

**DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING**

*August 25, 2022 – 1:00 p.m.*

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

**MINUTES**

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**D/M CHARTER SELPA MEMBERS PRESENT:**

Allegiance STEAM Academy – Callie Moreno, ASA Charter Schools – Anthony Lucey, Aveson Global Academy/Aveson School of Leaders – Kelly Jung, Ballington Academy – Doreen Mulz, Desert Trails Preparatory Academy/Laverne Elementary Preparatory Academy – Debbie Tarver, Elite Academic Academy – Susana Waisman, Adam Woodard, Julia Lee Performing Arts – Hannah Morales, Leonardo da Vinci Health Sciences – Courtney Cox, Pathways to College – James Connell, and Taylion High Desert – Brenda Congo.

**CAHELP, SELPA, & DMCC STAFF PRESENT:**

Jamie Adkins, Codi Andersen, Pam Bender, Heidi Chavez, Danielle Cote, Tara Deavitt, Lindsey Devor, Peggy Dunn, Adrien Faamausili, Thomas Flores, Marina Gallegos, Bonnie Garcia, Renee Garcia, Colette Garland, Linda Llamas, Maurica Manibusan, Isaac Medina, Sheila Parisian, Kathleen Peters, Karina Quezada, Linda Rodriguez, Jennifer Rountree, Veronica Rousseau, Jessica Soto, 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) Desert/Mountain Charter SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender, at 1:11 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 Debbie Tarver, seconded by Courtney Cox, to approve the August 25, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 10:0: Ayes: Congo, Connell, Cox, Jung, Lucey, Morales, Moreno, Mulz, Tarver, Waisman. Nays: None, Abstentions: None.

**5.0 INFORMATION/ACTION**

5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

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

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continue to impose or recommend measures to promote social distancing.

5.1.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Kelly Jung, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote 10:0: Ayes: Congo, Connell, Cox, Jung, Lucey, Morales, Moreno, Mulz, Tarver, Waisman. Nays: None, Abstentions: None.

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

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

5.2.1 **BE IT RESOLVED** that a motion was made by Callie Moreno, seconded by Doreen Mulz, to approve the Form D/M 114 Behavioral Emergency Report (BER) as presented. The motion carried on the following vote 10:0: Ayes: Congo, Connell, Cox, Jung, Lucey, Morales, Moreno, Mulz, Tarver, Waisman. Nays: None, Abstentions: None.

## 6.0 CONSENT ITEMS

It is recommended that the Charter Steering 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.

6.1 **BE IT RESOLVED** that a motion was made by Callie Moreno, seconded by Courtney Cox, to approve the following Consent Items as presented. The motion carried on the following vote 10:0: Ayes: Congo, Connell, Cox, Jung, Lucey, Morales, Moreno, Mulz, Tarver, Waisman. Nays: None, Abstentions: None.

6.1.1 Approve the June 23, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

## 7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates

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Pam Bender provided legislative updates highlighting the following bills. State SELPA Administrators meeting is scheduled for September 8-9, 2022 where Pam will receive more information.

- Senate Bill (SB) 1113 – Special Education: Inclusive Education: Universal Design for Learning is at Assembly Appropriations Committee,
- Assembly Bill (AB) 2121 – School Accountability: California Collaborative for Educational Excellence: Special Education Resources is at Senate Appropriations Committee in suspense file,
- SB 291 – Advisory Commission on Special Education is at Assembly Floor on the Consent Calendar,
- SB 866 – Minors: Vaccine Consent is at Assembly Floor for third reading,
- SB 1229 – Mental Health Workforce Grant Program is no longer active.
- SB 237 – Special Education: Dyslexia Risk Screening is no longer active as it did not meet the deadline. It is likely to be brought back next year.

### 7.2 Service Logs in Web IEP

Pam Bender provided information on Service Logs in Web IEP. She reported that California Department of Education (CDE) provided the exact data they will be asking for. Pam has spoken to other SELPA directors and learned that East Valley SELPA and Riverside County SELPA are running pilot programs with some of their districts. Though she is still waiting to hear how the pilots are transpiring, the SELPA directors agree the services must be documented, whether handwritten or in a student data system. Pam said that at this time, the information will not be automatically submitted to CDE but must be available upon request. She continued that the biggest concern is tracking the times in special day classes (SDC) because the students come in and out of the classroom as they receive different services. Services logs will continue to be a topic of discussion in the upcoming weeks with SELPA administrators and Pam will provide information to the committee as she receives it.

### 7.3 Educationally Related Mental Health Services (ERMHS)

Pam Bender provided information regarding Emotionally Related Mental Health Services (ERMHS). She said there is a reprieve with ERMHS funds to continue to go to the SELPAs instead of being disbursed directly to LEAs. Pam reported there is discussion at the state level as to whether it will continue or if the funding will instead go to the LEAs beginning 2023-24. Once a decision is made, there will be discussion with the D/M Charter Executive Council and CAHELP JPA Governance Council to have a specific plan.

Pam talked about a webinar she attended the week prior with Atkinson, Andelson, Loya, Ruud and Romo regarding the “Dear Colleague Letter” from U.S Department of Education’s Office of Special Education Programs (OSEP). It was regarding many requirements of Individuals with

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Disabilities Education Act (IDEA) being the applicable for students with 504 Plans. Pam said OSEP is encouraging districts to assess students that have excessive suspensions to find what supports are needed. Also, students with 504 Plans should have the opportunity to be offered free appropriate public education (FAPE) including accommodations and services. OSEP suggested using alternative methods of correction like Multi-Tiered System of Supports (MTSS) and Positive Behavioral Interventions and Supports (PBIS) to address their behaviors instead of changing placement or expulsion. Pam cited Education Code 48900(w)(1) and (2) states MTSS should be implemented by LEAs. Pam said she will put together a summary of the webinar to share with the directors.

### 7.4 Desert/Mountain Children's Center Client Services Reports and Updates

Linda Llamas presented the Desert/Mountain Children's Center Client Services monthly reports and referral logs. She said the reports were emailed to the LEA contacts. Linda asked to be contacted with changes or questions on either document. She said this is the time of year when families move making it difficult for the clinicians to reach the parents or for the parents to call the clinicians back. She continued it is helpful for the LEAs to notify DMCC of the changes so the children can continue to receive services without disruption.

### 7.5 Professional Learning Summary and Update

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary sharing there was an increase of over 100 participants since 2020-21. She acknowledged virtual trainings and onsite trainings helped overcome some challenges. Heidi reported the following Save The Date information:

- Speech-Language Pathologists Collaborative Group - September 29, 2022, November 16, 2022, February 12, 2023, and May 3, 2023.
- Community Advisory Committee (CAC) – September 22, 2022 at DMESC, November 17, 2022 at Hesperia Unified School District Office, February 23, 2023 at Apple Valley Unified School District Office, and April 20, 2023 at DMESC.
- I-MTSS Symposium – March 8, 2023 with venue pending.
- Special Education Directors' Trainings – October 21, 2022, February 24, 2023, and April 21, 2023.

### 7.6 Resolution Support Services Summary and Updates

Kathleen Peters presented the D/M Charter SELPA's Resolution Support Services Summary and updates. She reviewed a couple of changes to the documents that allow better tracking of how cases are resolved as well as additional information provided on the activity summary page. Kathleen asked to be contacted with feedback on the document.

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Kathleen reported on the training flyer *Conflict Prevention and Resolution Through IEPs* scheduled for September 13-14, 2022 as in-person with lunch provided. She said there are currently eight openings available.

Kathleen said there is a training in November 2022 with David Dowling presenting *Taking the "A" out of ADR*. She said the flyer was emailed to the directors previously by Patty Ochoa.

Kathleen then reported that if a charter LEA is seat-based and offers independent study, what is required has changed as per AB 181.

### 7.7 Case Law Review

Kathleen Peters called on Sheila Parisian to provide case law review. Sheila reported on Office of Administrative Hearings (OAH) case number 2022010227 regarding psychoeducational assessment and parental request for Independent Educational Evaluation (IEE). Parent questioned the psychoeducational assessment because: the student was not observed in-person but via videoconference, qualified providers did not perform assessment of suspected auditory and visual processing deficits, the teacher did not complete the Behavior Assessment System of Children rating scale, and Cabrillo Point Academy failed to hold the initial IEP team meeting within 60 days of when the parent consented to the assessment plan. Cabrillo Point Academy provided documentation that their responses to the assessment request were timely and included intellectual development, adaptive behavior, social-emotional behavior, language, speech, and health, with a general education teacher assessing academic performance. Also, virtual observations lasted 30 minutes and in-person during administration of the assessments. OAH found that although the student showed needs in the areas of internalizing problems, atypical behavior, withdrawal, anxiety, attention problems, and interpersonal relationships, they did not adversely impact academic progress, access to the curriculum and they did not require special education or related services.

### 7.8 Career Technical Education Updates

Isaac Medina presented Career Technical Education (CTE) updates including 2021-22 Year End Reports. Isaac then presented a flyer for the Transition Partnership Program (TPP) Beginning of the Year Meeting. It is scheduled for September 20, 2022 at DMESC with Dr. Shree Walker presenting. There is no cost to attend.

Isaac shared the CAHELP Career Technical Education Programs At-A-Glance that outlines the different services and criteria.

Isaac concluded with the Workforce Innovation and Opportunity Act (WIOA) flyer pointing out the application link at the bottom.

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### 7.9 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). Peggy commended the D/M Charter SELPA LEAs because there are none in significant disproportionality, disproportionality, intensive review or targeted review. She reported CDE continues to look at overdue IEPs and reported the data for each LEA. Peggy said as of August 25, 2022, the D/M Charter SELPA has twenty overdue IEPs. She shared that Colette Garland will run late IEP reports once a month then contact the LEAs to provide any support needed.

Colette Garland shared a letter CDE sent to superintendents reporting a California Longitudinal Pupil Achievement Data System (CALPADS) update caused errors that CDE is working to correct with updates being provided weekly. She continued that End-of-Year (EOY) 4 and EOY 3 are being reviewed for the final check submission for approval. Colette reported CALPADS Flash #234 announced the EOY certification deadline has been extended to September 9, 2022 and that will be the final deadline.

### 7.10 Outreach Team Services Introduction

Jessica Soto provided an introduction of Outreach Team services by sharing a brochure that will be emailed to the directors from the Outreach Team member supporting each LEA. She provided a list of community trainings that are offered and said the trainings can be tailored for the LEA needs. The goal of the Outreach Team is to build relationships between schools and families and to encourage family engagement. The team can attend school events such as back to school nights, wellness fairs, family fun days, and others to provide resources available from DMCC and CAHELP JPA.

## **8.0 FINANCE COMMITTEE REPORTS**

### 8.1 Federal Expenditure Report Summary

Marina Gallegos presented the federal expenditure report summary. Marina shared the status of the 2021-22 federal funding including the IDEA American Rescue Plan Supplemental Local Assistance fund reflecting the amounts allocated for each LEA. She also showed the amount of funds that are still available for each of the LEAs to claim for next reporting period which is July 1 through September 30. The regular local assistance funds have been claimed and the expenditure report submitted to CDE. Marina stated that if an LEA does spend the funds by September 30, the LEA is required to submit a budget plan to D/M Charter SELPA who will compile the data and submit it to CDE. She asked that if an LEA does not plan to spend the American Rescue Plan funds to tell Marina so the funds can possibly be reallocated.

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**9.0 INFORMATION ITEMS**

9.1 Monthly Occupational & Physical Therapy Services Reports

9.2 Upcoming Professional Learning Opportunities

The following training was highlighted *Hola Language Services-Interpreting IEP Meetings (ENG/SPA)*. It will only be offered in September this school year and will be in person, not virtual.

**10.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS**

None.

**11.0 CEO COMMENTS**

Pam Bender welcomed everyone back. She is looking forward to the 2022-23 school year being fully staffed with students receiving needed services.

**12.0 MATTERS BROUGHT BY THE PUBLIC**

None.

**13.0 ADJOURNMENT**

Having no further business to discuss, a motion was made by Courtney Cox, seconded by Brenda Congo, to adjourn the meeting at 2:00pm. The motion carried on the following vote 10:0: Ayes: Congo, Connell, Cox, Jung, Lucey, Morales, Moreno, Mulz, Tarver, Waisman. Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, September 22, 2022, at 1:00 p.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.*