative dispute resolution for issues that are not resolved through the individualized education program process.</b>	Promote SELPA and LEA ADR services, support resolution skills with training and coaching, develop internal systems of ADR procedures, increase staff for ADR services, train stake holders in IDEA, provide educational materials.	Students with disabilities, students with Autism, and those subject to "Child-find". Students identified in dispro data, students with Autism, ELL students, and students identifying as African American.
<b>Partnership with family empowerment centers or other family support organizations, including by providing support to those organizations to assist in the activities specified in this subdivision to prevent and resolve disputes in a pupil-centered, collaborative, and equitable manner.</b>	Create outreach teams, develop local parent centers and hire staff; build relationships and partner with local parent support groups: IRC, IEHP, Autism Society, CAPTAIN, Moses Ministries and other regional parent resource groups. Provide training: IDEA rights, collaboration, building positive relationships. Provide child-care and vary the time of activities.	Students with disabilities including Autism and those subject to "Child-find". Students identified in dispro. data, ELL students, students identifying as African American and LGBTQ.
<b>Identify, and conduct outreach to, families who face language barriers and other challenges to participation in the special education process, and whose pupils have experienced significant disruption to their education as a result of the COVID-19 pandemic</b>	Campaign through multiple communication channels: social-media, video recordings, print, other. Provide transportation, incentives, food and other for activities to draw in parents. Create welcoming schools with empathy where parents are heard; staff is accessible.	Students with disabilities, with Autism, and those subject to "Child-find". Students identified in dispro. data, with Autism, ELL students, students identifying as African American, students, students with mental health needs and chronic absenteeism.
<b>Other impacted areas (Identify the impacted area and the plan for using the funds)</b>	Missing or late IEPs, assessments, supports services: provide additional staff, interns, coaches, lead teachers, subs, NPA staff, tutoring agencies, additional hours, other.	Students with outdated IEPs and assessments; students with need of make-up services, students not making progress towards goals.



## Proposed Expenditures

Object Codes	ADR Allocation Funds (Expenditures)	Itemized Description and Justification
1. 1000–Certified Salaries	\$35,000.00	Salary for certificated staff providing services directly related to LEA dispute prevention and resolution plans.
2. 2000–Classified Salaries	\$4,500.00	Salary for clerical staff providing support to staff carrying out dispute prevention and resolution plans.
3. 3000–Employee Benefits	\$14,857.00	Benefits for certificated and support staff.
4. 4000–Materials and Supplies (cannot exceed 10%)	\$10,000.00	Office supplies and materials for trainings, staff meetings, and parent engagement activities.
5. 5000–Services and other operating costs	\$20,906.00	Consultants, LEA participant stipends, and other services related to community outreach and the promotion of parent engagement.
<b>6. Total Direct Costs (Total of 1 through 5)</b>	<b>\$85,263.00</b>	
7. 6000–Capital Outlay (cannot exceed 10% of allocation or \$10,000 per purchase)	\$0.00	
8. 7300–Indirect Costs CDE approved rate: 0.0785 (Enter 7.5% as 0.075)	\$6,693.00	CDE approved 2021/22 indirect cost rate for San Bernardino County Superintendent of Schools.
<b>9. Total Grant Budget (Total 6 through 8)</b>	<b>\$91,956.00</b>	



# IEP IMPLEMENTATION & MONITORING

## 4 STEPS TO MAKE IT

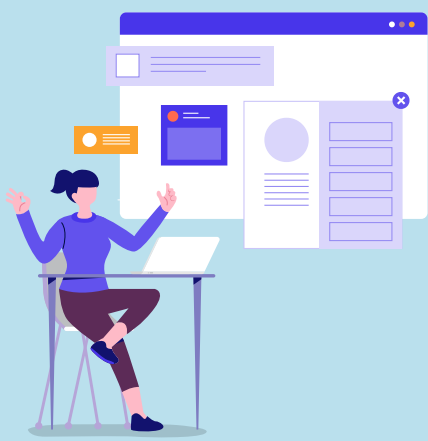


### 1) WHY

- CDE was found out of compliance with federal law ( Emma C) because it did not adequately collect data regarding the implementation of student with disabilities (SWD) individual education programs (IEPs)
- CDE was ordered to develop an annual data collection that speaks directly to LEAs' performance in providing all of the services promised to SWD in their annual IEPs

### 2) ANNUAL PROCESS

- CDE will identify a random/sample of students ( 5% SWD with a max of 500) over a 60 day period of time for the LEA and SELPA to review IEP service minutes
- LEA will compile all IEP service minutes and calculate total service minutes provided for each student identified
- Superintendent and SELPA will sign and certify report
- Data will be used to identify LEAs in need of monitoring and support in subsequent monitoring years
  - 100-95% of Services Received
  - 94.9-90% of Services Received
  - Less than 90% of Services Received

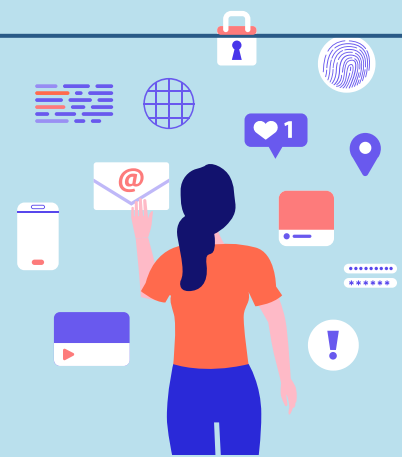


### 3) CASE MANAGEMENT- IEP SERVICE MINUTES

- IEP service minutes are documented in a number of ways:
  - Service Logs
  - Attendance ( Self-Contained classrooms)
  - Sign in Sheets
  - Documentation/notes on progress
  - Medi-Cal Billing systems
- Each LEA will need to meet with service providers/teachers/case managers to ensure that service logs are being completed.
- SIRAS now can calculate the percent of services received to match the three brackets outlined by CDE when service logs are used.

### 4) TECHNICAL ASSISTANCE

- SELPA created a small workgroup to review best practices, challenges and considerations for IEP implementation.
- At each Ops Cab and PPD meeting updates are provided.



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

A	B	C	D	E	F	G	H
LEA	2021-22 P-2 Certified ADA	Projected State & Federal Mental Health Funding	Projected DMCC Client Count	Projected Service Count	Projected Clinician Need FTE (Col D / 32 clients per caseload)	* Projected Salary and Benefit Cost for Clinical Staff (Col F x Proj Cost) \$ 146,057	** Residential Placements
County Operated Programs	67.55	5,762	2	22	1	146,057	-
Academy for Academic Excellence	1,321.07	112,689	28	1,030	1	146,057	-
Norton Science and Language Academy	965.35	82,346	9	342	1	146,057	-
Adelanto Elementary	6,792.50	579,411	376	9,240	12	1,752,684	-
Apple Valley Unified	11,436.12	975,520	743	18,692	24	3,505,368	-
Baker Valley Unified	122.40	10,441	11	342	1	146,057	-
Barstow Unified	5,187.07	442,466	270	10,218	9	1,314,513	2
Bear Valley Unified	1,940.66	165,541	119	2,492	4	584,228	-
Excelsior Education Center	2,012.49	171,669	60	1,730	2	292,114	1
Excelsior Charter School Corona-Norco	115.38	9,842	-	-	-	-	-
Health Sciences High and Middle College	537.91	45,885	23	336	1	146,057	-
Helendale Elementary	1,083.52	92,426	32	794	1	146,057	-
Hesperia Unified	19,814.32	1,690,194	775	18,672	25	3,651,425	1
Lucerne Valley Unified	875.48	74,680	42	1,138	2	292,114	-
Needles Unified	904.83	77,183	36	798	2	292,114	-
Oro Grande Elementary	5,121.46	436,869	27	716	1	146,057	-
Silver Valley Unified	1,781.62	151,975	55	758	2	292,114	3
Snowline Joint Unified	7,057.81	602,043	270	6,264	9	1,314,513	-
Trona Joint Unified	209.83	17,899	22	334	1	146,057	-
Victor Elementary	11,229.75	957,916	881	18,682	28	4,089,596	-
Victor Valley Union High	10,965.12	935,344	425	10,440	14	2,044,798	-
Total	89,542.24	7,638,100	4,206	103,040	141	20,594,037	7

\* Projection based on average of BHC I and Intervention Specialist cost (Step C)

\*\* Mental health funds used to support residential and mental health costs for students served in a residential facility, psychologist, intervention specialist, and contract with Care Solace.

Residential cost range = \$109K-\$128K - mental health cost range = \$30K-\$82K. Total cost range \$139K-\$210K.

Excelsior student receives wraparound mental health only.

Desert Mountain Children's Center  
 Department of Behavioral Health Contract Funding

Program	Funding Source	Funding by Mode of Service			Total
		15	45	60	
SATS	MEDI-CAL (FFP)	5,307,143	0	0	5,307,143
	EPSDT	3,824,328	0	0	3,824,328
	1991 REALIGNMENT COUNTY MATCH	363,220	0	0	363,220
	* DMCC MATCH	1,119,595	0	0	1,119,595
	TOTAL	10,614,286	0	0	10,614,286
SAP	MEDI-CAL (FFP)	613,096	0	0	613,096
	EPSDT (2011 REALIGNMENT)	0	0	0	0
	MHSA MATCH	358,697		0	358,697
	MHSA	128,350	251,915	0	380,265
	MHSSA Grant	288,000	96,001	0	384,001
	TOTAL	1,388,143	347,916	0	1,736,059
SART	MEDI-CAL (FFP)	3,118,048	0	0	3,118,048
	SHIFT TO EIIS	0	0	0	0
	EPSDT (2011 REALIGNMENT)	2,246,865	0	0	2,246,865
	* DMCC MATCH	469,793	0	0	469,793
	PEI MATCH	166,783	0	0	166,783
	PEI (NON-MEDI-CAL)	20,440	48,888	75,695	145,023
	FIRST 5 MEDI-CAL MATCH	234,614	0	0	234,614
	FIRST 5 (NON-MEDICAL)	139,877	334,546	517,989	992,412
	TOTAL	6,396,420	383,434	593,684	7,373,538
EIIS	MEDI-CAL (FFP)	829,283	0	0	829,283
	SHIFT FROM SART	0	0	0	0
	EPSDT (2011 REALIGNMENT)	597,582	0	0	597,582
	PEI MATCH	110,501	0	0	110,501
	* DMCC MATCH	82,376	0	0	82,376
	FIRST 5 MEDI-CAL MATCH	38,825	0	0	38,825
	FIRST 5 (NON-MEDICAL)	156,454	0	101,479	257,933
	TOTAL	1,815,021	0	101,479	1,916,500
	Grand Total	20,213,870			21,640,383

\* DMCC Match Required to Leverage Funding 1,671,764  
 Total contracts amount prior to match 9,065,168

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

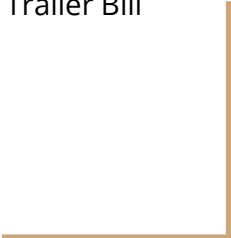
A	B	C	D	E	F	G	H	I	J
LEA	2021-22 P-2 Certified ADA	State & Federal Mental Health Funding	Projected FFS-MHS	Total Revenues	Client Count	LEA % Client Count	Service Count	* Projected DMCC/SELPA Cost Allocated by LEA (COL I x COL G) \$ 31,760,078	Allocated Costs Col I less State and Federal Revenue Col E
County Operated Programs	67.55	5,762	-	5,762	2	0.05%	22	15,102	9,340
Academy for Academic Excellence	1,321.07	112,689	-	112,689	28	0.67%	1,030	211,432	98,743
Norton Science and Language Academy	965.35	82,346	-	82,346	9	0.21%	342	67,960	(14,386)
Adelanto Elementary	6,792.50	579,411	482,707	1,062,118	376	8.94%	9,240	2,839,227	1,777,109
Apple Valley Unified	11,436.12	975,520	1,520,033	2,495,553	743	17.67%	18,692	5,610,494	3,114,941
Baker Valley Unified	122.40	10,441	-	10,441	11	0.26%	342	83,062	72,621
Barstow Unified	5,187.07	442,466	582,239	1,024,705	270	6.42%	10,218	2,038,807	1,014,102
Bear Valley Unified	1,940.66	165,541	-	165,541	119	2.83%	2,492	898,585	733,044
Excelsior Education Center	2,012.49	171,669	-	171,669	60	1.43%	1,730	453,068	281,399
Excelsior Charter School Corona-Norco	115.38	9,842	-	9,842	-	0.00%	-	-	(9,842)
Health Sciences High and Middle College	537.91	45,885	-	45,885	23	0.55%	336	173,676	127,791
Helendale Elementary	1,083.52	92,426	-	92,426	32	0.76%	794	241,636	149,210
Hesperia Unified	19,814.32	1,690,194	1,497,596	3,187,790	775	18.43%	18,672	5,852,130	2,664,340
Lucerne Valley Unified	875.48	74,680	-	74,680	42	1.00%	1,138	317,148	242,468
Needles Unified	904.83	77,183	-	77,183	36	0.86%	798	271,841	194,658
Oro Grande Elementary	5,121.46	436,869	6,900	443,769	27	0.64%	716	203,881	(239,888)
Silver Valley Unified	1,781.62	151,975	-	151,975	55	1.31%	758	415,312	263,337
Snowline Joint Unified	7,057.81	602,043	598,921	1,200,964	270	6.42%	6,264	2,038,807	837,843
Trona Joint Unified	209.83	17,899	-	17,899	22	0.52%	334	166,125	148,226
Victor Elementary	11,229.75	957,916	545,988	1,503,904	881	20.95%	18,682	6,652,551	5,148,647
Victor Valley Union High	10,965.12	935,343	1,571,810	2,507,153	425	10.10%	10,440	3,209,233	702,080
Total	89,542.24	7,638,100	6,806,194	14,444,294	4,206	100.00%	103,040	31,760,078	17,315,784

\* SELPA includes Hale, Lewis, and projected residential/mental health @ \$1.25M



# Alternative Diploma

2022 California Education Budget Trailer Bill  
(AB 181)



# New Diploma of Graduation from High School

As part of the **2022 California Education Budget Trailer Bill (AB 181)** and effective June 30, 2022, Section 51225.31 was added to the Education Code which established a new high school diploma pathway exclusively for students with significant cognitive disabilities in alignment with the federal Every Student Succeeds Act (“ESSA”).



Qualifying students who currently do not have a pathway to a diploma and who take the California Alternate Assessments (“CAA”), may obtain a diploma (*Alternate*) of graduation from high school if they meet the state’s minimum coursework requirements (based on the alternate achievement standards).



This new Section 51225.31 diploma is not the same as a regular high school diploma. As such, its award does not change an LEA's obligation to provide a FAPE to eligible students and does not constitute a change in placement like the award of a regular high school diploma would. Students awarded a Section 51225.31 diploma must be permitted to participate in graduation ceremonies and activities with similar age peers but such participation does not end their right to a FAPE.

- *Students receiving this alternate diploma may continue their education with the district until they age out at 22 years old.*



# New IEP Procedural Requirements



- In order to ensure compliance with this new law, **before a student commences grade 10**, the student's IEP team must determine and notify the student's parent or guardian whether the student may be eligible to graduate with a high school diploma under Section 51225.31. In order to be eligible for a Section 51225.31 diploma, the student's IEP must accordingly provide that:
  - a) The pupil is required to take the **CAA in grade 11**; and
  - b) The pupil is required to **complete state standards-aligned coursework** meeting the California statewide minimum coursework requirements (modified to alternative achievement standards) specified in Section 51225.3.

# Which Students Does this Apply To?

it is important to remember that this new diploma pathway will only apply to a narrow sub-group of students with significant cognitive disabilities who take the CAA, and who have taken or plan to take the statewide coursework minimum requirements for graduation (modified to alternative achievement standards).



# Example Situations

According to CDE's Alternate Assessment IEP Team Guidance, an IEP team's determination that a student has a specific learning disability will rule out the student for consideration as being identified as cognitively impaired for purposes of the CAA. Accordingly, such student would not be eligible for a Section 51225.31 diploma.

We recommend that IEP teams carefully review [CDE's Alternate Assessment IEP Team Guidance](#) to assist in appropriately identifying students for alternate assessments, a preliminary requirement to a Section 51225.31 diploma.

# Additional considerations

District's must adhere to the ESSA's 1% cap for students taking the CAA, as those exceeding this threshold may be subject to enhanced monitoring, and recognition that even if a student does take the CAA, if they take a functional curriculum rather than courses meeting statewide minimum requirements, they will not qualify for a Section 51225.31 diploma

***\*Students must be enrolled in the courses meeting statewide minimum requirements (ex. Extended Algebra)***

# When Does This Go Into Effect

Students who will commence grades 10, 11 or 12 in the 2022-2023 school year, who took or will take the CAA in 11th grade, could be eligible for a Section 51225.31 diploma if their IEP meets the two requirements.

Depending on currently graduation requirements, LEAs need to:

1. Identify students in 10th and 11th grade who are or may be eligible to take the CAA in 11th grade (or students in 12th grade who took the CAA in 11th grade); and
2. Convene IEP meetings for these students (or amend IEPs with parent agreement) to document their participation in the CAA in 11th grade, if appropriate; reflect that the student will complete state standards-aligned coursework meeting the California statewide minimum coursework requirements, if appropriate; and notify the student's parent or guardian whether the student may be eligible to graduate with a high school diploma under Section 51225.31

# What are the Alternate State Standards

[Prioritized ELA Connectors and Essential Understandings: Reading\(DOC\)](#)

[Prioritized ELA Connectors and Essential Understandings: Writing\(DOC\)](#)

[Prioritized Mathematics Connectors and Essential Understandings\(DOC\)](#)



# What is a Significant Cognitive Disability

1. Review of the student's school records indicates a disability or multiple disabilities that significantly impact intellectual functioning and adaptive behavior essential for a person to live independently and to function safely in daily life. Having a significant cognitive disability is not determined by an IQ test score; rather, a holistic understanding of the student is required. **Students identified with a specific learning disability cannot also be identified as cognitively impaired**, as the determination of a specific learning disability rules out cognitive impairment. IEP teams should be careful to consider the following:
  - Conceptual skills—language and literacy; money, time, and number concepts; and self-direction
  - Social skills—interpersonal skills, social responsibility, self-esteem, gullibility, naïveté (i.e., wariness), social problem solving, and the ability to follow rules/obey laws and to avoid being victimized
  - Practical skills—activities of daily living (personal care), occupational skills, health care, travel/transportation, schedules/routines, safety, use of money, use of the telephone. As part of the IEP team decision, the team also should consider the following:

As part of the IEP team decision, the team also should consider the following:

- Community environment typical of the student's peers and culture
- Linguistic diversity
- Cultural differences in the way people communicate, move, and behave

<https://www.cde.ca.gov/ta/tg/ca/caaiepteamrev.asp>

# Important Links

<https://www.cde.ca.gov/ta/tg/ca/altassessment.asp>

[Prioritized ELA Connectors and Essential Understandings: Reading\(DOC\)](#)

[Prioritized ELA Connectors and Essential Understandings: Writing\(DOC\)](#)

[Prioritized Mathematics Connectors and Essential Understandings\(DOC\)](#)





DM CHARTER SELPA LOW INCIDENCE  
 RESOURCE 6500 MANAGEMENT DCLI

	A	B	C	E	G	H
1	OBJECT DESCRIPTION	OBJECT CODE	SCHOOL	2021-22 ACTUALS	2022-23 ESTIMATED	CURRENT ACTUALS
2	ST APPORTIONMENTS-CURR YR	8311		59,418	59,417	59,417
3	TOTAL 8000			59,418	59,417	59,417
4						
5	FURNITURE & EQUIPMENT < \$500	4320		-	500	257
6	COMP EQUIP/SOFTWARE/EXP < \$500	4340		-	4,000	-
7	MATERIALS & SUPPLIES < \$500	4350		-	300	-
8	FURNITURE & EQUIPMENT > \$499	4420		-	16,000	8,142
9	MATERIALS & SUPPLIES > \$499	4450		700	3,000	-
10	TOTAL 4000			700	23,800	8,399
11						
12	SUB-AGREEMENTS FOR SERVICES	5110		-	25,000	-
13	PROF/CONSULTING/OPERATING EXP	5810		150	7,790	330
14	COMP LICENSES & SUBSCRIPTIONS	5840		-	-	-
15	TOTAL 5000			150	32,790	330
16						
17	INDIRECT COSTS - TRF OUT	7312		67	2,827	781
18	TOTAL 7000			67	2,827	781
19						
20	REVENUE			59,418	59,417	59,417
21	EXPENSE			917	59,417	9,510
22	REVENUE LESS EXPENSE			58,501	(0)	49,907
23	BEGINNING BALANCE			60,293	118,794	118,794
24	ENDING BALANCE			118,794	118,793	168,700

DM CHARTER SELPA SET ASIDE  
 RESOURCE 6500 MANAGEMENT DCSA

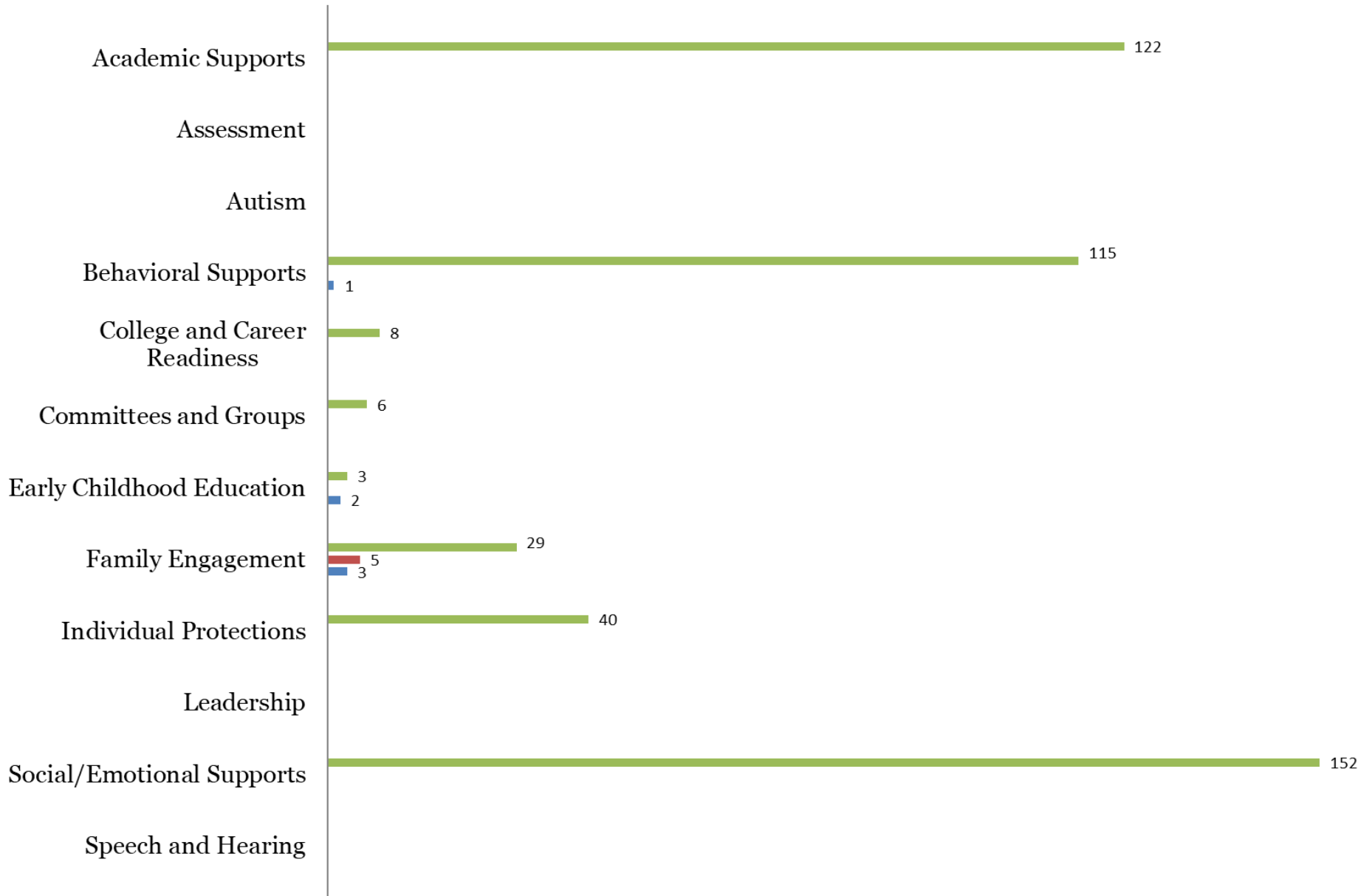
	A	B	D	F
1	OBJECT DESCRIPTION	OBJECT CODE	2021-22 ACTUALS	2022-23 ESTIMATED
2	ST APPORTIONMENTS-CURR YR	8311	172,672	-
3	ST APPORTIONMENTS-PRIOR YR	8319	-	-
4	TOTAL 8000		172,672	-
5				
6	SUB-AGREEMENTS FOR SERVICES	5110	-	75,000
7	PROF/CONSULTING/OPERATING EXP	5810	-	-
8	TOTAL 5000		-	75,000
9				
10	INDIRECT COSTS - TRF OUT	7312	-	-
11	TOTAL 7000		-	-
12				
13	REVENUE		172,672	-
14	EXPENSE		-	75,000
15	REVENUE LESS EXPENSE		172,672	(75,000)
16	BEGINNING BALANCE		642,020	814,692
17	ENDING BALANCE		814,692	739,692

# DM CHARTER SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

DECEMBER 2022 PARTICIPANTS - 11

475 YEAR-TO-DATE PARTICIPANTS

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





# Whole Child Supports - Mental Health

Parents and caregivers will explore various ways to support the mental health and well-being of their child. Discussions will include the importance of nurturing a child's physical, social, and emotional needs and the connection this has on raising happy, healthy children. Parents and caregivers will also be encouraged to improve their own mental health and well-being for the benefit of the entire family.

## Presenters

Robin McMullen

## Registration

<https://sbcss.k12oms.org/52-223659> or scan QR code for registration.

## Special Accommodations

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

## When

Thursday, February 23, 2023  
CAC Reps Business Meeting: 5:00 - 5:30 p.m.  
Presentation 5:30 - 6:30 p.m.

## Location

Apple Valley Unified | 12555 Navajo Road,  
Apple Valley, CA 92308

## Cost

Free to attend.



REGISTER  
HERE

Get in Touch

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



*I-MTSS 2022-2023 Symposium  
Presented by CAHELP*

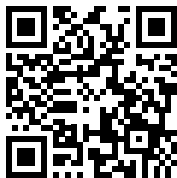
# See Me Understand Me

Keynote by Ami Davis  
- Make it Hard to Hate

**8:30AM - 3:30PM**  
**Wednesday, March 8, 2023**

A no cost, a-day symposium featuring Aiden and Marsha Aizumi, Mattie Saint Montaye, and keynote presentation by Ami Davis.

**Event location:**  
Double Tree by Hilton  
285 East Hospitality Lane  
San Bernardino, CA 92408



Register online:  
<https://sbcss.k12oms.org/52-229278>

## Get in Touch

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



# Our Speakers

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**Ami Davis** (she/they) will take you on an emotional journey back in time to what it was like to be a young Queer student in a small, conservative town. In an effort to support more people being what she needed, Ami will share the good, the bad, the dark, the pain, and the love and light that led to them not only surviving, but eventually healing and thriving. Thriving so much so that now, she gets to go back to some of those darkest spaces and fill them with light of her own for those growing up now. There is a formula to seeing young people, really seeing them. There is a way of hearing them, really hearing them. There is an answer to the negative outcomes we see such as suicide and drop out rates and Ami is going to guide you on the journey there, to how we can all work together to make it hard to hate.

**Aiden and Marsha** will walk participants through their personal stories, the lessons they learned from this journey, and how people can be better allies and supporters of LGBTQ+ people in their lives. Participants will have the opportunity to ask questions, discuss with others, and share with the larger group.



**Mattie Saint Montaye's** presentation - No Guts, No Glitter - will cover a wealth of information of the queer community where you will gain a better understanding of sexuality, gender identity, and gender expression. You will also gain insight of the Transgender Experience of a trans woman living in the rural High Desert community of southern California.



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

DISTRICT								CASE ACTIVITY FOR CURRENT YEAR						Filed on Parent
	17/18	18/19	19/20	20/21	21/22	22/23	Total	D/W	Resolution Active Settled	Mediation Active Settled	Hearing			
Allegiance STEAM Acad - Thrive	N/A	0	0	0	0	0	0	0	0	0	0	0	0	
Aveson Global Leadership Acad	5	1.5	0	0	2	0	8.5	0	0	0	0	0	0	
Aveson School of Leaders	1	1.5	0	0	4	2	8.5	2	0	0	0	0	0	
Ballington Acad for Arts & Sci	0	2	0	0	0	0	2	0	0	0	0	0	0	
Desert Trails Prep Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	
Elite Academic Acad - Lucerne	N/A	0	0	4	0	0	4	0	0	0	0	0	0	
Encore Junior/Senior High School	0	0	0	0	0	0	0	0	0	0	0	0	0	
Julia Lee Performing Arts Acad	N/A	0	0	0	0	0	0	0	0	0	0	0	0	
LaVerne Elem Preparatory	0	0.5	0	0	0	0	0.5	0	0	0	0	0	0	
Leonardo da Vinci Health Sci	0	0	0	0	0	0	0	0	0	0	0	0	0	
Odyssey Charter School (Altadena)	0	0	0	0	2	1	3	0	0	0	0	1	0	
Odyssey Charter School -South (Pasa)	N/A	0	0	0	0	0	0	0	0	0	0	0	0	
Pasadena Rosebud Academy	N/A	1	0	0	0	0	1	0	0	0	0	0	0	
Pathways to College	0	0	0	0	0	0	0	0	0	0	0	0	0	
Taylion High Desert Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	
Virtual Prep Academy at Lucerne	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	
<b>SELPA-WIDE TOTALS</b>	<b>6</b>	<b>6.5</b>	<b>0</b>	<b>4</b>	<b>8</b>	<b>3</b>	<b>27.5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	

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

LEA	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
1. Aveson School of Leaders Case no. 2022070523	Denial of FAPE 1. Comprehensive assessment 2. Failure to develop/implement IEP 3. Parent participation	7/19/2022	7/27/2022	9/1/2022	<del>9/7-8/2/2022</del> 10/4-10/6/2022	Unexpectedly, parent demanded NPS. Moving to mediation. 9/27/22 Judge declined contuance 9/27/22 - Case dismissed by parent <b>CLOSED</b> - Mediation	0	0
2. Odyssey Altadena Case no. 2022070179	Child Find 1. Failure to assess prior to May 26, 2022 2. Failure to assess upon parent request 3. Failure to find an IEE in a timely manner	7/7/2022		<del>8/15/2022</del> 9/19/2022	<del>8/23-25-2022</del> 11/8-10/2022	Resolution waived due to timeline violation. 9/23/22 Case settled <b>CLOSED</b> - Resolution	Psych Ed \$4,500	Academic \$4,500
3. Aveson Case no. 2022080  Filing on parent	Denial of an IEE Filed to defend assessment	8/24/2022	N/A			Case withdrawn <b>CLOSED</b> - Resolution	0	0



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

LEA	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
4. AGLA Case no. 2022 -  Filing against the student						12/22 - Preparing for filing to defend IEP agaিসnt private placement 01/23 - Parent visitng classes and schools - filing delayed		

Desert /Mountain Charter SELPA  
Legal Expense Summary  
As Reported at Steering December 15, 2022

2000-2001	0.00
2001-2002	0.00
2002-2003	0.00
2003-2004	0.00
2004-2005	0.00
2005-2006	0.00
2006-2007	0.00
2007-2008	0.00
2008-2009	0.00
2009-2010	0.00
2010-2011	0.00
2011-2012	0.00
2012-2013	0.00
2013-2014	0.00
2014-2015	0.00
2015-2016	\$7,378.00
2016-2017	\$33,886.61
2017-2018	\$70,994.67
2018-2019	\$113,834.81
2019-2020	\$58,033.90
2020-2021	\$43,640.20
2021-2022	\$174,116.17
2022-2023	\$34,833.36

# Core Communication Skills

Participants will develop and enhance active listening skills and questioning techniques. The program will teach the importance of feeling "heard" in difficult conversations. Additionally, participants will demonstrate an awareness of concerns and feelings in resolving disputes.

## Presented By

**David P. Dowling, JD, MDR**

Owner of Dowling Mediation Services  
Professor at the Straus Institute for Dispute Resolution at Pepperdine University, School of Law.

## Schedule

February 2, 2023

## Time

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

## Location

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

## Audience

General education teachers, special education teachers, and administrators.



## Registration

Please register online at:

<https://sbcss.k12oms.org/52-228143>

## Cost

Desert/Mountain SELPA and Charter SELPA members  
\$0.00; Non-member participants \$50.00

## Special Accommodations

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

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

## Get in Touch

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

**Phone :** (760) 955-3551

**Email :** [nicole.langley@cahelp.org](mailto:nicole.langley@cahelp.org)

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

## 6.12 Compliance Updates

No materials, verbal report only

# California Association of Health and Education Linked Professions

## Upcoming Trainings

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Date/Time	Event	Location
1/31/2023 8:00 AM - 1:00 PM	TPP/DOR/WAI 21ST ANNUAL CROSS TRAINING	JESSE TURNER CENTER
2/1/2023 -	BEHAVIORAL INTERVENTION PLAN PRINCIPLES- THE BIP LEVEL 1	ONLINE
2/1/2023 -	DISABILITY AWARENESS	DMESC
2/1/2023 -	STRUCTURED LITERACY: WHAT, WHY, WHO, AND HOW? (SELF-PACED COURSE)	VIRTUAL
2/1/2023 9:00 AM - 10:30 A	WEBIEP MORNING QUESTION AND ANSWER SESSION	VIRTUAL
2/2/2023 2:30 PM - 4:00 PM	STRUCTURED LITERACY: WHAT, WHY, WHO, AND HOW?	VIRTUAL
2/3/2023 8:30 AM - 3:30 PM	CPI	DMESC
2/7/2023 2:30 PM - 4:30 PM	EXPLORING AUTISTIC IDENTITY DEVELOPMENT AND WELLBEING THROUGH THE LENS OF NEURODIVERSITY VIRTUAL TRAINING WITH DR. BROWN	VIRTUAL
2/8/2023 2:30 PM - 4:00 PM	DE-ESCALATION STRATEGIES FOR EDUCATORS	VIRTUAL
2/8/2023 1:00 PM - 3:00 PM	DON'T WALK A MILE IN MY SHOES, JUST SIT AN HOUR IN MY SEAT	DMESC

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

# California Association of Health and Education Linked Professions

## Upcoming Trainings

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Date/Time	Event	Location
2/8/2023 2:00 PM - 3:30 PM	WEBIEP AFTERNOON QUESTION AND ANSWER SESSION	VIRTUAL
2/9/2023 9:00 AM - 12:00 PM	TRANSITION PLANNING FOR ALL STUDENTS	VIRTUAL
2/15/2023 9:00 AM - 12:00 PM	MIS AND CALPADS WORKSHOP	DMESC
2/16/2023 2:00 PM - 4:00 PM	COLLABORATIVE IEP: ALIGNING THE SUN, THE MOON, AND THE STARS	VIRTUAL
2/21/2023 8:30 AM - 11:00 A	CULTURAL RESPONSIVENESS: A COMPILATION OF CLASSROOM STRATEGIES	DMESC
2/21/2023 2:00 PM - 4:00 PM	THE WHAT, WHY, AND HOW OF IEP MEETING NOTES	VIRTUAL
2/22/2023 9:00 AM - 10:30 A	WEBIEP MORNING QUESTION AND ANSWER SESSION	VIRTUAL
2/28/2023 2:00 PM - 4:00 PM	DYSLEXIA: FOUNDATIONS, SCREENINGS, AND ASSESSMENTS	VIRTUAL
3/1/2023 -	BEHAVIORAL INTERVENTION PLAN PRINCIPLES- THE BIP LEVEL 1	ONLINE
3/1/2023 -	DISABILITY AWARENESS	ONLINE

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

# California Association of Health and Education Linked Professions

## Upcoming Trainings

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Date/Time	Event	Location
3/1/2023 -	STRUCURED LITERACY: WHAT, WHY, WHO, AND HOW? (SELF-PACED COURSE)	VIRTUAL
3/1/2023 1:30 PM - 4:00 PM	UNDERSTANDING ACCESSIBILITY RESOURCES WITHIN THE CALIFORNIA ASSESSEMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)	VIRTUAL
3/2/2023 2:30 PM - 4:00 PM	HONK! HONK! STOP, ASSESS, AND DRIVE YOUR READING INSTRUCTION	VIRTUAL
3/2/2023 1:30 PM - 4:30 PM	UNDERSTANDING THE IMPACT OF GRIEF AND LOSS FOR CHILDREN AND ADOLESCENCE	DMESC
3/3/2023 8:30 PM - 3:30 PM	CPI	DMESC
3/8/2023 8:00 AM - 3:30 PM	I-MTSS SYMPOSIUM- SEE ME UNDERSTAND ME	DOUBLE TREE BY HILTON
3/14/2023 8:00 AM - 12:00 PM	THE ROLE OF UNIVERSAL SCREENING IN TIERED SYSTEMS OF SUPPORT	DMESC
3/15/2023 2:00 PM - 3:30 PM	WEBIEP AFTERNOON QUESTION AND ANSWER SESSION	VIRTUAL
3/22/2023 2:30 PM - 4:00 PM	STRUCTURED LITERACY WITH ORTON-GILLINGHAM: FOUNDATIONAL	VIRTUAL
3/29/2023 2:30 PM - 5:30 PM	UNDERATANDING AND MANAGING BEHAVIORS IN AUTISM	VIRTUAL

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

## Upcoming Trainings

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Date/Time	Event	Location
3/29/2023 9:00 AM - 10:30 A	WEBIEP MORNING QUESTION AND ANSWER SESSION	VIRTUAL

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