

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

GOVERNANCE COUNCIL MEETING

March 17, 2023 - 9:00 a.m.

Apple Valley Unified School District Office, Conf Room B, 12555 Navajo Rd, Apple Valley CA 92308

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GOVERNANCE COUNCIL MEMBERS PRESENT:

Apple Valley USD – Trenae Nelson, Baker Valley USD – Cecil Edwards, Barstow USD – Deanna Swearingen, Hesperia USD – David Olney, Lucerne Valley USD – Peter Livingston, Oro Grande SD – Derek Delton, Silver Valley USD – Jesse Najera, Snowline USD – Ryan Holman, Victor Elementary SD – Lori Clark, and VVUHSD – Carl Coles.

OTHERS PRESENT:

Dr. Ron Powell - presenter, Stephanie Hedberg – SBCSS/Desert Mountain Operations, and Brenda Congo – Taylion High Desert Academy.

CAHELP JPA STAFF PRESENT:

Pamela Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, April Hatcher, Linda Llamas, 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 Acting Chairperson Jesse Najera at 9:02 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 Trenae Nelson, seconded by David Olney, to approve the March 17, 2023 CAHELP JPA Governance Council Meeting Agenda as presented. The motion carried on the following vote: 10:0:0, Ayes: Clark, Coles, Delton, Edwards, Holman, Livingston, Najera, Nelson, Olney, Swearingen, Nays: None, Abstentions: None.

5.0 PRESENTATIONS

5.1 Desert Mountain Operations' District Services Reports

On behalf of Rich Frederick, Stephanie Hedberg presented information pertaining to Desert Mountain Operations' (DMOPS) District Service Reports and the increase in services. Stephanie shared a 5-year growth chart and stated that as school enrollment increases, the number of students in DMOPS classrooms increases as well. Stephanie continued that families are staying in the area due to affordable housing which reduces the number of students leaving programs. DMOPS is currently at capacity across the region and is projecting a need for nine additional classrooms in 2023-24 to meet the enrollment trends. Each classroom is staffed with one certificated teacher,

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and two paraeducators for 10-12 students, with staffing increasing depending on students needs. She shared that Adelanto SD, Victor Elementary SD, and Apple Valley USD have the highest number of students in the DMOPS programs. Stephanie shared that Rich Frederick would like to meet with the superintendents individually to review the LEA services summary that includes information such as the number of students served and their disabilities, services being provided, and the number of staff providing services. Rich's office will be contacting the superintendents in the next few weeks to schedule those meetings.

Trenae Nelson said that her district does not have space available due to transitional kindergarten (TK) filling vacant classrooms. She asked when the districts will know if they will be asked to provide space for students served by DMOPS.

Stephanie responded that will be part of the conversation with Rich.

5.2 History of CAHELP JPA and Educationally Related Mental Health Services (ERMHS)

Dr. Ron Powell presented information to the history of CAHELP JPA and Educationally Related Mental Health Services (ERMHS). Dr. Powell started by saying in 1981 when the Desert Mountain SELPA was formed, it included six school districts that were all under 1500 average daily attendance (ADA) which meets the definition of small a school district. There are also large districts with up to 23,000 ADA and because of that broad range of enrollment, the ethos of DMSELPA has always been all for one and one for all. Dr. Powell continued that DMSELPA has known the small districts could not make it on their own and realized so much more can be done when working together instead of alone.

Dr. Powell reported that special education has always been responsible for providing mental health services to children if necessary for them to benefit from their specialized services. In 1986, Assembly Bill 3632 was passed giving San Bernardino County Department of Behavioral Health (DBH) responsibility to provide the mental health services. At that time, five agencies contracted with DMSELPA to provide school-based mental health services. He continued that after three years, DBH eliminated the contract agencies and used the funds to build two clinics: one in Barstow and one in Victorville then asked for the students to be transported to those clinics to receive services. In 1992, the DMSELPA Board voted to hire two therapists to provide the school-based mental health services to over 60 students between them. In 1995, after many suicides and students being hospitalized in one district that received little resources from DBH, the Board voted to hire more therapists and agreed to a fee-for-service model. In 2002, DBH released a request for proposal (RFP) for therapy services and because DMSELPA was already providing the services, it was applied for and granted, causing the DMSELPA mental health services budget to increase from \$900,000 and six therapists to \$3.6 million and 25 therapists. The language of ERMHS was meant to be a designation of mental health services for students with IEPs instead of medical reasons when funding was transferred back to schools. In Dr. Powell's continued studies and work in mental health, it has been found that since COVID-19, youth mental health issues have more than doubled. Desert Mountain Children's Center (DMCC) has been able to leverage their funding with DBH to greatly increase the funding for mental health services for school-based services as well as residential treatment and placement services. The DMCC early screening programs such

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as Screening, Assessment, Referral, and Treatment (SART) and Comprehensive Assessment, Research, and Evaluation (CARE) are evidence-based programs created by DMCC that are now copied throughout the state. Dr. Powell appealed to the Governance Council to start thinking about prevention and looking to again fund the early childhood programs such as Mini Miracles with the funding assistance of managed care organizations (MCO) that are responsible to provide services to the community. He encouraged the training of staff to be caring and supportive because the bond with a therapist strengthens any modality used. Empathy, compassion, and connection will reduce the number of students that are being referred to mental health and behavior problems. Dr. Powell stated that the member LEAs are stronger when working together including funding, flexibility of staffing, synergy of expertise, diversification of liability, and higher fidelity of treatment. He said CAHELP JPA was formed because the county board of education wanted to disband DMCC because there was concern they would incur medical liability due to DMCC providing medical services.

David Olney said if an individual district could provide services, it would not be to the same scope as what is being provided under CAHELP JPA because the LEAs work together.

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 a motion was made by Peter Livingston, seconded by Cecil Edwards, to approve the following Consent Items as presented. The motion carried on the following vote: 10:0:0, Ayes: Clark, Coles, Delton, Edwards, Holman, Livingston, Najera, Nelson, Olney, Swearingen, Nays: None, Abstentions: None.

6.1.1 Approve the January 20, 2023 CAHELP JPA Governance Council Special Meeting Minutes.

6.1.2 Approve the February 21, 2023 CAHELP JPA Governance Council Meeting Minutes.

6.1.3 Approve the 2023-24 Crisis Prevention Institute (CPI) Annual Membership for Renee Garcia in the amount of \$200.00.

6.1.4 Approve Tools to Grow Software annual group membership for Crystal Aden, Codi Andersen, Michael Brooksby, Sherri D’Aiuto, Marisa DiDonato, Zachery Eustance, Lori Gonzales, Wendy Guilbert-Neal, Kelly Hume, Edson Magana, Katie Marsh, Wendy Ottosi, Janet Ray, Suzan Raymond, Sabrina Rebeck, Meghan Stevens, and Lisa Sutton in the amount of \$500.00.

6.1.5 Approve Health Care Compliance Association membership renewal for Veronica Hay

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in the amount of \$325.00.

6.1.6 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 the low incidence equipment identified on the inventory report has been reviewed and determined to be unassigned and/or obsolete.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Educationally Related Mental Health Services (ERMHS) Funding Local Plan Information

Pam Bender provided Educationally Related Mental Health Services (ERMHS) Funding Local Plan information. Based on the February 21, 2023 meeting request for Local Plan language reviewed by legal for the ERMHS funding to pass through to DMSELPA, Pam said the wording she provided is approved but legal offered other options. Those options include a multi-year Memorandum of Understanding (MOU) that would be voted on by the Governance Council at the expiration of each one, adding it to the JPA Agreement that would remain the same until it was re-evaluated, or in the Allocation Plans.

Pam thanked Dr. Powell for the informative history and agreed with the statement of collaboration being key. She shared DMCC is still down approximately 25 clinicians with interviews being consistently scheduled to continue providing services and responding timely to referrals. At the May 12, 2023 Governance Meeting, there will be an action item to decide where to write the ERMHS funding language.

It was confirmed that the legislation is written that the funds will go to the LEAs so the superintendents will need to get board approval for the funds to passthrough to CAHELP JPA. It was added the rationale is there are many more resources when collaborating because CAHELP JPA has the DBH contracts that the LEAs do not have. In using the funds in conjunction with the other member LEAs, the funding is multiplied with less liability and more flexibility.

Pam added that mental health providers do have to be trained on the educational piece of the services.

Dr. Powell said the mental health providers do need to be included as part of the school community and referred to the connections that need to be made between the mental health providers and the students they serve and that includes the school staff.

One superintendent share DMCC staff are part of her school community with regular contact and interactions. Another superintendent added that it is equally the school's responsibility to include the service providers as members of the school community. Several shared their experiences of

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having a team of 10 or more DMCC clinical staff responding to a school site when a critical incident has occurred to assist students and staff.

It was asked what happens if one member LEA decides to keep their ERMHS funding but the others vote for the passthrough. The response was that all member districts are leveraging significantly more funding with keeping ERMHS funding with CAHELP JPA. Pam will consult with legal to confirm the implications if an LEA voting against the ERMHS funds being passed through to CAHELP JPA.

It was confirmed that San Bernardino County Superintendent of Schools (SBCSS) is the employer of record for clinicians that are on the school sites because SBCSS is the administrative unit (AU) for CAHELP JPA. However, SBCSS has no authority to discipline, hire, or fire CAHELP JPA staff because of the JPA status. During discussion, several members expressed concern that it should be communicated again to SBCSS what their limits are in overseeing CAHELP JPA. It was also shared that CAHELP JPA Governance Council could choose another entity to be the AU. There was further discussion about indirect costs paid to the AU.

Marina Gallegos confirmed the indirect cost rate paid to SBCSS does fluctuate with 2022-23 being 8.95% and 2023-24 being 8.5%. They process payroll, handle facilities, as well as human resources, and procurement.

Pam recommended that before the May 12, 2023 Governance Council meeting asked for the individual LEA boards to vote on the ERMHS funding to passthrough to CAHELP JPA so the Governance Council can then decide on which method.

Pam agreed to contact Robert Feldhake, Esq to ask specific questions and report back to the council members to provide them with talking points for their LEA boards.

7.2 Opportunities to Purchase Office Buildings

Pam Bender presented information on opportunities to purchase office buildings. She said though CAHELP JPA is short staffed by approximately 25 clinical positions, there is still a struggle for space. Currently the CARE program is housed at the Apple Valley Early Education Center which is a DMOPS site. Pam shared that though CARE released one classroom as the site this year, the growth of DMOPS is requiring them to take the remaining space that CARE occupies at the end of 2023-24 school year. There are several DMCC staff housed at Apple Valley County Education Center as well. She then shared that there are approximately 71 staff located in three leased suites located in proximity to DMESC which are costing approximately \$15,000 per month. When Spirit River complex was purchased in 2019, the cost was \$6.7 million and was expected to adequately house staff. Pam reported in 14 years, DMCC has grown 160%, DMSELPA has grown 158%, and CAHELP has grown 70%. She stated there are two suites at Spirit River that are rented out which bring in \$51,000 per year of revenue. Pam said in looking for available buildings for purchase in the area that could be purchased outright. There is money in reserves for purchase as

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well as the property on Mariposa. Pam agreed to have a closed session at the next meeting to further discuss real property information.

8.0 INFORMATION ITEMS

8.1 Professional Learning Summary

8.2 Resolution Support Services Summary

9.0 GOVERNANCE COUNCIL MEMBERS COMMENTS / REPORTS

Several council members gave kudos to Jesse Najera for being the acting chairperson.

10.0 CEO COMMENTS

Pam Bender thanked the council members for attending the meeting and the great conversation. She reminded the council members to include a staff member from CAHELP JPA in their LCAP meetings as part of education code.

11.0 MATTERS BROUGHT BY GENERAL PUBLIC

None.

12.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Peter Livingston, seconded by Lori Clark, to adjourn the meeting at 11:00 a.m. The motion carried on the following vote: 10:0:0, Ayes: Clark, Coles, Delton, Edwards, Holman, Livingston, Najera, Nelson, Olney, Swearingen, Nays: None, Abstentions: None.

The next regular meeting of the CAHELP JPA Governance Council will be held on Friday, May 12, 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.