

DESERT MOUNTAIN CHARTER SELPA STEERING and FINANCE COMMITTEE MEETING

October 19, 2023 – 9:00 a.m.

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

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DESERT MOUNTAIN CHARTER SELPA MEMBERS PRESENT:

Allegiance STEAM Academy – Jacque Williams, ASA Charter School – Kari Ramos via Web Ex, Aveson School of Leaders – Kelly Jung via Web Ex, Desert Trails Prep Academy/Laverne Elementary Prep – Chantal Mendoza, Elite Academic Academy – Jen Edick via Web Ex, Encore Jr/Sr High – Madison Dennison, Leonardo da Vinci Health Sciences Charter – Anne Laird via Web Ex, Odyssey Charter Schools – Chasityflame Price, Pathways to College – James Connell, Southern California Flex Academy - Malia Lovell, and Taylion High Desert – Karen Ware.

CAHELP, DMSELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Pam Bender, Ivan Campos, Heidi Chavez, Peggy Dunn, Marina Gallegos, Colette Garland, Linda Llamas, Maurica Manibusan, Lisa Nash, Sheila Parisian, Kathleen Peters, Karina Quezada, Jennifer Rountree, Veronica Rousseau, Deborah Sarkesian, 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 9:04 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 Malia Lovell, seconded by Karen Ware, to approve the October 19, 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, Dennison, Edick, Jung, Laird, Lovell, Mendoza, Price, Ramos, Ware, and Williams. Nays: None, Abstentions: None.

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 James Connell, seconded by Malia Lovell, to

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approve the following Consent Items as presented. The motion carried on the following vote: 11:0:0: Ayes: Connell, Dennison, Edick, Jung, Laird, Lovell, Mendoza, Price, Ramos, Ware, and Williams. Nays: None, Abstentions: None.

5.1.1 Approve the September 21, 2023 Desert Mountain Charter SELPA Steering and Finance Committee Meeting Minutes.

6.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

6.1 Legislative Update

Pam Bender presented 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” – To Governor 9/19/23 at 4:00 pm.
- 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.
- 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.
- 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 are 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. 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. 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 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.

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- 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.

6.2 IDEA and Charter School Responsibilities

Pam Bender provided information on Individuals with Disabilities Education Act (IDEA) and charter school responsibilities. As a reminder, Pam reminded everyone that charter schools are responsible for providing whatever a student needs for their IEP. Charter schools are public schools and cannot refer a student back to their school of residence. Pam continued that providing needed services might require buying a seat at another LEA, working with a non-public school, or county schools. When a student attends a charter school, that school becomes the home school and it is their responsibility to provide for the student. Pam noted a charter school was cited by CDE for their enrollment form not asking if a student is in special education. Some of the charters are working with their legal on how to word the question for their enrollment forms. There was discussion about checking CALPADS for every new student to avoid being out of compliance in case the parent/guardian does not disclose the need.

Kelly Jung shared that nonpublic schools are not accepting students, Los Angeles County Office of Education no longer has county programs to offer, and 15 of her local school districts are not willing to engage in a memorandum of understanding with Odyssey Charter Schools. Kelly asked what SELPA is doing to get the member LEAs access to services.

Pam said Desert Mountain Charter SELPA (DMCS) cannot force LEAs to accept students but can work with member LEAs to help find nonpublic schools in finding placement for students. Pam ensured the committee members DMCS will work towards building relationships with LEAs to assist in finding placements for the students.

6.3 SEIS Transition Update

Pam Bender provided a SEIS transition update. She said trainings are ongoing and she continues to provide weekly updates via email. Pam continued that CAHELP JPA staff are entering information from the fillable forms and attaching the documents to the IEP for reference. There have also been staff hired to attach the previous IEP to the student record so it is also available. The SEIS Open Forums are ongoing Tuesdays, 2:30pm-4:30pm and Thursdays, 8:30am-10:00am. Pam said since there has not been a large number of participants, it provides time to walk participants step by step through what they are struggling with. Pam added helpdesk tickets have been submitted to SEIS for issues that have been discovered. She asked to be contacted if there are issues or concerns so she can follow up. Pam said if LEAs have not done the initial affirm process for their students to let her know so CAHELP JPA staff can assist with the process and allow the LEAs to be up to date. Pam advised the committee members to label priority IEPs as

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such when emailing them to the CAHELP SEIS Helpdesk so they can be processed and added to SEIS within 1-2 days of receipt.

Malia Lovell shared her LEA is struggling to get schools to transfer student records once the request has been placed in SEIS. Pam said DMCS will contact the other SELPAs about releasing records.

Chasityflame Price requested onsite training. Colette Garland agreed to follow up.

Karen Ware said the videos on the CAHELP JPA website have been helpful and asked for more information on interim placements. Because it is a process that differs from student to student but it will be considered.

6.4 Crisis Prevention Institute (CPI) Training Update

Pam Bender provided a Crisis Prevention Institute (CPI) Training update. She said being short staffed with program specialists, the onsite training dates might not be as soon as expected. The program specialist positions have been posted but there will still be time until the positions are hired and trained.

6.5 Larry P. Guidance Update Paper

Pam Bender called on Dr. Karina Quezada to share information on recent Larry P. guidance. Karina reported the State Director of Special Education in September 2022 released a memo that previous interpretations continuing the ban to IQ test African American students was not a good interpretation of the law unless the suspected disability was intellectual disability (ID). Karina said that caused a stir in the school psychologist community. She continued that the California Association of School Psychologists (CASP) met with CDE representatives and the director at that time with conversations lasting throughout last academic year. Karina said on October 10, 2023, CASP provided a memo stating they met with CDE and agreed that the original ban on IQ testing for ID placement and identification stands but does not extend to the other 12 disabilities. She continued that when assessing an African American student and not suspecting ID, an IQ test can be administered. Karina said the October 10, 2023, memo states it is best practice to continue engaging in assessment of students with review of records, conduct interviews, and observations, then lastly administer tests. Continuing with these best practices allows time to look for flags that could represent ID, which would prevent the administration of the IQ test. Karina said once it is confirmed the student does not have ID, the IQ test could be administered but it is best practice to avoid it. She added that speech therapists could also experience this issue. Karina stated the Larry P. rule is only applicable in California with the CDE overwriting what was ruled by the 9th Circuit court.

Ivan Campos shared California Speech Language Hearing Association (CSHA) has two position papers on Larry P. Ivan said he continues to advocate for culturally responsive practices when

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assessing students, considering their language background and dialects, and being aware of dialectal differences in which some current assessment may not necessarily be appropriate for students regardless of any shifts in the memo or case law.

Pam said policy and procedure still holds to the original law of not assessing any African American students for IQ. Pam has contacted State SELPA Administrators about the document and reminded the committee that it is a position paper developed by CDE and CASP. State SELPA will look at the ramifications of changing policy but for now, there are no changes of process. Educational agencies cannot test IQ but other agencies can so if a student transfers in with an IQ test, it will need to be redacted. Pam advised to continue with current practices.

Karina added the CAHELP JPA School Psychologists Committee trainings are intentionally selected with Larry P. in mind. The position paper reminds her to continue with best practices of conducting reviews, interviews, and observations while considering the linguistic needs of students. Karina said that permission to give an IQ test does not make it appropriate.

6.6 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. Linda reviewed the updated report format and said the reports are automatically encrypted when emailed. The reports are generally sent to the special education directors to disseminate as they feel is appropriate. Linda said only the special education directors or the authorized LEA representative can change who receives the monthly reports.

Linda shared two attached mental health research articles on suicide prevention and grieving loss. She said the articles can be shared with LEA staff or anyone that would benefit from the information.

6.7 Professional Learning Summary and Update

Heidi Chavez presented the Desert Mountain Charter SELPA's Professional Learning Summary and updates. The Directors' Training to be held on October 20, 2023 will be in person and recorded. When the recording is accessible, it will be shared with the special education directors along with the materials. The trainings will have a virtual attendance option when that cannot be recorded. Heidi then said the Community Advisory Committee (CAC) meetings are virtual this school year as requested by parents with the next being scheduled for November 16, 2023 on the topic of Fentanyl Awareness. CAC LEA representation and parent representation are a requirement of SELPA membership. Heidi asked to be notified when there are changes of representatives and said she can also be contacted to confirm who the representatives are. She said the LEA representative does not have to be the committee member but any staff member. The representative portion of the meetings are 4:30 p.m.-5:00 p.m. with the presentations being 5:00 p.m.-6:00 p.m. Heidi shared the 2023-24 IMTSS Symposium is scheduled for February 21, 2024

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at the DoubleTree by Hilton in Ontario, California. The topic of the day will be reversing educator burnout with the keynote speakers being Dr. Rebecca Branstetter and Dr. Ron Powell. Both keynote speakers will also provide a breakout session. It is a full day symposium with breakfast and lunch being provided for a registration fee of \$250.00 per person.

6.8 Resolution Support Services Summary and Update

Kathleen Peters presented the Desert Mountain Charter SELPA's Resolution Support Services Summary and update. She said case filings are following the pattern of nonpublic school placement and requests for vision therapy. Kathleen encouraged committee members to contact her team as soon as there is an inkling there could be a filing. She said it is important to include a student's current IEP, any fillable forms, and any other pertinent documents in the Drop Box for all cases. Kathleen shared that all cases from 2022-23 have been closed. She said that the word is out that ADR is available to parents and school staff to solve problems at the lowest level.

6.9 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She said the LEAs in Compliance and Improvement Monitoring (CIM) are in step 3 which is planning. She said there are only a few charters that are in targeted monitoring and they have submitted their documents to CDE within the required timeline. Peggy shared the results Cyclical Monitoring for Small LEAs Cycle A are in an embedded email from Peggy and CDE. The LEAs can make corrections and answer questions in the included link. The due date for the corrections is 45 days from date of email. Peggy said the charter schools are doing well with staying current on IEPs. She asked to be contacted with any questions or concerns regarding compliance issues.

Pam Bender said one of the many benefits of SEIS is that it will provide the teacher's name and school site for late IEPs so supports and troubleshooting can happen.

6.10 Career Technical Education Update

Deborah Sarkesian provided the Career Technical Education (CTE) update. She shared there is funding for Transitional Partnership Program (TPP) teachers to receive instructional supplies. The deadline for submission is December 31, 2023. Deborah shared the Transition Planning for All Students training is scheduled for November 2, 2023, at 9:00 a.m.-11:00 a.m. It is a virtual training and is offered at no charge.

Deborah said the PBIS Recognition event went very well and shared her appreciation to those that were in attendance.

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6.1 The California Autism Professional Training and Information Network X Collaborative

Jennifer Rountree provided information on the California Autism Professional Training and Information Network X (CAPTAIN X) Collaborative. Jennifer shared the collaborative is being offered to staff who want to know what is happening across the state and region regarding autism. It is also an opportunity to share what is happening at the LEAs and to get additional support. The meetings are virtual and are scheduled for: November 29, 2023, 2:30 p.m.-3:30 p.m.; February 13, 2024, 3:00 p.m.-4:00 p.m.; and April 17, 2024, 2:30 p.m.-3:30 p.m. Jennifer asked to be contacted with any questions or if additional information is needed.

7.0 FINANCE COMMITTEE REPORTS

7.1 Maintenance of Effort and Excess Cost Update

Marina Gallegos provided an update on Maintenance of Effort (MOE) and Excess Cost. She said the reports were due to her by September 15, 2023. Marina reported there are a few LEAs that have not submitted the reports and she has reached out to them. She asked for the LEAs to reply to emails from the business office asking for documents so the data can be submitted to CDE by their deadline.

7.2 Educationally Related Mental Health Services (ERMHS) Funds Update

Marina Gallegos provided an update on the process and procedure of ERMHS funds moving to SELPA. The LEAs funds should reflect in Resource 6546 and those receiving ERMHS from Desert Mountain Children's Center (DMCC) will return the funds to DMSELPA who will in turn pass through to DMCC. Marina said it is still to be determined how the funds will move from the LEAs to SELPA, whether by invoice or automatic funds transfer. She said at this time the amount of funding is based on the LEA P-2 certified count which is approximately \$71 per ADA. Marina stated the fiscal contacts will hear from the business department on how to work out the transaction. She reiterated the federal funding continues to come to the SELPA with AB 114 is apportionment and monthly payments are made as a reimbursement. CDE will be asking LEAs to submit financial reports and expense reports in order to access the apportioned funds.

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.

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10.0 CEO COMMENTS

Pam Bender said she has been thinking about leadership and how the members of the committee are leaders. She provided the definition of leadership as the ability of an individual or group of people to influence and guide members of an organization, society, or team. It is often attributed to a person's title, seniority, or ranking in hierarchy. Pam said that is not always the case as leaders are seen in classrooms and schools that do not have titles. She continued stating an effective leader has the following characteristics: self-confidence, strong communication and management skills, creative and innovative thinking, perseverance, willingness to take risks, open to change, levelheaded, and reactivity in times of crisis. Pam publicly acknowledged CAHELP staff who have gone above and beyond to do what needs to be done to help LEAs continue to move forward. CAHELP staff stepped up and supported the LEAs with every spare minute during the day, as well as on Saturdays, and after hours during the week. She said this includes managers and classified support staff who have been willingly and diligently working to get things done. Pam continued that she wants the committee members to know how much the support staff has been working to support the LEAs because leaders are seen as those at the top but without the people who are actually doing the work and getting things done, the organization could not support the member LEAs.

11.0 MATTERS BROUGHT BY THE PUBLIC

None.

12.0 ADJOURNMENT

Having no further business to discuss, a motion was made by James Connell, seconded by Malia Lovell, to adjourn the meeting at 10:57 a.m. The motion carried on the following vote: 11:0:0: Ayes: Connell, Dennison, Edick, Jung, Laird, Lovell, Mendoza, Price, Ramos, Ware, and Williams. Nays: None, Abstentions: None.

The next regular meeting of the Desert Mountain Charter SELPA Steering Committee will be held on Thursday, November 16, 2023, at 9:00 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.