

California Association of Health and Education Linked Professions,
Joint Powers Authority (CAHELP, JPA)
DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING
January 26, 2023 – 1:00 p.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

DESERT MOUNTAIN CHARTER SELPA MEMBERS PRESENT:

ASA Charter Schools – Tony Lucey, Ballington Academy – Bill Anderson, Doreen Mulz, Gisella Wong, Desert Trails Preparatory Academy/Laverne Elementary Preparatory Academy – Debbie Tarver, Elite Academic Academy – Jen Edick, Adam Woodard, Encore Jr/Sr High – Bernice Swingle, Julia Lee Performing Arts Academy – Hannah Morales, Leonardo da Vinci Health Sciences – Anne Laird, Odyssey Charter – Chasityflame Price, Pathways to College – James Connell, Taylion High Desert – Brenda Congo, Karen Ware, and Virtual Prep-Lucerne – Malia Lovell.

CAHELP, SELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Codi Andersen, Pam Bender, Ivan Campos, Heidi Chavez, Adrien Faamausili, Thomas Flores, Marina Gallegos, Maurica Manibusan, Isaac Medina, Angela Mgbeke, Lisa Nash, Kathleen Peters, Veronica Rousseau, Adrienne Shepherd-Myles, Jennifer Sutton, and Bobbie Taylor.

1.0 CALL TO ORDER

The regular meeting of the California Association of Health and Education Linked Professions, Joint Powers Authority (CAHELP, JPA) Desert Mountain Charter SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender at 1:05 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 Tony Lucey, seconded by Debbie Tarver, to approve the January 26, 2023 Desert Mountain Charter SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 11:0:0: Ayes: Connell, Edick, Laird, Lovell, Lucey, Morales, Mulz, Price, Swingle, Tarver, and Ware.

5.0 CONSENT ITEMS

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

5.1 **BE IT RESOLVED** that a motion was made by Tony Lucey, seconded by Anne Laird, to approve the following Consent Items as presented. The motion carried on the following vote 11:0:0: Ayes:

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Connell, Edick, Laird, Lovell, Lucey, Morales, Mulz, Price, Swingle, Tarver, and Ware.

- 5.1.1 Approve the December 15, 2022 Desert Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

6.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

6.1 Assembly Bill 361 and Assembly Bill 2449 Brown Act Update

Pam Bender provided a Brown Act Update pertaining to Assembly Bills 361 and 2449. As of the time of the meetings, the California State of Emergency ends February 28, 2023. Pam said after receiving legal opinion and meeting with CAHELP, JPA Governance Council, all CAHELP, JPA meetings will continue with traditional Brown Act provisions. She said committee members will notify Jamie Adkins if they will be participating in person or remotely and if remotely, provide the address where they will participate from so that it can be listed on the agenda. When finalized, the agenda is to be posted at all remote sites with a space available for the public to attend.

6.2 IEP Implementation and Monitoring of Tracking Service Minutes

Pam Bender presented a PowerPoint with information regarding IEP implementation and monitoring of service minute tracking. She said CDE was found out of compliance with federal law because it did not adequately collect data regarding the implementation of student with disabilities IEPs. The state was ordered to develop an annual data collection method speaking directly to an LEAs performance in providing all services promised in a student's IEP. Pam said this is to be done annually beginning this year. CDE will identify a random sample of students, providing the LEA with either their names and/or their statewide student identifier (SSID) so the LEA can provide data for a 60-day period. Pam reported it will be 5% of students with disabilities, not 10% as previously thought. She continued that once the data is gathered, each LEA superintendent or CEO will certify the data is accurate and that school principals have certified that the data is accurate. SELPA will certify then return it to the LEA for final submission to CDE. She reiterated SELPA will not be submitting to CDE, each LEA will submit on their own behalf. CDE confirmed there are a variety of methods that can be used to collect the data. Pam said that SEIS does have a tracking system however it is set up for 365 days instead of actual school days. She continued the related service providers are typically already tracking attendance. Pam stated that absences of the students and providers must be tracked because if a student does not receive services due to them being absent from educational activities, services do not need to be made up. However, if the provider is not available, or if the student is on a school trip, assembly, or other school event/educational activity, services must be made up. This is contrary to what was shared at December's meeting but research enforces it.

Pam shared there is a State SELPA subgroup that is working on an Excel worksheet that will calculate the percentages once service minute data is added. Once SELPA has time to test it, it

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will be shared with the LEAs as another option for tracking.

6.3 Alternative Diploma Pathway Update

Pam Bender presented an update on alternative diploma pathway. She explained as part of Assembly Bill (AB) 181 and California Education Code Section 51225.31 is establishing a new high school diploma pathway exclusively for students with significant cognitive disabilities instead of a certificate of completion. Pam said a student can be awarded the alternative diploma if they have met the graduation requirements the LEA has developed. She continued that before commencing 10th grade, the IEP team needs to determine whether the student needs to participate in the graduation standards and the student must take the California Alternative Assessment (CAA) in 11th grade. A student who is in functional skills program is not eligible but a student that needs differential standards for aligned coursework is. Pam said eligible students are those with significant disabilities and are generally in the most severe classes. The student must also be identified as cognitively impaired and not eligible for general education diploma. An LEA will continue to be obligated to provide free appropriate public education (FAPE) until the student is 22 years of age even if they earn an alternative diploma. Pam shared CDE has an Alternative Assessment IEP Committee to assist in developing the guidelines and requirements. Pam reminded the committee members that students who take the CAA are 1% of the special education population so no more than that should be eligible for the alternative diploma. Pam restated the LEAs are to determine what their eligibility requirements will be.

6.4 Understanding the Invisible Learning Disability: Educational and Behavioral Interventions for Children with Fetal Alcohol Spectrum Disorder (FASD)

Pam Bender shared a flyer for an upcoming training *Understanding the Invisible Learning Disability: Educational and Behavioral Interventions for Children with Fetal Alcohol Spectrum Disorder (FASD)*. Dr. Ron Powell and Dr. Sheri Wilkins providing a 5-part monthly training on FASD that is supported by State SELPA. Pam asked the committee members to share the flyer with their staff.

6.5 Desert Mountain Children’s Center Client Services Reports and Update

Pam Bender presented the Desert Mountain Children’s Center Client Services monthly reports and updates. She said the LEA point of contact has received the monthly service reports via email. She asked that Linda Llamas be contacted with questions.

6.6 Professional Learning Summary and Update

Heidi Chavez provided the professional learning summary. She then reported the next Community Advisory Committee (CAC) meeting is scheduled in February with Apple Valley USD hosting. She said representatives from each district are needed as well as chairperson and co-chairperson.

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Heidi said having LEA representatives attending the CAC meetings is a requirement of being a SELPA member.

Heidi stated the I-MTSS Symposium will be held on March 8, 2023 and is limited to 300 participants. At a date following the symposium, speaker Ami Davis will return to DMESC to provide a more in-depth training. The date of the additional training will be released on March 8, 2023 at the symposium.

Heidi shared the Special Education Directors' Training is scheduled for February 24, 2023 at 12:00pm-2:00pm. She said the trainers will be presenting virtually but committee members attending in-person will have space to attend as a group and will also be provided with lunch. The topic will be Overidentification and Overrepresentation in Special Education.

6.7 Resolution Support Services Summary and Update

Kathleen Peters presented the Desert Mountain Charter SELPA's Resolution Support Services Summary and update. She then said the Alternative Dispute Resolution (ADR) budget is coming to a close. Kathleen continued part of the budget was used to provide Key2Ed facilitation training. That will not likely be provided by SELPA any longer but Kathleen has resources of other vendors that will be offering it if any LEA is interested. Kathleen said the Core Communication Skills training on February 2, 2023 is full with a waiting list but if interested, contact Nicole Langley.

6.8 Career Technical Education Update

Adrienne Shepherd-Myles presented the Career Technical Education (CTE) update. She shared Transition Planning for All Students is available virtually on February 9, 2023 and also as self-paced course. She said the content is the same in both formats. This will allow teachers and staff to attend whichever fits their schedule best. Adrienne added the training is also beneficial for veteran teachers who have not attended in recent years.

6.9 Compliance Update

Pam Bender presented an update on compliance items from the California Department of Education (CDE). She said LEA that were selected for this year's Small LEA Monitoring did submit Policy and Procedure in December 2022 with Educational Benefit Review is due on January 30, 2023. Pam said CDE will review Educational Benefit Review then in the spring, ask to LEAS to review records of no more than 25 students which will include verifying enrollment, and reviewing the most recent IEP to determine if there will be corrective actions. There will be a training offered in Stepwell platform that has been used in other compliance monitoring along with guidance from Focused Monitoring and Technical Assistance (FMTA) and SELPA staff. Pam encouraged LEA staff to be involved in the student record reviews so they learn to write better IEPs and learn to see patterns.

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Pam continued there are currently no charter LEAs in Compliance and Improvement Monitoring though there are some in SELPA.

6.10 Prevention and Intervention Update

Angela Mgbeke provided the Prevention and Intervention update. She shared Deborah Sarkesian is the new coordinator for Prevention and Intervention. Angela reported the team provides PBIS supports, social emotional supports, and other behavioral supports. She stated the Culturally Responsive Classroom training will be offered on February 21, 2023 at 8:30am-11:30am. Another training offered is Role of Universal Screeners scheduled for March 14, 2023.

6.11 Roles of Physical Therapy and Orthopedic Impairment Credential

Codi Andersen reviewed the roles of the physical therapy and orthopedic impairment credential. Physical and occupational therapists are educated through a medical based Master's or Doctorate program, pass a licensing exam to receive their license through an accrediting board of the state. Codi said they can have an assistant that works under their licensing. The evaluations, triennials, and assessments are done based on participation and access to education as well as school functions.

Codi shared an orthopedic impairment is a severe disability that limits a person in their mobility or ability to use their arms and/or legs. She said to provide orthopedic impairment (OI) services, a credentialed special education teacher obtains an added authorization in orthopedic impairment. They provide services to students with Orthopedic Impairment as primary or secondary qualification. Codi continued the OI evaluations, triennials, and assessments are related to the access of core curriculum. She said this could be modifying curriculum or instruments so the student can safely access their environment.

Pam Bender stated if any student has OI on their IEP, the LEA must have a someone with an OI credential to provide those services.

7.0 FINANCE COMMITTEE REPORTS

7.1 Learning Recovery Support, Dispute Prevention and Resolution Funds Update

Marina Gallegos provided Learning Recovery Support, Dispute Prevention and Resolution Update. Marina reported it is one-time funding meant to support students who have been impacted by COVID-19. There have been some requests for reimbursements but there is still a significant amount of money available. Marina said funds must be encumbered by June 30, 2023 and expended by September 30, 2023. She directed the committee members to work with her, Heidi Chavez, or Kathleen Peters to access the funding. Marina added the LEAs must segregate the expenditures in their financial systems in case of audit.

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Pam Bender encouraged the committee members to review the plans again because there is a wide range of things the funding can be used for including “other”.

7.2 Educationally Related Mental Health Services (ERMHS) Funding Information

Marina Gallegos provided Educationally Related Mental Health Services (ERMHS) funding information. She reported the governor proposed for the 2022-23 budget that AB 114 ERMHS funding be shifted from the SELPAs to the LEAs. It was postponed to be reviewed for the 2023-24 budget. Marina presented DMCC client count, projected service count, projected clinician need based on 32 clients per caseload, and projected revenue less projected cost for each LEA. She added it is a larger ongoing conversation at CAHELP JPA Governance Council and more information will follow at future meetings.

8.0 INFORMATION ITEMS

8.1 Monthly Occupational & Physical Therapy Services Reports

8.2 Upcoming Professional Learning Opportunities

9.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

None.

10.0 CEO COMMENTS

Pam Bender is hopeful the committee members were able to rest and rejuvenated during the holidays in order to take on the remainder of the school year and all it will hold. She reminded everyone to stay healthy and organized so they can continue with a positive attitude.

11.0 MATTERS BROUGHT BY THE PUBLIC

None.

12.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Tony Lucey, seconded by Brenda Congo, to adjourn the meeting at 2:18pm. The motion carried on the following vote 11:0:0: Ayes: Congo, Connell, Edick, Laird, Lovell, Lucey, Morales, Mulz, Price, Swingle, and Tarver.

The next regular meeting of the Desert Mountain Charter SELPA Steering Committee will be held on Thursday, February 23, 2023, at 1:00 p.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 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.