

DESERT/MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING

December 15, 2022 – 1:00 p.m.

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

MINUTES

D/M CHARTER SELPA MEMBERS PRESENT:

Allegiance STEAM Academy – Callie Moreno, ASA Charter Schools – Susan Lucey, Aveson Global Academy/Aveson School of Leaders – Kelly Jung, Desert Trails Preparatory Academy/Laverne Elementary Preparatory Academy – Chantal Mendoza, Debbie Tarver, Elite Academic Academy – Jen Edick, Adam Woodard, Encore Jr/Sr High – Bernice Swingle, Leonardo da Vinci Health Sciences – Courtney Cox, Odyssey Charter – Chasityflame Price, Pasadena Rosebud Academy – Shawn Brown, Pathways to College – James Connell, and Virtual Prep-Lucerne – Malia Lovell.

CAHELP, SELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Pam Bender, Guille Burgos, Heidi Chavez, Tara Deavitt, Peggy Dunn, Adrien Faamausili, Marina Gallegos, Colette Garland, Linda Llamas, Maurica Manibusan, Lisa Nash, Sheila Parisian, Kathleen Peters, Linda Rodriguez, and Adrienne Shepherd-Myles.

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 1:02 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 Shawn Brown, seconded by Malia Lovell, to approve the December 15, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 11:0: Ayes: Brown, Connell, Cox, Edick, Jung, Lovell, Lucey, Moreno, Price, Swingle, and Tarver, 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 continue to impose or recommend measures to promote social distancing.

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5.1.1 **BE IT RESOLVED** that a motion was made by Callie Moreno, seconded by Shawn Brown, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote 11:0: Ayes: Brown, Connell, Cox, Edick, Jung, Lovell, Lucey, Moreno, Price, Swingle, and Tarver, Nays: None, Abstentions: None.

5.2 Form D/M 68F (formerly 68L) Testing Matrix for California Assessment of Student Performance & Progress (CAASPP) (**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 Steering Committee for consideration and approval.

5.2.1 **BE IT RESOLVED** that a motion was made by Callie Moreno, seconded by Susan Lucey, to approve the Form D/M 68F (formerly 68L) Testing Matrix for California Assessment of Student Performance & Progress (CAASPP) as presented. The motion carried on the following vote 11:0: Ayes: Brown, Connell, Cox, Edick, Jung, Lovell, Lucey, Moreno, Price, Swingle, and Tarver, 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 Courtney Cox, seconded by Shawn Brown, to approve the following Consent Item as presented. The motion carried on the following vote 11:0: Ayes: Brown, Connell, Cox, Edick, Jung, Lovell, Lucey, Moreno, Price, Swingle, and Tarver, Nays: None, Abstentions: None.

6.1.1 Approve the November 17, 2022 Desert/Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates from State SELPA Administrators Meeting

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Pam Bender provided legislative updates from State SELPA Administrators Meeting. She said there are no updates until new legislation is in effect on January 1, 2023.

Pam announced moving to Special Education Information System (SEIS) was approved by CAHELP Governance Council. She said Colette Garland has begun working with a SEIS consultant in putting together the timeline for training the CAHELP JPA program specialists and staff then providing the training to the LEA staff. Pam continued that the plan is to have everyone trained so that the new school years starts with all LEAs using SEIS.

Pam continued that the CALPADS certification deadline is December 16, 2022. According to CALPADS Flash 244 from November 30, 2022, adjustments were made for known errors to reflect as warnings. Pam reported that effective December 20, 2022, those warnings will return to errors then the process will move on toward second certification.

Pam then reported on the implementation of tracking of provided service minutes. She said she will have more information as well as a PowerPoint to share at the January 2023 Steering and Finance Committee meeting. She said the federal government found California Department of Education (CDE) was not adequately collecting data regarding Individualized Education Plan (IEP) implementation. In response, CDE was ordered to develop an annual data collection plan speaking directly to the performance of providing all services promised on the IEP. Pam said starting in Spring 2023, CDE will randomly choose 10% of an LEA's special education population to review 60 days of services. The LEA will compile the service minutes then calculate the total service minutes for each of the identified students. Pam stated the superintendent will sign off that the that the sample is accurate then forward it to Desert/Mountain Charter SELPA for the CEO's signature who will return the document to the LEA to submit to CDE. This process could be added to the monitoring process. She continued that CDE will look at three separate areas: students who receive 95-100% of services, students that receive 90-94.9% of services, and those that receive less than 90% of their services. IEP service minutes can be documented several ways including service logs, sign-in sheets, documentation or notes on progress. For service providers working in Medi-Cal billing systems such as occupational and physical therapists using NetSmart, the services minutes from those systems can be used. Pam reported that attendance can be used for students that are in a self-contained classroom for specialized academic instruction (SAI) services. Each LEA is responsible to ensure they are providing the service minutes. If a student missed services due to absence including field trips or school function, those service minutes do not have to be provided. However, if the service provider is absent, the service minutes must be made up and that must also be monitored and documented. Pam stated there is a small workgroup at the State SELPA level looking at best practices as well as challenges and considerations for implementation that will be in communication with CDE. She continued that service tracking will be separate from CALPADS and will not be submitted to that system. CDE may request backup documentation proving service minutes were provided. Pam reminded the committee members that LEAs should already be tracking the information. She said she will present a PowerPoint at January Steering meetings that will be as up to date as possible.

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7.2 Alternative Diploma Update

Pam Bender provided an update on the alternative diploma. She said in January, she will be sharing a PowerPoint pertaining to Assembly Bill (AB) 181. AB 181 was passed and became effective in June 2022 and pertains to an alternative diploma for students with significant cognitive impairments which means the students who have or will be taking the California Alternate Assessments (CAA). Pam said the requirements are that the student must meet the state's minimum course requirements based on alternative achievement standards. She continued that LEA board policies will have to change moving forward because there will be different requirements from the standard high school diploma. Pam stated the alternative diploma will not end a student's right to free appropriate education (FAPE) and the student will continue to have the right to return to school for education through age 22. Before a student enters 10th grade, it needs to be determined if they are eligible to receive an alternative diploma under California Education Code 51225.3(1) which states it must be provided in the IEP that the student is taking or has taken the CAA in 11th grade and must be able to complete state standard aligned coursework although modified to the alternative achievement standards that are specified in California Education Code. Pam said it will be a narrow subgroup of students because CAA is for only 1% of the special education population. She continued that CDE has not provided direction even though it has been law since June 2022. The alternative diploma is for students who were commencing 10th, 11th, or 12th grades during the 2022-23 school year. An IEP meeting would be needed to discuss the alternative diploma requirements for a student. Pam also stated each LEA will need to review their graduation policies and decide how to make accommodations for those students with the most significant disabilities.

7.3 Desert/Mountain Children's Center Client Services Reports and Update

Linda Llamas presented the Desert/Mountain Children's Center Client Services monthly reports and updates. She asked to be contacted with changes to the reports and/or questions.

7.4 Desert/Mountain Children's Center Mental Health Research Article

Linda Llamas shared the Desert/Mountain Children's Center Mental Health Research Article that pertained to Adverse Childhood Experiences (ACE). She said the article can be shared with anyone who would benefit from having the information.

7.5 Professional Learning Summary and Update

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary. She shared the participant numbers for this school year so far have surpassed pre-pandemic numbers by 38%.

Heidi reported the IMTSS Symposium is scheduled for March 8, 2023 as a full day event held at

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Double Tree Hotel in San Bernardino, CA. It will be titled See Me Understand Me and will focus on LGBTQ+ youth in schools.

Heidi continued the next Community Advisory Committee (CAC) meeting is scheduled for February 23, 2023. At that meeting, representatives will be selected for chairperson and vice chairperson. Heidi asked for nominations to be emailed to her.

Heidi added there will be a Special Education Directors Training on February 24, 2023. The topic will be overidentification and overrepresentation in special education. The training will be provided by the D/M SELPA Equity Disproportionality and Design team.

7.6 Resolution Support Services Summary and Update

Kathleen Peters presented the D/M Charter SELPA's Resolution Support Services Summary and update. She shared there is currently a charter school that has a family filing for unilateral placement reimbursement even though the child does not qualify for special education. If needed, Kathleen's team will file to defend the decision of the school and the program and that it does not meet the child's needs. Kathleen then shared an article from *The Special Educator* titled *Decisions & Guidance*. The article addresses when students are unsuccessful in controlling or changing behaviors, offering a minimum day is not appropriate as a means of Free Appropriate Public Education (FAPE). Kathleen asked the directors to read the article in detail if they have not already done so.

Kathleen then reviewed a recent case filed against Stockton USD with two issues. The first was the IEP meeting being held without a parent. The parent gave verbal permission on the phone to hold the meeting without them then signed a letter stating the same. However, the school had no documentation that they had attempted to accommodate the parent with meetings via phone, Zoom, and/or in-person with different dates and times. It is not until all alternatives have been exhausted that the meeting can go forward without a parent or representative. Kathleen said the second issue was that goals were not written in such a way to show meaningful growth on the part of the student and present levels did not match the goals. Kathleen stressed that goals need to connect directly so progress can in fact be measured.

Kathleen highlighted *Core Communication Skills* training on February 2, 2023 presented by David P. Dowling that will be held in-person. She also shared *Conflict Prevention and Resolution Through IEP Meeting Facilitation* is scheduled for March 13-14, 2023 with Key2Ed presenting.

Kathleen then reported the Council of Administrators of Special Education (CASE) is offering a virtual winter workshop February 8-10, 2023 titled *Deciphering Dyslexia Through a Special Education Lens*.

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7.7 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). Peggy reminded the directors about the meeting at 2:30pm on December 15, 2022 for the LEAs in cyclical monitoring for small schools. She added that D/M Charter SELPA staff are available to help with the review and CDE mandates each step of the way.

Colette Garland added that for the transition to SEIS, she has reviewed the IEPs that are due by between July 1, 2023 and August 15, 2023. She asked for the IEPs to be completed before June 30, 2023 while still in WebIEP. Colette said there are about 14 throughout the Desert/Mountain Charter SELPA and she will email the specific special education directors regarding those.

8.0 FINANCE COMMITTEE REPORTS

8.1 Learning Recovery Support, Dispute Prevention and Resolution Update

Marina Gallegos reminded the committee members that Learning Recovery Support and Dispute Prevention and Resolution Funding is one time funding from the state to help reduce the impact of COVID-19. Marina provided the current balances for each LEA and reviewed the instructions for submitting activities and expenditure reports. She encouraged the committee members to review the plans and told them if they have activities that have already posted to their financial reports, they can go back and claim the expenditures as well. Marina concluded that if the funding is not spent, it must be returned to CDE.

9.0 INFORMATION ITEMS

9.1 Monthly Occupational & Physical Therapy Services Reports

9.2 Upcoming Professional Learning Opportunities

10.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

None.

11.0 CEO COMMENTS

Pam Bender wished everyone happy holidays with time for themselves, family, and friends. She encouraged the committee to reflect over the past year to see what they are grateful for now that they have been back in person for over a year. Pam read quote from Rita Pierson “I Am Somebody” then encouraged the committee to be sure their students feel worthy and deserving.

12.0 MATTERS BROUGHT BY THE PUBLIC

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None.

13.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Susan Lucey, seconded by Malia Lovell, to adjourn the meeting 2:00 pm. The motion carried on the following vote 11:0: Ayes: Brown, Connell, Cox, Edick, Jung, Lovell, Lucey, Moreno, Price, Swingle, and Tarver, Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, January 26, 2023, 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.