

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)

GOVERNANCE COUNCIL MEETING

January 20, 2023 - 10:00 a.m.

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

AGENDA

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

PARTICIPATE BY PHONE:

Dial Access Number: 1-415-655-0003

When prompted - enter Access Code: 2457 725 5026

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 CAHELP Governance Council to the recording secretary via fax at 1-760-242-5363 or email jamie.adkins@cahelp.org. Please include your name, contact information and which item you want to address.

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

1.0 CALL TO ORDER

2.0 ROLL CALL

3.0 PUBLIC PARTICIPATION

The general public is encouraged to participate in the deliberation of the CAHELP JPA Governance 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 Governance 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 20, 2023 CAHELP JPA Governance Council Meeting Agenda be approved as presented.

5.0 INFORMATION / ACTION

5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements (**ACTION**)

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.

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

5.2 Bear Valley USD Notification to Take Back Programs (ACTION)

The Desert/Mountain SELPA has received notification from Bear Valley Unified School District (USD) to take back the education of the moderate to severe students including speech services in grades three through six currently being served at the North Shore County School building effective at the beginning of the 2023-24 school year. This program is currently operating under San Bernardino County Superintendent of Schools (SBCSS) D/M Operations, Student Services.

5.2.1 **BE IT RESOLVED** that the Bear Valley USD's notification to take back the education of the moderate to severe students in grades three through six including speech services currently operated under SBCSS be approved as presented.

6.0 CONSENT ITEMS

It is recommended that the Governance 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 Council Member at the meeting for clarification, discussion, or change.

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

6.1.1 Approve the August 22, 2022 CAHELP JPA Governance Council Special Meeting Minutes.

6.1.2 Approve the October 17, 2022 CAHELP JPA Governance Council Meeting Minutes.

6.1.3 Approve the November 28, 2022 CAHELP JPA Governance Council Special Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Educationally Related Mental Health Services (ERMHS) Funding Information

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

7.2 Learning Recovery Support, Dispute Prevention and Resolution Funds Update

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

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7.3 Alternative Diploma Update

Pam Bender will present an Alternative Diploma update.

7.4 Tracking of Service Minutes-IEP Implementation and Monitoring

Pam Bender will present information regarding the tracking of service minutes.

7.5 2023-24 CAHELP JPA Governance Council Meeting Dates and Location

Pam Bender will lead a discussion regarding 2023-24 CAHELP JPA Governance Council meeting dates and location.

7.6 Resolution Support Services Update

Pam Bender will provide an update on Resolution Support Services for D/M SELPA and D/M Charter SELPA.

7.7 Prevention and Intervention Update

Pam Bender will provide a Prevention and Intervention update.

7.8 Compliance Update

Pam Bender will provide an update on compliance issues from the California Department of Education.

7.9 Desert Mountain Operations Referrals and Need for Space

Pam Bender will provide information on Desert Mountain referrals and need for space.

8.0 INFORMATION ITEMS

8.1 Professional Learning Summary

9.0 GOVERNANCE COUNCIL MEMBERS COMMENTS / REPORTS

10.0 CEO COMMENTS

11.0 MATTERS BROUGHT BY GENERAL PUBLIC

This is the time during the agenda when the CAHELP JPA Governance Council is again prepared to

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receive the comments of the public regarding items on this agenda or any school related special education issue.

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

Persons wishing to make complaints against CAHELP JPA Governance Council personnel must have filed an appropriate complaint form prior to the meeting.

When the CAHELP JPA Governance Council goes into Closed Session, there will be no further opportunity for the general public to address the Council on items under consideration.

12.0 ADJOURNMENT

The next regular meeting of the CAHELP JPA Governance Council will be held on Friday, March 10, 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 (760) 955-3555, at least seven days prior to the date of this meeting.



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

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

Assembly Bill No. 361

CHAPTER 165

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

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

LEGISLATIVE COUNSEL'S DIGEST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This bill would make legislative findings to that effect.

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

This bill would make legislative findings to that effect.

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

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

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

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

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

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

imposed or recommended measures to promote social distancing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

concerning the conduct of the people's business.

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

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

Bear Valley Program Transfer for 2023-2024

----- Forwarded message -----

From: **Rosado, Linda** <linda_rosado@bearvalleyusd.org>

Date: Wed, Jun 29, 2022 at 4:04 PM

Subject: Education of the Moderate to Severe Students under DMOP

To: Marina Gallegos <Marina.Gallegos@cahelp.org>

Cc: David Mobley <David.Mobley@sbcss.net>, Richard Frederick <richard.frederick@sbcss.net>, Lucinda Newton <lucinda_newton@bearvalleyusd.org>

Hi Marina,

Bear Valley USD, for the 2023-24 school year will take over the education of the moderate to severe students in grades 3rd through 6th that are currently served by DMOP at the North Shore County School building. This will also include the speech services for those students.

Please consider this our year and one day notification. If there is something more that we need to do, please let us know. I have included Lucinda Newton in this email as she is over Student Services.

Sincerely,

--

Linda Rosado

Executive Director, Business Services and

Classified Personnel

(909) 866-4631 ext 1227

MINUTES

GOVERNANCE COUNCIL MEMBERS PRESENT:

Academy for Academic Excellence – Lisa Lamb, Apple Valley USD – Trenae Nelson, Excelsior Education Center – Derek King, Helendale SD – Ross Swearingen, Hesperia USD – David Olney, Lucerne Valley USD – Peter Livingston, Oro Grande SD – Derek Delton, Silver Valley USD – Jesse Najera, Snowline USD – Ryan Holman, and Victor Elementary SD – Lori Clark.

CAHELP JPA STAFF PRESENT:

Jamie Adkins

1.0 CALL TO ORDER

The special meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Governance Council was called to order by Chairperson Ross Swearingen at 8:00 a.m. at the Desert/Mountain Educational Service Center, Apple Valley.

2.0 ROLL CALL

3.0 PUBLIC PARTICIPATION

None.

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that a motion was made by Jesse Najera, seconded by David Olney, to approve the August 22, 2022 CAHELP JPA Governance Council Special Meeting Agenda as presented. The motion carried on the following vote 10:0: Ayes: Clark, Delton, Holman, King, Lamb, Livingston, Najera, Nelson, Olney, and Swearingen. Nays: None, Abstentions: None.

5.0 CLOSED SESSION

5.1 Possible Litigation

Ross Swearingen will request approval to consult with CAHELP JPA contracted legal counsel regarding possible litigation.

5.1.1 **BE IT RESOLVED** that a motion was made by Trenae Nelson, seconded by Lisa Lamb, to approve the request to consult with CAHELP JPA contracted legal counsel as presented. The motion carried on the following vote 10:0: Ayes: Clark, Delton, Holman, King, Lamb, Livingston, Najera, Nelson, Olney, and Swearingen. Nays: None, Abstentions: None.

5.2 Possible Employee Discipline

MINUTES

6.0 CLOSED SESSION REPORTS

Ross Swearingen reported the Governance Council agreed to consult with CAHELP JPA contracted legal counsel in regard to possible employee discipline.

7.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Lori Clark, seconded by Trenae Nelson, to adjourn the meeting at 8:07 a.m. The motion carried on the following vote 10:0: Ayes: Clark, Delton, Holman, King, Lamb, Livingston, Najera, Nelson, Olney, and Swearingen. Nays: None, Abstentions: None.

The next regular meeting of the CAHELP JPA Governance Council will be held on Friday, October 14, 2022, at 10:00 a.m., at the Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley, CA 92307.

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

California Association of Health and Education Linked Professions

Joint Powers Authority (CAHELP JPA)

GOVERNANCE COUNCIL MEETING

October 17, 2022 - 1:30 p.m.

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

MINUTES

GOVERNANCE COUNCIL MEMBERS PRESENT:

Academy for Academic Excellence – Lisa Lamb, Allegiance STEAM Academy – Sebastian Coggnetta, Callie Moreno, Apple Valley USD – Trena Nelson, Barstow USD – Jeff Malan, Desert Trails Preparatory Academy (DTPA) & LaVerne Elementary Preparatory Academy (LEPA) – Debra Tarver, Helendale SD – Ross Swearingen, Lucerne Valley USD – Peter Livingston, Silver Valley USD – Jesse Najera, Snowline USD – Ryan Holman, and Victor Elementary SD – Lori Clark.

OTHERS PRESENT:

Tanya Taylor – Julia Lee Performing Arts Academy, Craig Merrill – Pathways to College, Brenda Congo – Taylion High Desert Academy, Michelle Romaine – Virtual Prep Academy-Lucerne.

CAHELP JPA STAFF PRESENT:

Jamie Adkins, Pamela Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, Kathleen Peters, and Jennifer Sutton.

1.0 CALL TO ORDER

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Governance Council was called to order by Chairperson Ross Swearingen at 1:02 p.m. at the Desert/Mountain Educational Service Center, Apple Valley.

2.0 ROLL CALL

3.0 PUBLIC PARTICIPATION

None.

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that a motion was made by Jesse Najera, seconded by Peter Livingston, to approve the October 17, 2022 CAHELP JPA Governance Council Meeting Agenda as presented. The motion carried on the following vote: 10:0: Ayes: Clark, Coggnetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

5.0 PRESENTATIONS

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

The SBCSS D/M Operations Fiscal Year 2021-22 LCFF Revenue Transfer was presented by Jennifer Alvarado.

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
GOVERNANCE COUNCIL MEETING
October 17, 2022 - 1:30 p.m.

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

MINUTES

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

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

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

The SBCSS D/M Operations 2021-22 Fee-For-Service Return was presented by Jennifer Alvarado.

5.4 The Feldhake Law Firm, APC

Robert J. Feldhake of The Feldhake Law Firm, APC presented information pertaining to joint powers authority (JPA). Mr. Feldhake stated CAHELP JPA is an independent governmental agency comprised of individual members and not part of anything else. He continued that JPAs are popular and extensive throughout the state of California and exist because they give the group a lot of flexibility in terms of contracting, program design, and ancillary services. Mr. Feldhake went on to say there may be contracting that CAHELP JPA does where it could be easier to do as a template. He concluded that his office is available to answer questions as they arise.

6.0 INFORMATION / ACTION

6.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements (**ACTION**)

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

6.1.1 **BE IT RESOLVED** that a motion was made by Sebastian Cognetta, seconded by Lisa Lamb, to approve Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote: 10:0: Ayes: Clark, Cognetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

6.2 Desert/Mountain Charter SELPA Application for Membership FY 2022-23 (**ACTION**)

The Desert/Mountain Charter SELPA has received one application from Allegiance STEAM Academy-Fontana for membership into the Charter SELPA for FY 2022-23. A discussion occurred regarding the potential applicant. A recommendation for membership was offered from the CAHELP administrative team and the Charter SELPA CEOs.

6.2.1 **BE IT RESOLVED** that a motion was made by Lisa Lamb, seconded by Peter Livingston to approve Allegiance STEAM Academy - Fontana application for

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)

GOVERNANCE COUNCIL MEETING

October 17, 2022 - 1:30 p.m.

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

MINUTES

membership as presented. The motion carried on the following vote: 9:0:1 Ayes: Clark, Cогnetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: Cогnetta.

6.3 Special Education Information System (SEIS) (**ACTION**)

Pam Bender proposed that CAHELP JPA and its membership transition to Special Education Information System (SEIS) beginning for the 2023-24 school year. She presented a services and cost comparison between SEIS and Web IEP. Pam highlighted the DocuSign contract is \$800,000 for three years but electronic signatures will be included with the SEIS contract. SEIS includes service logs which would have also been an additional cost with Web IEP. Pam continued that when the determination is made to move forward with SEIS, MIS Analyst will ensure the appropriate CAHELP JPA staff are trained then begin training LEA teachers, service providers, and staff.

A motion was made by Debra Tarver, seconded by Sebastian Cогnetta, to approve transitioning to SEIS. There was discussion around the end date of the DocuSign contract which expires on June 30, 2023. The motion failed due to lack of vote.

6.3.1 **BE IT RESOLVED** that a motion was made by Jesse Najera, seconded by Peter Livingston, to table CAHELP JPA transitioning to Special Education Information System (SEIS) beginning July 1, 2023 until the next meeting. The motion carried on the following vote: 10:0: Ayes: Clark, Cогnetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

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

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

6.4.1 **BE IT RESOLVED** that a motion was made by Jesse Najera, seconded by Ryan Holman, to approve the Form D/M 114 Behavioral Emergency Report (BER) as presented. The motion carried on the following vote: 10:0: Ayes: Clark, Cогnetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

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

Forms used in the operations of special education programs within the Desert/Mountain SELPA

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

6.5.1 **BE IT RESOLVED** that a motion was made by Peter Livingston, seconded by Jesse Najera, to approve the Form D/M 85 SBCSS Desert/Mountain Operations Referral as presented. The motion carried on the following vote: 10:0: Ayes: Clark, Cогnetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

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

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

6.6.1 **BE IT RESOLVED** that a motion was made by Lisa Lamb, seconded by Sebastian Cогnetta, to approve retirement of Form D/M 173 Referral to SBCSS Desert/Mountain Operations for Related Services Provider as presented. The motion carried on the following vote: 10:0: Ayes: Clark, Cогnetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

7.0 CONSENT ITEMS

It is recommended that the Governance 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 Council Member at the meeting for clarification, discussion, or change.

7.1 **BE IT RESOLVED** that a motion was made by Peter Livingston, seconded by Sebastian Cогnetta, to approve the following Consent Items as presented. The motion carried on the following vote: 10:0: Ayes: Clark, Cогnetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

7.1.1 Approve the May 20, 2022 CAHELP JPA Governance Council Meeting Minutes.

7.1.2 Approve the Association of Community Based Organizations (ACBO) 2022-23

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)

GOVERNANCE COUNCIL MEETING

October 17, 2022 - 1:30 p.m.

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

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Annual Membership for DMCC Director Linda Llamas in the amount of \$125.00.

7.1.3 Approve the 2022-23 Crisis Prevention Institute (CPI) Annual Membership for Ned Broberg, Danielle Cote, Adrien Faamausili, Brian Follis, Blanca Medrano, and Michael Norton in an amount not to exceed \$200.00 per individual membership.

7.1.4 Approve 2022 Theraplay Certification Renewal for Julie McNeil in the amount of \$50.00.

7.1.5 Approve the Declaration of Low Incidence Equipment as Salvage or Surplus.

The Desert/Mountain SELPA is seeking approval from the CAHELP JPA Governance Council for the release to surplus or salvage of unassigned and/or obsolete low incidence equipment currently in storage. All of the low incidence equipment identified on the inventory report has been reviewed and determined to be unassigned and/or obsolete.

8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

8.1 Legislative 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.

8.2 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 then said the Governance Council could

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consider meeting on a different date or time, depending on other meetings such as the SBCSS District Superintendents' meetings in San Bernardino and would suggest the council members consider those options.

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

Pam Bender called on Marina Gallegos to present updated balance information of one-time Learning Recovery Support and Dispute Prevention/Resolution Funding. Marina reported the current unclaimed balances of both funding sources. She explained the funding can be accessed through planning estimates or planning narratives that would be submitted to Heidi Chavez or Kathleen Peters. Marina reiterated the funds must be encumbered by June 30, 2023 and expended by September 30, 2023. Marina also shared an article from Coalition for Adequate Funding for Special Education (CAFSE) which identified a couple of methodologies for LEAs to access the funding for prior year expenditures that also involve a revenue transfer. She encouraged the committee members to talk about the funding with their business staff about the impact to Maintenance of Effort (MOE) as they are reluctant to spend the money. Marina said she has reviewed the 2021-22 and 2022-23 budget and sees large amounts of local contributions that can be reduced by using these funds. Marina concluded with asking the council members to have their business staff contact her with questions.

8.4 Proposed Educationally Related Mental Health Services (ERMHS) Funding Changes

Pam Bender presented information pertaining to proposed educationally related mental health funding changes. She said there was a reprieve this year with funding continuing through SELPAs and confirmed next year the funding will go to districts. Pam continued one of the advantages of the funding coming through the D/M SELPA is the connection to Department of Behavioral Health (DBH). Also, if a small district enrolls a student with high needs, that could use the available ERMHS funding in addition to some general education funds. Pam recommends using the current format and creating a Memorandum of Understanding (MOU) including all member LEAs with funds coming to CAHELP JPA with local members receiving their funding. Currently, ERMHS funds the oversight of residential students, so staff are able to visit the sites, provide ERMHS assessments, and provide counseling through Desert Mountain Children's Center (DMCC). Pam continued that ERMHS is now for all students, not only students in special education. She said State SELPA Administrators continues to lobby for the funding to come through the SELPAs.

8.5 Program Transfer for Bear Valley USD

Pam Bender provided information regarding the possible program transfer for Bear Valley USD. She said notification has been received from Bear Valley USD that they are wanting to transfer the 3rd -6th grade moderate severe classroom be transferred back to the district. Pam reported that will consist of 11 students in total: 11 receive speech services, six receive occupational therapy services, one receives physical therapy services, one receives adapted physical education, and three receive intensive intervention. The classroom also has one teacher and two paraprofessionals.

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Pam said she and Rich Frederick will meet with Bear Valley USD to review information as their final decision must be made by October 31. She stated that according to educational code when an LEA transfers programs, the staff currently providing the services are given first right to the Bear Valley USD positions created due to the LEA taking back the program. Rich will provide Bear Valley USD with an accounting of the cost for each student so they have a realistic understanding of what will be needed.

8.6 Small LEAs and Special Education Monitoring

Pam Bender provided information regarding small LEA monitoring. She reported that moving forward, every district and charter with less than 100 students with disabilities will be monitored by CDE. A three-year cycle begins this year with 1/3 of the State's small LEAs being selected for this year, another 1/3 in 2023-24, and the remaining 1/3 in 2024-25. Pam stated CDE will be using Special Education Self-Review (SESR) to review at least ten student files for educational benefit and 25 student files for policy and procedure. The reviews are due to CDE by December 5, 2022 with a possible extension to January 30, 2023.

8.7 Governance Council Member Data Collection Form

Pam Bender provided information pertaining to the Governance Council Member Data Collection Form. She 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. 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.

8.8 Prevention and Intervention Update

Pam Bender provided a Prevention and Intervention update. She reported the triage grant has been completed with all documents submitted. Because of this, the triage team and the prevention and intervention team will be combined. Pam stated any contract the LEAs currently have with CAHELP JPA will continue as is.

8.9 Compliance Update

Pam Bender provided an update on compliance issues from the California Department of Education. She reported two LEAs are in significant disproportionality and three LEAs in

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disproportionality. Pam state that Peggy Dunn and her team continually meet with special education directors to put plans in place to get out of disproportionality areas.

8.10 Bridge to Added Authorizations

Pam Bender presented information regarding the bridge to added authorizations. The California Commission on Teacher Credentialing (CTC) is changing current credential for special education: Mild Moderate Disability is no Mild Moderate Support Needs, Moderate Severe Disabilities is now Extensive Support Needs, Early Childhood Special Education continues to 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 assist the teachers in achieving needed authorization.

8.11 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 like. She said at this time, it has been left up to each LEA but as information is made available, it will be shared with the special education directors at the monthly Steering and Finance Committee meetings.

8.12 CARE Center Location

Pam Bender led a discussion on CARE Center location. She reported that DMOPS preschool numbers are rising, with more classroom space needed. Because of that, DMCC is looking to relocate the CARE program. Pam asked if any LEA has extra classrooms or space for portables, to contact her. She said DMCC is releasing one classroom to DMOPS effective January 1, 2023 but CARE does need two classrooms.

9.0 INFORMATION ITEMS

9.1 Professional Learning Summary

9.2 Resolution Support Services Summary

10.0 CLOSED SESSION

10.1 Possible Litigation

10.2 Possible Employee Discipline

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)

GOVERNANCE COUNCIL MEETING

October 17, 2022 - 1:30 p.m.

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

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11.0 REPORT OUT ON CLOSED SESSION

Ross Swearingen reported there was discussion on possible litigation and possible employee discipline.

12.0 GOVERNANCE COUNCIL MEMBERS COMMENTS / REPORTS

Sebastian Cognetta thanked the committee members for approving the expansion of Allegiance STEAM – Fontana in the D/M Charter SELPA. Jesse Najera acknowledged that Allegiance STEAM has impressive programs.

It was announced that Jeff Malan will be retiring from Barstow USD effective January 31, 2023.

13.0 CEO COMMENTS

Pam Bender said she has been the CEO of CAHELP JPA for almost a year. She shared her appreciation in the opportunity to work with the Governance Council and the relationships she has built in that time.

14.0 MATTERS BROUGHT BY GENERAL PUBLIC

None.

15.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Jesse Najera, seconded by Lisa Lamb, to adjourn the meeting at 2:52 p.m. The motion carried on the following vote: 10:0: Ayes: Clark, Cognetta, Holman, Lamb, Livingston, Malan, Najera, Nelson, Swearingen, Tarver. Nays: None, Abstentions: None.

The next regular meeting of the CAHELP JPA Governance Council will be held on Friday, January 20, 2022, 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 (760) 955-3555, at least seven days prior to the date of this meeting.

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GOVERNANCE COUNCIL MEMBERS PRESENT:

Academy for Academic Excellence – Lisa Lamb, Allegiance STEAM Academy – Sebastian Coggnetta, Apple Valley USD – Trenae Nelson, Baker Valley USD – Cecil Edwards, Barstow USD – Jeff Malan, Desert Trails Preparatory Academy (DTPA) & LaVerne Elementary Preparatory Academy (LEPA) – Debra Tarver, Health Sciences HS and Middle College – Ian Pumpian, Helendale SD – Ross Swearingen, Hesperia USD – David Olney, Lucerne Valley USD – Peter Livingston, Needles USD – Amy Avila, Oro Grande SD – Derek Delton, Silver Valley USD – Jesse Najera, Snowline USD – Ryan Holman, Trona JUSD – Jairo Arellano, and Victor Elementary SD – Lori Clark.

OTHERS PRESENT:

Ballington Academy – Doreen Mulz, Pasadena Rosebud Academy – Shawn Brown, and Virtual Prep Academy-Lucerne – Michelle Romaine.

CAHELP JPA STAFF PRESENT:

Jamie Adkins, Pamela Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, Kathleen Peters, and Jennifer Sutton.

1.0 CALL TO ORDER

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Governance Council was called to order by Chairperson Ross Swearingen at 8:32 a.m. at the Desert/Mountain Educational Service Center, Apple Valley.

2.0 ROLL CALL

3.0 PUBLIC PARTICIPATION

None.

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that a motion was made by Ryan Holman, seconded by Trenae Nelson, to approve the November 28, 2022 CAHELP JPA Governance Council Special Meeting Agenda as presented. The motion carried on the following vote: 16:0: Ayes: Arellano, Avila, Clark, Coggnetta, Delton, Edwards, Holman, Lamb, Livingston, Malan, Najera, Nelson, Olney, Pumpian, Swearingen, and Tarver. Nays: None, Abstentions: None.

5.0 INFORMATION / ACTION

5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements (**ACTION**)

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

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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 Trenae Nelson, seconded by Lori Clark, to approve Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote: 16:0: Ayes: Arellano, Avila, Clark, Cognetta, Delton, Edwards, Holman, Lamb, Livingston, Malan, Najera, Nelson, Olney, Pumpian, Swearingen, and Tarver. Nays: None, Abstentions: None.

5.2 Special Education Information System (SEIS) (**ACTION**)

Pam Bender proposed that CAHELP JPA and its membership transition to Special Education Information System (SEIS) as the IEP platform beginning for the 2023-24 school year as the item was previously tabled.

Pam reported the approximate \$245,000 balance of the DocuSign contract is due April 2023. Because DocuSign is used throughout D/M SELPA, the cost is shared. Pam continued that IEP documents will be downloaded from 2019-20 through 2022-23 to ensure access to three years of documents without additional cost from Faucette Micro Systems. Pam confirmed the cost for SEIS will be payable each school year.

5.2.1 **BE IT RESOLVED** that a motion was made by Ryan Holman, seconded by Peter Livingston, to approve CAHELP JPA transitioning to Special Education Information System (SEIS) as the IEP platform beginning July 1, 2023 as presented. The motion carried on the following vote: 16:0: Ayes: Arellano, Avila, Clark, Cognetta, Delton, Edwards, Holman, Lamb, Livingston, Malan, Najera, Nelson, Olney, Pumpian, Swearingen, and Tarver. Nays: None, Abstentions: None.

6.0 GOVERNANCE COUNCIL MEMBERS COMMENTS / REPORTS

7.0 CEO COMMENTS

8.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Trenae Nelson, seconded by Ryan Holman to adjourn the meeting at 8:49am. The motion carried on the following vote: 16:0: Ayes: Arellano, Avila, Clark, Cognetta, Delton, Edwards, Holman, Lamb, Livingston, Malan, Najera, Nelson, Olney, Pumpian, Swearingen, and Tarver. Nays: None, Abstentions: None.

The next regular meeting of the CAHELP JPA Governance Council will be held on Friday, January 20, 2023, at 10:00 a.m., at the Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley, CA 92307.

California Association of Health and Education Linked Professions

Joint Powers Authority (CAHELP JPA)

GOVERNANCE COUNCIL SPECIAL MEETING

November 28, 2022 at 8:30 a.m.

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

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

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

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

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

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

A	B	C	D	E	F
LEA	Allocation	Actuals Claimed	Balance	FAR Actuals as of 01/11/23	Actuals Unclaimed
Academy for Academic Excellence	63,117	-	63,117.00	-	-
Adelanto Elementary	598,653	-	598,653.00	289,110.10	289,110.10
Apple Valley Unified	810,477	-	810,477.00	-	-
Baker Valley Unified	7,651	-	7,651.00	109.99	109.99
Barstow Unified	488,199	-	488,199.00	-	-
Bear Valley Unified	156,357	-	156,357.00	-	-
Excelsior Charter	112,845	-	112,845.00	-	-
Excelsior Charter School Corona-Norco	2,869	-	2,869.00	-	-
Health Sciences High and Middle College	46,859	-	46,859.00	-	-
Helendale Elementary	77,461	-	77,461.00	-	-
Hesperia Unified	1,441,644	77,583.12	1,364,060.88	226,854.54	149,271.42
Lucerne Valley Unified	74,114	-	74,114.00	-	-
Needles Unified	97,066	-	97,066.00	-	-
Norton Science and Language Academy	44,947	-	44,947.00	-	-
Oro Grande	167,833	-	167,833.00	-	-
Silver Valley Unified	186,960	-	186,960.00	186,960.00	186,960.00
Snowline Joint Unified	551,794	-	551,794.00	200,219.55	200,219.55
Trona Joint Unified	33,949	-	33,949.00	985.50	985.50
Victor Elementary	849,686	-	849,686.00	-	-
Victor Valley Union High	728,712	-	728,712.00	-	-
DM SELPA	1,635,298	317,303.02	1,317,994.98	317,303.02	-
Total	8,176,491	394,886.14	7,781,604.86	1,221,542.70	826,656.56

(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:	Desert Mountain SELPA
SELPA Code:	3601

Plan Description

Applicable LEAs for this Plan **Academy for Academic Excellence, Adelanto Elementary SD, Apple Valley USD, Baker Valley USD, Barstow USD, Bear Valley USD,**

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
Additional Support and Services Needed to Address Identified Learning Needs	Transportation services before school, after school, and summer camps outside of ESY to get students to campuses for additional supports and services.	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard
Positive Behavior Supports	ABA or Psych led social skills groups offered before school, after school, Saturdays, or summer camps outside of ESY designated time	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard

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
Assessing Learning and Academic Needs of Students	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	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
Social Emotional Needs	Hiring additional staff: school counselors, social workers, mental health clinicians - services, school psychologists, or other positions Tiered supports through MTSS framework	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
High Quality and Instruction	UDL Training, Implementation, & Coaching Training on Evidence Based Practices Expand training for early education teachers and paraeducators Orton Gillingham (ELA) and Singapore Math	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
Supporting Students Return to In-Person Instruction	Family events at the district or site level - nights and weekends Parent training through parent support centers Hiring Community Outreach Liaison	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
Child Find	Parent training/education Hiring a Community Outreach Liaison Response to Intervention (Rti) Programs developed and implemented Multi-tiered Systems of Support (MTSS)	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of
Assessing Students who are Waiting of Initial IEPs	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,	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of
Complete Overdue IEPs	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,	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of
Other Impacted Areas (Identify the impacted Area and the plan for using the funds)	Secondary Transition and graduation planning for students with disabilities age 15 to 22. Work-Based Learning(WBL) Placements Establish additional workability partners for students with disabilities transitioning out of	Students with disabilities ages 15 - 22 transitioning from high school to adulthood to provide supports and services through their transition and meeting the Federal requirement of Free

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	\$4,600,000.00	Salary for certificated staff providing services directly related to LEA dispute prevention and resolution plans.
2. 2000–Classified Salaries	\$195,000.00	Salary for clerical staff providing support to staff carrying out dispute prevention and resolution plans.
3. 3000–Employee Benefits	\$1,731,916.00	Benefits for certificated and support staff.
4. 4000–Materials and Supplies (cannot exceed 10%)	\$300,000.00	Office supplies and materials for trainings, staff meetings, and parent engagement activities.
5. 5000–Services and other operating costs	\$754,439.00	Consultants, LEA participant stipends, and other services related to community outreach and the promotion of parent engagement.
6. Total Direct Costs (Total of 1 through 5)	\$7,581,355.00	
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)	\$595,136.00	CDE approved 2021/22 indirect cost rate for San Bernardino County Superintendent of Schools.
9. Total Grant Budget (Total 6 through 8)	\$8,176,491.00	

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 SELPA

SELPA Director Name

Jenae Holtz

Date

09/28/2021

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

Total Apportionment 1,816,998
 Desert/Mountain SELPA Allocati 363,400
 LEA Allocation 1,453,598

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

A	B	C	D	E	F
LEA	Allocation	Amount Claimed	Balance	FAR Actuals as of 01/11/23	Actuals Unclaimed
Academy for Academic Excellence	14,026	-	14,026.00	-	-
Adelanto Elementary	133,034	-	133,034.00	88.75	88.75
Apple Valley Unified	180,106	-	180,106.00	43,461.27	43,461.27
Baker Valley Unified	1,700	-	1,700.00	-	-
Barstow Unified	108,489	-	108,489.00	27,154.08	27,154.08
Bear Valley Unified	34,746	-	34,746.00	-	-
Excelsior Charter	25,077	-	25,077.00	-	-
Excelsior Charter School Corona	638	-	638.00	-	-
Health Sciences High and Middle	10,413	-	10,413.00	-	-
Helendale Elementary	17,214	-	17,214.00	-	-
Hesperia Unified	320,364	25,920.00	294,444.00	25,920.00	-
Lucerne Valley Unified	16,470	-	16,470.00	-	-
Needles Unified	21,570	-	21,570.00	-	-
Norton Science and Language A	9,988	-	9,988.00	-	-
Oro Grande	37,296	-	37,296.00	-	-
Silver Valley Unified	41,547	-	41,547.00	-	-
Snowline Joint Unified	122,621	13,729.75	108,891.25	62,148.41	48,418.66
Trona Joint Unified	7,544	-	7,544.00	-	-
Victor Elementary	188,819	-	188,819.00	-	-
Victor Valley Union High	161,936	-	161,936.00	-	-
DM SELPA	363,400	10,327.12	353,072.88	10,327.12	-
Total	1,816,998	49,976.87	1,767,021.13	169,099.63	119,122.76

(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 SELPA**

SELPA Code: **3601**

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>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.</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>Parent education regarding special education processes and rights under the federal Individuals with Disabilities Education Act</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>Parent peer support</p>	<p>Implement local LEA CAC for parents of special needs students to develop parent peer support, connect to resources and provide information.</p>	<p>TK-12 students with learning disabilities and students subject to "Child-find" regulations.</p>

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
Language access provided as a supplement pursuant to state and federal law	Increase translation staff, translate all information docs to align with the LEA-ELL population, purchase translation equipment, train staff, plan for literacy needs of parents.	All English language learners identified with disabilities, who are at risk of not reclassifying or not graduating.
Collaboration with family empowerment centers and other family support organizations.	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.
Conduct voluntary alternative dispute resolution activities, including offering voluntary alternative dispute resolution for issues that are not resolved through the individualized education program process.	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.
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.	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.
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	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.
Other impacted areas (Identify the impacted area and the plan for using the funds)	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	\$800,000.00	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	\$318,512.00	Benefits for certificated and support staff.
4. 4000–Materials and Supplies (cannot exceed 10%)	\$101,234.00	Office supplies and materials for trainings, staff meetings, and parent engagement activities.
5. 5000–Services and other operating costs	\$400,000.00	Consultants, LEA participant stipends, and other services related to community outreach and the promotion of parent engagement.
6. Total Direct Costs (Total of 1 through 5)	\$1,684,746.00	
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)	\$132,252.00	CDE approved 2021/22 indirect cost rate for San Bernardino County Superintendent of Schools.
9. Total Grant Budget (Total 6 through 8)	\$1,816,998.00	

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
Total	413,801	72,974.91	340,826.09

(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:	Desert Mountain Charter SELPA
SELPA Code:	3651

Plan Description

Applicable LEAs for this Plan **Allegiance STEAM Academy, ASA Charter School, Aveson Global Leaders Academy, Aveson School of Leaders, Ballington Academy** 

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
Additional Support and Services Needed to Address Identified Learning Needs	Transportation services before school, after school, and summer camps outside of ESY to get students to campuses for additional supports and services. 	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard 
Positive Behavior Supports	ABA or Psych led social skills groups offered before school, after school, Saturdays, or summer camps outside of ESY designated time 	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard 

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
Assessing Learning and Academic Needs of Students	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	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
Social Emotional Needs	Hiring additional staff: school counselors, social workers, mental health clinicians - services, school psychologists, or other positions Tiered supports through MTSS framework	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
High Quality and Instruction	UDL Training, Implementation, & Coaching Training on Evidence Based Practices Expand training for early education teachers and paraeducators Orton Gillingham (ELA) and Singapore Math	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
Supporting Students Return to In-Person Instruction	Family events at the district or site level - nights and weekends Parent training through parent support centers Hiring Community Outreach Liaison	TK - 12 students with disabilities, English learners, Homeless youth, Foster youth, and other California dashboard subcategories
Child Find	Parent training/education Hiring a Community Outreach Liaison Response to Intervention (RtI) Programs developed and implemented Multi-tiered Systems of Support (MTSS)	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of
Assessing Students who are Waiting of Initial IEPs	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,	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of
Complete Overdue IEPs	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,	TK - 12 students with learning disabilities and general education students subject to "Child Find" regulations in order to meet Federal requirements of
Other Impacted Areas (Identify the impacted Area and the plan for using the funds)	Secondary Transition and graduation planning for students with disabilities age 15 to 22. Work-Based Learning(WBL) Placements Establish additional workability partners for students with disabilities transitioning out of	Students with disabilities ages 15 - 22 transitioning from high school to adulthood to provide supports and services through their transition and meeting the Federal requirement of Free

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.
6. Total Direct Costs (Total of 1 through 5)	\$383,682.00	
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.
9. Total Grant Budget (Total 6 through 8)	\$413,801.00	

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>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.</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>Parent education regarding special education processes and rights under the federal Individuals with Disabilities Education Act</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>Parent peer support</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>

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
Language access provided as a supplement pursuant to state and federal law	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.
Collaboration with family empowerment centers and other family support organizations.	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.
Conduct voluntary alternative dispute resolution activities, including offering voluntary alternative dispute resolution for issues that are not resolved through the individualized education program process.	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.
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.	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.
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	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.
Other impacted areas (Identify the impacted area and the plan for using the funds)	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.

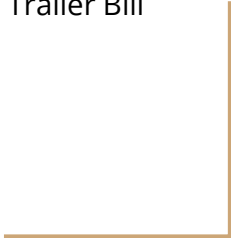
Proposed Expenditures

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.
6. Total Direct Costs (Total of 1 through 5)	\$85,263.00	
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.
9. Total Grant Budget (Total 6 through 8)	\$91,956.00	



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\(DOC\)](#)



IEP IMPLEMENTATION & MONITORING

4 STEPS TO MAKE IT

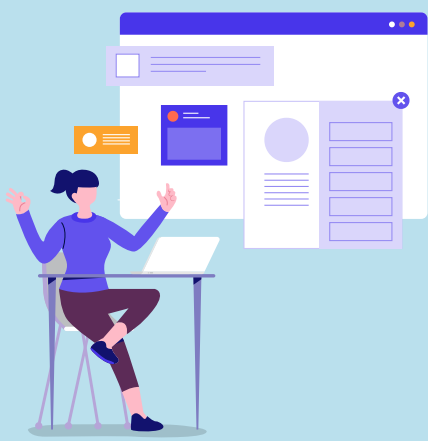


1) WHY

- 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

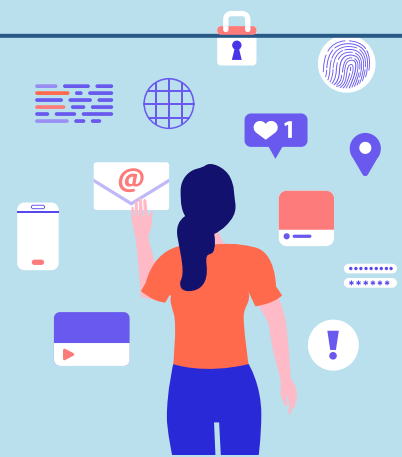


3) CASE MANAGEMENT- IEP SERVICE MINUTES

- 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.



7.5 2023-24 CAHELP JPA Governance Meeting Dates and Location
Verbal report only, no materials

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

DISTRICT								CASE ACTIVITY FOR CURRENT YEAR					Hearing	Filed on Parent
	17/18	18/19	19/20	20/21	21/22	22/23	Total	D/W	Resolution Active	Resolution Settled	Mediation Active	Mediation Settled		
Adelanto SD	3	3.5	3	3.5	4	3	20	0	1	0	1	1	0	0
Apple Valley USD	0	3.5	10	5	5	2	25.5	0	0	0	0	2	0	1
Baker USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Barstow USD	0	2	0	1	1	0	4	0	0	0	0	0	0	0
Bear Valley USD	2	0	0	1	1	0	4	0	0	0	0	0	0	0
Helendale SD	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Hesperia USD	6	7	17.5	7	12	2	51.5	0	1	0	0	1	0	0
Lucerne Valley USD	0	1.5	0	0	0	0	1.5	0	0	0	0	0	0	0
Needles USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oro Grande SD	0	0	2	0	1	0	3	0	0	0	0	0	0	0
Silver Valley USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Snowline USD	2	8.5	7	2	3	0	22.5	0	0	0	0	0	0	0
Trona USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Victor Elementary SD	6.5	0	7	1	6	7	27.5	2	0	1	3	1	0	1
Victor Valley Union High SD	4	8.5	6.5	10	6	0	35	0	0	0	0	0	0	0
Academy for Academic Excellenc	2	1	1	1	0	1	6	0	0	0	1	0	0	1
CA Charter Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Desert/Mountain OPS	1.5	3	2	1	0	0	7.5	0	0	0	0	0	0	0
Excelsior Education Center	0	0.5	2	0	1	0	3.5	0	0	0	0	0	0	0
Health Sciences HS & MS	0	0	1	1	0	0	2	0	0	0	0	0	0	0
SELPA-WIDE TOTALS	28	39	59	33.5	40	15	214.50	2	2	1	5	5	0	3

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

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

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
1. Adelanto Elementary SD Case No 2022070569	Denial of FAPE 1. Placement 2. ERICS/ERMHS 3. Parent Participation	7/19/2022	8/4/2022 8/9/2022 8/23/2022	9/13/2022	9/7-8/2022 10/24/2022	8/23/22 - Student not in school; parent wants virtual; mental, physical health concerns. 9/22/22 - Case settled to include - district assessments and parent ordered to cooperate with doctor audio-gram and IS placement for this year only. CLOSED - Mediation		ERMHS 30 hrs Academic 42 hrs
2. Apple Valley USD Case No 2022070781	Denial of FAPE 1. Deficient psycho ed assessment. 2. Deficient functional communication assessment 3. Deficient OT assessment 4. Deficient PT assessment 5. Inadequate placement 6. Inadequate SPL services 7. Inadequate OT services 8. Inadequate PT services 9. Inadequate communication program	7/25/2022	8/5/2022	10/3/2022	9/20-22/2022	8/5/22 - Parent seeking NPS. Not available in our region. Demanding private placement; moving to mediation. Consolidated with case # 2022080051. 10/3/22 - Mediation - Will not agree to placement based on single assessors recommendations 11/2/22 - Placement agreed to - Stu to return to school. CLOSED - Mediation	Psycho Ed Dr. Simun	SPL, OT, PI, SAI \$40,000 1:1 Aide in home 720min.
3. Apple Valley USD Case No 2022080051 Filing on parent	District filed to defend assessments	8/1/2022	N/A	10/3/2022	11/1-3/2022	*OAH Consolidated Case # 22022070781 with Case # 2022080051 Moving to mediation. 10/03/22 - Mediation held and unsuccessful. Parent seeks private home placement with 1:1 behavioral aide 6 hours at home and District seeks to return student to in-school program 11/2/22 - See above CLOSED - Mediation	N/A	N/A

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

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
4. HUSD Case no. 2022080186	Denial of FAPE 1. Failure to assess 2. Inadequate assessment Failure to provide emergency interventions.	8/5/2022	8/17/2022	10/31/2022	9/20-22/2022 11/9-11/2022	8/17/22 - Student not in school; seeking 1:1 for "global supervision; district provided NPS; student no show. 8/29/22 - Interim settlement for placement during assessments. 09/22 - Addendum scheduled to review the results of FBA IEEs completed first week of Nov. 11/9/22 - SPL,OT, Behavior increased in the IEP. Settlement CLOSED - Mediation	OT	SPL - 50 hrs Behavior - 25 hrs
5. VESD Case no. 2022080379	Denial of FAPE 1. Failure to provide 1:1 2. SPL 3. OT 4. AAC	8/12/2022	8/24/2022 8/29/2022	10/6/2022	9/27-29/2022	8/29/22 - No agreement on 1:1; analyzing records to determine next steps. 10/05/22 - Negotiations for settlement (provide 1:1 support for portion of the day rather than full day, add OT, AAC training and AAC device) 10/10/22 - Settlement agreement CLOSED - Mediation	Psycho Ed	Speech - 50 hrs Academic - 200 hrs
6. VESD Case no. 2022080518 Filing on parent	Permission to implement IEP; placement	8/17/2022	N/A	9/26/2022 - cancelled by parent	9/13-15/2022 11/01-03/2022	Student not in school. Parent seeking alternate placement. 10/17/22 - Case withdrawn. Parent signed IEP CLOSED - Withdraw	N/A	N/A
7. AAE Case no. 2022090499 Filing on parent	District filed for appropriate placement			Proposed 10/26/2022	10/18-20/2022 11/15-17/2022 1/24-26/2022	Parent not in agreement with a district placement in school of residence 10/4/22 - Complaint amended to include IEP update of 10/4/22 10/28/22 - Parent obtained new attorney who was granted a continuance		

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

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
8. VESD Case no. 2022100187	Denial of FAPE 1. Failed to find eligible SPED under category of OT. 2. Failed to conduct ERMHS. 3. Abused student causing physical harm.	10/7/2022	10/19/2022 10/26/2022		11/22-23/2022 12/6-8/2022	10/26/22 - Parent attorney unprepared. Asking for eligibility under OT, not possible. 11/28/22 - Preparing for hearing 11/28/22 - Parent withdrew case. We expect it to be refiled Parent withdrew CLOSED - Withdraw	N/A	N/A
9. VESD DMOPS Case no. 2022100788	Denial of FAPE 1. Failure to provide appropriate placement and program a.) Academics b.) SPL c.) OT d.) BIP	10/25/2022	11/9/2022	12/19/2022	12/13-15/2022 1/31-2/3/2022	11/9/22 - Offered county placement and FBA in a new setting. Going to mediation. 12/19/22 - 10 day letter to stop fees		
10. AESD Case no. 2022100867	Denial of FAPE 1. Failure to evaluate prior to placement change 2. Failure to assess FBA, ERMHS 3. Failure to offer 1:1 4. Failure to offer OT consult	10/28/2022	11/9/2022 1:30-2:30 11/14/2022	1/10/2023	12/13-15/2022	11/18/22 - No progress.		
11. VESD Case no. 2022100869	Denial of FAPE 1. Failure to assess FBA 2. Failure to offer 1:1 aide	10/28/2022	11/9/2022 12:30-1:30 11/14/2022		12/20-22/2022	11/18/22 - No progress. 12/6/2022 - Agreement reached CLOSED - Resolution	ERMHS	Counseling \$3,000 Academic \$1,500
12. VESD Case no. 202210080	Denial of FAPE 1. Failure to follow timeliness for ERMHS assessment. 2. Failure to provide Ed benefit a.) Reading goals b.) Writing goals c.) Math goals	11/4/2022	11/18/2022 11:00 12/05/2022	2/22/2023	12/20-22/2022 03/28-30/2023	12/15/22 - Offered comped for ERMHS but not academics		

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

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed
13. AESD Case no. 2022110480	Child Find Denial of FAPE 1. Failure to provide positive behavior supports 2. Failed to provide comprehensive assessment 3. Failed to provide a.) FBA b.) ERMHS c.) LAS d.) OT	11/17/2022	11/29/2022 12/09/2022		1/4-5/2023	12/9/22 - Parent attorney cut resolution short 12/21/22 - 1:1 aide added to the IEP; TISA to be conducted to review	Psycho Ed	Academic, NTE \$2,000 SPL, NTE \$5,500 OT - NTE \$2,750
13. VESD Case no. 2022110772	Child Find Denial of FAPE 1. Failure to assess at parent request a.) 8/29/2022 b.) 10/5/2022	11/29/2022	12/5/2022	1/18/2023	1/18-19/2023	12/5/22 - Expulsion hearing 12/15/22 - Awaiting results of psycho ed assessment		
14. HUSD Case no. 2022120240	Denial of Fape 1. Program not appropriate 2. Placement and services	12/7/2022	12/13/2022		1/9/2023	12/13/22 - Added to the IEP. 1:1 Aide to attend general ed classes until IEE is complete 12/21/22 - Settlement agreement CLOSED - Resolution	Psycho Ed SPL	

Desert /Mountain SELPA
Legal Expense Summary
As Reported at Steering December 16, 2022

2000-2001	\$39,301.51
2001-2002	\$97,094.90
2002-2003	\$37,695.13
2003-2004	\$100,013.02
2004-2005	\$136,514.09
2005-2006	\$191,605.08
2006-2007	\$140,793.00
2007-2008	\$171,614.04
2008-2009	\$263,390.71
2009-2010	\$114,076.96
2010-2011	\$293,578.50
2011-2012	\$567,958.10
2012-2013	\$321,646.04
2013-2014	\$250,372.65
2014-2015	\$297,277.76
2015-2016	\$204,756.26
2016-2017	\$233,130.03
2017-2018	\$247,459.52
2018-2019	\$314,479.71
2019-2020	\$475,930.79
2020-2021	\$354,582.16
2021-2022	\$401,072.52
2022-2023	\$174,852.61

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	9/7-8/2/2022 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 CLOSED - 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		8/15/2022 9/19/2022	8/23-25-2022 11/8-10/2022	Resolution waived due to timeline violation. 9/23/22 Case settled CLOSED - 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 CLOSED - 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

Website : www.cahelp.org

Conflict Prevention and Resolution Through IEP Meeting Facilitation

This workshop provides strategies for facilitating IEPs with an efficient and effective structure that leads to team agreement and preserved relationships. Participants learn and practice skills that allow them to facilitate IEP meetings, recognize and prevent conflict, and focus on constructive outcomes that promote student achievement. Participants will learn to: guide IEP teams to agree on appropriate, compliant, and effective IEPs; channel communication in order to build mutual understanding based on respect; create agreements based on full participation from all members; generate informed discussions, prevent, reduce, and resolve conflict. Participants will go through actual simulations of IEP meetings, so they have the chance to practice the skills presented in a safe learning environment.

Presented By

Cassie Velasquez and Robin Oshea
Co-Owners of Key2Ed., Inc.

Date

March 13-14, 2023

Time

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

Location

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



Audience

Site administrators, school psychologists, district administrators, general education teachers, and special education teachers.

Cost

Desert/Mountain SELPA and Charter SELPA Members
\$0.00

Non-member participants \$50.00

Registration

Please register online at:
<https://sbcss.k12oms.org/52-227389>

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.**

7.7 Prevention and Intervention Update
Verbal report only, no materials

7.8 Compliance Update

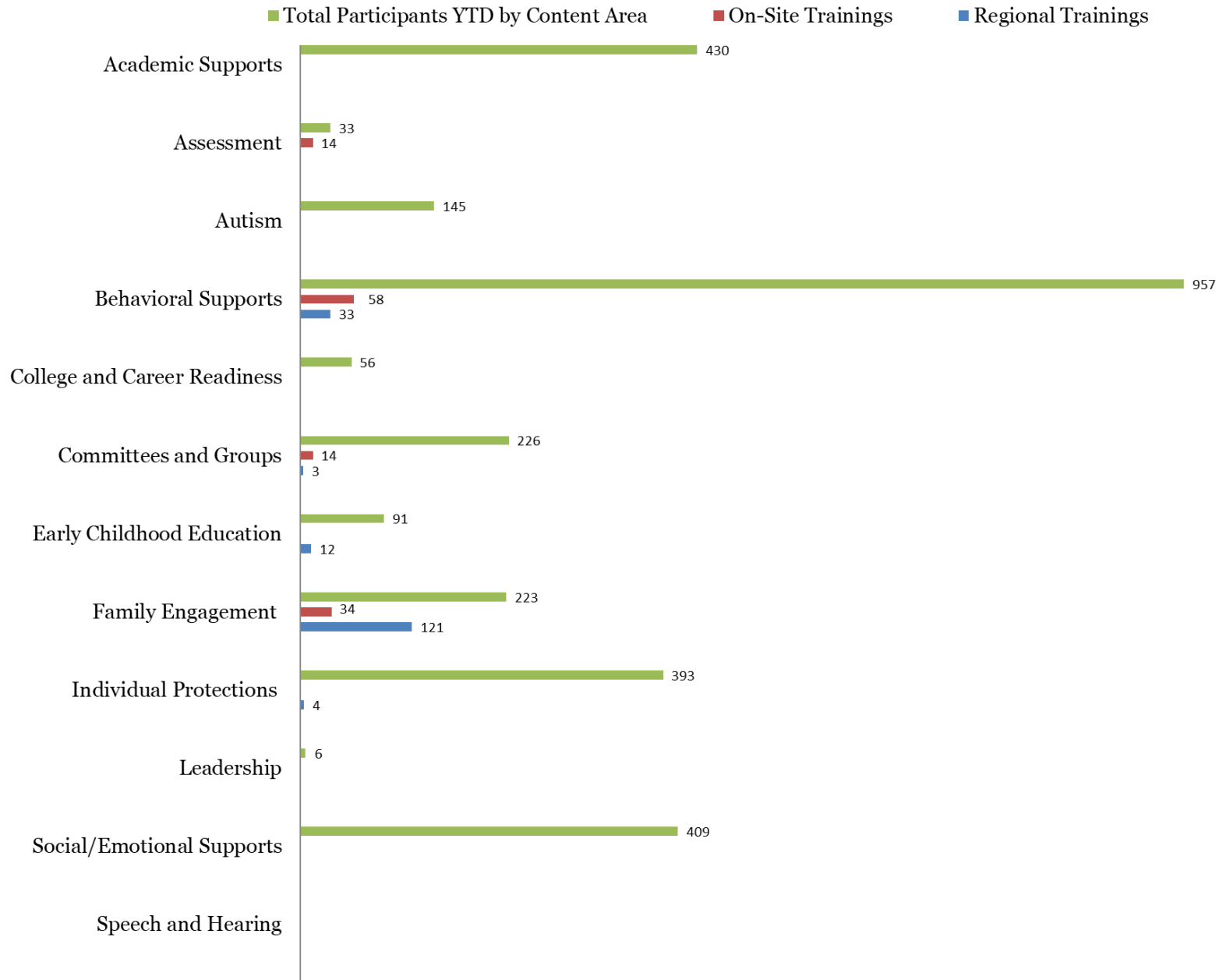
Verbal report only, no materials

7.9 Desert Mountain Operations Referrals and Need for Space
Verbal report only, no materials

DM SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

DECEMBER 2022 PARTICIPANTS - 293

2,969 YEAR-TO-DATE PARTICIPANTS

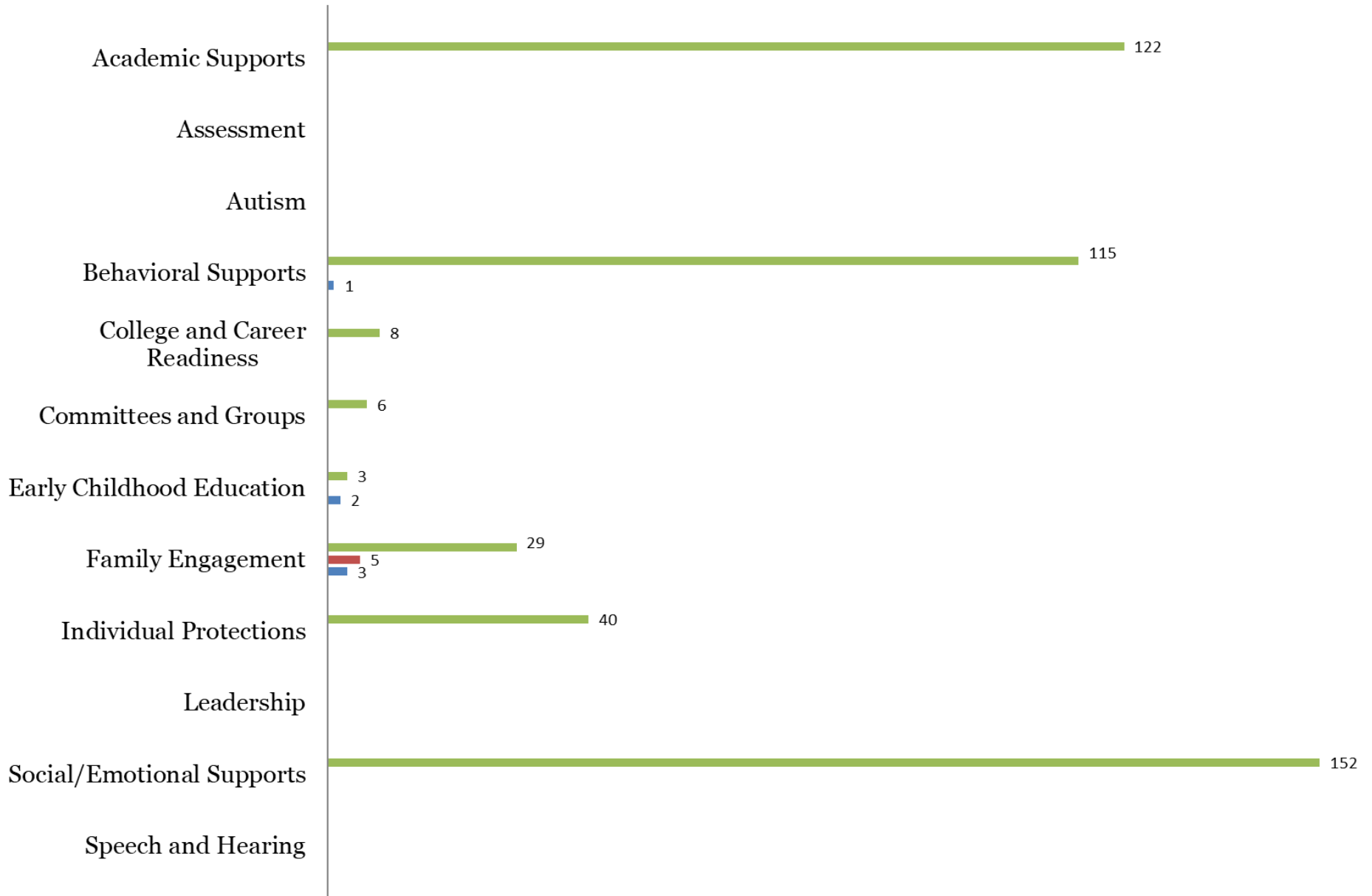


DM CHARTER SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

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



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.

