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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 – Deanna Swearingen, Helendale SD – Joshua Behnke, Hesperia USD – David Olney, Oro Grande SD – Derek Delton, Silver Valley USD – Jesse Najera, Snowline USD – Ryan Holman, Victor Elementary SD – Lori Clark, and Victor Valley Union HSD – Carl Coles.

OTHERS PRESENT:

Jennifer Alvarado – San Bernardino County Superintendent of Schools, Business Services, Michael Harte – San Bernardino County Superintendent of Schools, Technical Services, Jan Gonzales – San Bernardino County Superintendent of Schools, District Governance Advisors, and Brenda Congo – Taylion High Desert Academy.

CAHELP JPA STAFF PRESENT:

Jamie Adkins, Pamela Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, Linda Llamas, Kathleen Peters, and Deborah Sarkesian.

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 Jesse Najera at 10:02 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 Cecil Edwards, seconded by Lori Clark, to approve the October 27, 2023 CAHELP JPA Governance Council Meeting Agenda as presented. The motion carried on the following vote: 12:0:0: Ayes: Behnke, Clark, Coggnetta, Coles, Delton, Edwards, Holman, Lamb, Najera, Nelson, Olney, and Swearingen. Nays: None, Abstentions: None.

5.0 PRESENTATIONS

5.1 SBCSS D/M Operations Final 2022-23 Local Control Funding Formula (LCFF) Revenue Transfer

Jennifer Alvarado, San Bernardino County Superintendent of Schools (SBCSS) Internal Business Program Manager, presented the SBCSS D/M Operations Fiscal Year 2022-23 LCFF Revenue Transfer data. Jennifer reported the revenue is generated by students attending county operated

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special education programs with the transfers being completed when P-1 and P-2 are certified.

5.2 SBCSS D/M Operations 2022-23 Fee-For-Service Year-End Actuals

Jennifer Alvarado presented the SBCSS D/M Operations Fiscal Year 2022-23 Fee-For-Service Year-End Actuals. She reported the increase from budgeted to actuals is due to the extreme growth in referrals to the desert mountain county operated programs.

5.3 SBCSS D/M Operations 2022-23 Fee-for-Service Return

Jennifer Alvarado presented the SBCSS D/M Operations 2022-23 Fee-For-Service Return information. She reported the respective return is based on the district's proportionate share of the number of students receiving services and the fee for service categories.

5.4 E-Sports in the Desert Mountain Region

Michael Harte, SBCSS Technical Services, presented on E-Sports in the Desert Mountain Region. He shared the SBCSS Technical Services branch is happy to assist the districts with building their own programs and communicating with what equipment is needed along with safely configuring firewalls. Michael continued they can provide a pop up at school sites during lunch or after school to engage the students in a mock tournament with signed parent permission slips and prizes. SBCSS e-sport tournaments are facilitated by Generation E-Sports, the largest facilitator in the nation. Michael shared that Moreno Valley USD did a brief study of their students and found those who engaged in e-sports showed higher levels of engagement, attendance, and academic marks. There are many careers that e-sports can grow in to. E-sports also provides an additional platform for students to be involved with to increase their levels of engagement outside of academics. Michael asked to be contacted with any questions and by the districts interested in the program.

5.5 JPA CEO Facilitated Evaluation Process

Jan Gonzales, SBCSS District Governance Advisor, presented the SBCSS JPA CEO Facilitated Evaluation Process. There is an informal and formal evaluation, both are guided by an SBCSS District Governance Advisor, placed on the Board Agenda, and held in Closed Session. During the informal evaluation meetings, no documentation is required except for notes the CEO takes for their own reference but nothing is documented for the personnel file. The formal evaluation is completed every other year and is between the Board and the CEO with discussion focused on the previously agreed upon goals and objectives with the CEO presenting their data. The full board participates in the discussion with two board members taking notes to compile, creating a report of the evaluation findings, specifically the accommodations and recommendations. Jan continued that the report is presented at the following board meeting to ensure all details are captured. The signed report is then forwarded to the SBCSS superintendent for review and to likely hold a meeting with the CEO. That final report will be placed in the personnel file for documentation.

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Jan added that implementing this process does not require an action item on the agenda because the CEO evaluation is already scheduled to be held every two years, this is a process that can be implemented if the board agrees.

Several of the council members voiced their support for the process based on personal experience. Being the person evaluated, it is a highly valuable tool, rich in content and authentic feedback, allowing for capacity building. All the council members have a voice in the process and are given the chance to be truly heard. The third-party facilitator (SBCSS District Governance Advisors) can assist with eliminating what could be an awkward experience.

The council members present agreed to follow the process presented with Jan Gonzales being the facilitator. Pam Bender agreed the process would be a helpful opportunity to ensure she can meet the needs of the LEAs. Jan and Pam agreed to communicate regarding meeting dates.

6.0 INFORMATION / ACTION

6.1 CAHELP JPA Policy and Procedures: School-Based Medi-Cal Billing Option Program Alternative Format Plan (**ACTION**)

Policies and procedures governing the operation of special education programs within CAHELP JPA are developed, reviewed and revised throughout the year upon the recommendation of the Program Team. Policies and Procedures are modified as necessary in order to ensure that special education programs are operated in an efficient, effective and legally compliant manner. Suggested revisions to SELPA Policy and Procedures are submitted to the CAHELP Governance Council for consideration and approval.

6.1.1 **BE IT RESOLVED** that a motion was made by Deanna Swearingen, seconded by David Olney, to approve the CAHELP JPA Policy & Procedures: School-Based Medi-Cal Billing Option Program Alternative Format Plan as presented. The motion carried on the following vote: 12:0:0: Ayes: Behnke, Clark, Cognetta, Coles, Delton, Edwards, Holman, Lamb, Najera, Nelson, Olney, and Swearingen. Nays: None, Abstentions: None.

6.2 Elite Academic Academy - Lucerne withdrawal from CAHELP JPA and Desert Mountain Charter SELPA membership (**ACTION**)

On June 15, 2023, the Desert Mountain Charter SELPA received a request for release of membership from Elite Academic Academy - Lucerne to be effective June 30, 2024. Article IX of the CAHELP JPA Bylaws state: (A) Any member agency may withdraw from CAHELP JPA and terminate its status as a signatory to the Joint Powers Agreement effective at the end of any fiscal year of CAHELP JPA by notifying the CAHELP JPA Governance Council in writing at least one year and one day prior to the close of CAHELP JPA's fiscal year unless the Governance Council by unanimous vote agrees to a shorter timeline. Written notice shall include an adopted

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Resolution by the Board or governing body of the member agency formally approving withdrawal and termination from membership in CAHELP JPA in order to be effective. Such termination as a member agency in CAHELP JPA shall also result in a termination of the member agency's participation in any CAHELP JPA, program or service as of the end of CAHELP JPA's fiscal year. In addition, such written notice shall, when given, result in any employee or representative of the withdrawing member agency being terminated from CAHELP JPA's Governance Council, or any other Standing Committee effective immediately, unless otherwise directed by the applicable committee. (B) Notwithstanding the foregoing, any member agency may rescind its withdrawal notice from CAHELP JPA, inclusive of its withdrawal from CAHELP JPA programs or services, by written notice with an accompanying resolution from the Board or governing body of the member to be received by CAHELP JPA no later than June 30 of the then existing fiscal year of CAHELP JPA and program participation. (C) Upon any withdrawal, or involuntary termination of a member agency, the withdrawing or terminated member agency shall continue to be responsible for the amount of any additional assessments or contingencies required because of costs, obligations or sums incurred while the withdrawing or terminating member agency was a member of CAHELP JPA and a participant in any program of CAHELP JPA. A withdrawing or terminated member agency shall not be entitled to participate in, or receive any distribution of assets of CAHELP JPA, which assets shall remain the assets of CAHELP JPA. (D) A member agency may be involuntarily terminated from CAHELP JPA by a two-thirds (2/3rds) vote of the Governance Council.

6.2.1 **BE IT RESOLVED** that a motion was made by Lisa Lamb, seconded by Ryan Holman, to approve the Elite Academic Academy - Lucerne request for withdrawal from CAHELP JPA and Desert Mountain Charter SELPA membership effective June 30, 2024 as presented. The motion carried on the following vote: 12:0:0: Ayes: Behnke, Clark, Cognetta, Coles, Delton, Edwards, Holman, Lamb, Najera, Nelson, Olney, and Swearingen. 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 David Olney, seconded by Sebastian Cognetta, to approve the following Consent Items as presented. The motion carried on the following vote: 12:0:0: Ayes: Behnke, Clark, Cognetta, Coles, Delton, Edwards, Holman, Lamb, Najera, Nelson, Olney, and Swearingen. Nays: None, Abstentions: None.

7.1.1 Approve the May 12, 2023 CAHELP JPA Governance Council Meeting Minutes.

7.1.2 Approve the 2023-24 Crisis Prevention Institute (CPI) Annual Membership for Ned

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Broberg, Danielle Cote, Melissa De Silva, Brian Follis, Blanca Medrano, Michael Norton, Linda Rodriguez, and Veronica Rousseau in an amount not to exceed \$200.00 per individual membership.

7.1.3 Approve the Association of Community Based Organizations (ACBO) 2023-24 Annual Membership for DMCC Director Linda Llamas in the amount of \$125.00.

7.1.4 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 2024-25 Desert Mountain SELPA and Desert Mountain Charter SELPA Local Plan

Pam Bender provided information regarding the 2024-25 Desert Mountain SELPA and Desert Mountain Charter SELPA Local Plan. She reported the full Local Plan for both DMSELPA and DMCC are due since it has been three years. Pam will be sharing a timeline of steps that will be shared with the Steering and Finance Committees in order to get the members involved and have the completed documents ready for Governance Council approval in May 2024. When the timeline is emailed to the directors, the superintendents will be copied.

8.2 2024-25 Desert Mountain SELPA and Desert Mountain Charter SELPA Allocation Plans

Pam Bender reported the Allocation Plans will also be submitted this school year. In a webinar with the state of California, it was recommended that someone other than the SELPA director facilitate the allocation plan process. Pam has spoken with Dr. Ron Powell who agreed to be the facilitator. There will also be a request sent out for Governance Council members to be part of the Allocation Plan committee and Pam is hoping that some for some of the superintendents who were previously chief business officers to be part of it. Pam asked to be contacted by volunteers.

8.3 CAHELP JPA Vision Statement

Pam Bender spoke on the CAHELP JPA Vision Statement. At the June 2023 CAHELP JPA Leadership Retreat, the leadership team agreed to retain the mission statement but to create a vision statement. Pam continued that though feedback has been received from the staff, the vision statement will not move forward until feedback from stakeholders can be received and reviewed. Pam said with staff working on the transition to SEIS, the stakeholder survey will be emailed to the superintendents and special education directors later in the school year. Pam reported that the

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different areas within CAHELP JPA are working on goals for the vision statement with the executive team focusing on onboarding new staff. That will allow all new employees to receive needed resources at the beginning of their journey with the organization.

8.4 CAHELP JPA Governance Workshop

Pam Bender led a discussion on rescheduling the CAHELP JPA Governance Workshop. She said Robert Feldhake had to cancel for the September 14, 2023 workshop due to a trial. It is important to have him in attendance so questions can be asked as they come up. After a brief discussion, the consensus is for the workshop to be rescheduled for January 2024. Pam will speak with both Robert Feldhake and Dr. Ron Powell about dates in January.

8.5 Legislative Update

Pam Bender provided a legislative update. Pam Bender will present a legislative update, highlighting the following bills:

- Assembly Bill (AB) 248 (Mathis) Individuals with intellectual or developmental disabilities: removes obsolete terminology including “mentally retarded persons” “mentally retarded children” “retardation” – Approved and effective 1/1/2024.
- AB 438 (Rubio) Pupils with exceptional needs: IEPs: postsecondary goals and transition services - change age to 14; possible amendment to “prior to ninth grade”. Two-Year Bill – Ordered to inactive file.
- AB 447 (Arambula) Public postsecondary education: SWD: inclusive college pilot programs- require California State Universities and request to Universities of California to create pilot college inclusive program for students with ID and DD – Approved and effective 1/1/2024, subject to appropriation.
- AB 1466 (Weber) Pupil Discipline: Restraint and Seclusion- requires restraint and seclusion data to be posted on the LEA website concern from ACSA regarding confidentiality – Approved and Effective 1/1/2024.
- AB 1517 (Gallagher): SELPA Governance. Accountability and Transparency – support LEAs with Differentiated Assistance amongst other Compliance required data collection – Vetoed. In San Bernardino County, the SELPAs and San Bernardino County Superintendent of Schools is involved with the LEAs in differentiated assistance.
- Senate Bill (SB) 88 (Skinner) Pupil Transportation: Driver Qualifications: for drivers who operate a vehicle with a max of 10; criminal background check, fingerprinting, mandated reporter, TB, drug and alcohol testing, training and classes – Approved and effective 7/1/25 or when the LEA’s current transportation contract expires. There is an exemption for parents/guardians.
- SB 323 (Portantino) Pupils with Exceptional Needs: IEPs: emergency safety procedures- comprehensive school safety plan includes access and equity component to support all students – Approved and effective 1/1/2024. Pam said the emergency safety procedures are for all students and not required in individual students’ IEPs.
- SB 354 (Ochoa Bogh) Inclusive Practices: Inclusive education using Universal Design for

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Learning – Vetoed. Pam reminded the committee that all students are general education students first. The bill is likely to be reintroduced. Pam will ask State SELPA Administrators if a work group will be created to work on the semantics of language such as team-teaching vs co-teaching, etc.

- SB 445 (Portantino) IEP Translations: requires translation of the IEP, assessments and progress used to determine IEP into the native language of the parent, or communication type; within 30 days of the meeting; top 8 languages; amendments submitted – Ordered to inactive file. Pam said the bill is likely to be presented again in the future.
- SB 531 (Ochoa Bogh) Pupil Safety: Local Education Agency Contractors: Background Checks – Approved. Pam will join the Mountain Desert Career Pathways committee in working towards practices that the desert mountain region can implement.

8.6 Compliance Update

Pam Bender provided an update on compliance issues from the California Department of Education including IEP Implementation and Monitoring, Compliance and Improvement Monitoring (CIM) and levels of intervention. Pam reported she will be contacting the new state special education director Rachel Heenan about the member LEAs receiving leeway for late IEPs due to the transition to SEIS. There are several LEAs in disproportionality, intensive, and targeted monitoring. Pam is planning to bring the LEA teams together when the new dashboard is released so there can be discussion of the different processes.

9.0 INFORMATION ITEMS

9.1 Professional Learning Summaries

Pam Bender shared that along with the training information listed on the summary, SEIS trainings continue to be provided on-site and virtually. She will share the number of SEIS trainings provided at the next meeting as well as with the Steering and Finance Committees.

9.2 Resolution Support Services Summaries

Pam Bender reported that the department is seeing more state complaints than Office of Administrative Hearing (OAH) filings. There have been some filings against parents as is the responsibility of the department when educational services cannot be provided to a child because of the parent not moving forward.

10.0 CLOSED SESSION

10.1 Building Acquisition Opportunities

10.2 Personnel Matters

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10.3 Litigation Update

11.0 GOVERNANCE COUNCIL MEMBERS COMMENTS / REPORTS

12.0 CEO COMMENTS

Pam Bender shared that Codi Andersen, OT/PT Manager is creating a proposal for an occupational therapy pilot for early childhood in order to reduce referrals later. She is hoping for high interest from the member LEAs.

Pam reported program specialist team is still short though the positions have been posted and interviews scheduled. She explained that the shortage is causing a delay in Crisis Prevention Intervention (CPI) training because it does require two trainers. Pam shared that a couple of the special education directors asked if LEA staff could be certified as CPI trainers. Pam is researching the possibility of CAHELP JPA paying for one or two facilitators at each LEA. The cost of facilitator certification is \$5600 per person and it must be done every two years. The facilitators can only train staff within their LEA and a DMSELPA facilitator would be required to support the staff training.

Pam shared that she has shared with her staff that getting through struggles makes us stronger. Some staff are onsite until 6-7:00 p.m. on workdays entering information in SEIS and she has been working towards getting more students affirmed. The struggles continue as DMCC staff have supported LEAs with several crises recently.

Jesse Najera said the DMCC crisis team was unbelievable in providing crisis support to 70 students in his district.

13.0 MATTERS BROUGHT BY GENERAL PUBLIC

None.

14.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Cecil Edwards, seconded by David Olney, to adjourn the meeting at 12:21 p.m. The motion carried on the following vote: 12:0:0: Ayes: Behnke, Clark, Cognetta, Coles, Delton, Edwards, Holman, Lamb, Najera, Nelson, Olney, and Swearingen. Nays: None, Abstentions: None

The next regular meeting of the CAHELP JPA Governance Council will be held on Friday, January 19, 2024, 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.