

California Association of Health and Education Linked Professions,  
Joint Powers Authority (CAHELP, JPA)  
**DESERT MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*April 19, 2024 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

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## MINUTES

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### **DESERT MOUNTAIN SELPA (DMSELPA) STEERING AND FINANCE MEMBERS PRESENT:**

Academy for Academic Excellence – Marcelo Congo, Adelanto SD – Amber Best, Apple Valley USD – David Wheeler, Baker Valley USD – Michael Esposito, Janell Mora both via Zoom, Bear Valley USD – Leigh Anne Drake, Lora Mancuso, Desert Mountain Operations (SBCSS) – Richard Frederick, Stephanie Hedberg, Helendale SD – Cindy Espinoza, Hesperia USD – Shannon Garibay, Eric Land, Lucerne Valley USD – Vici Miller, Needles USD – Jamie Wiesner via Zoom, Oro Grande SD – Scott Heitman, Silver Valley USD – Cheri Rigdon, Snowline JUSD – Pam De Renard, Trona JUSD – Nicole Yeager, Rebecca Workman both via Zoom, Victor Elementary SD – Tanya Benitez, and Victor Valley Union HSD – Larry Brunson, Krystal Kerns.

### **GUESTS:**

Christina Leal – Options for Youth.

### **CAHELP, DMSELPA, & DMCC STAFF PRESENT:**

Jamie Adkins, Codi Andersen, Pam Bender, Guille Burgos, Heidi Chavez, Danielle Cote, Peggy Dunn, Thomas Flores, Colette Garland, Maurica Manibusan, Isaac Medina, Sheila Parisian, Karina Quezada, Annette Rego, Jennifer Rountree, Veronica Rousseau, Deborah Sarkesian, 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 SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender at 9:06 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 Cheri Rigdon, seconded by Pam De Renard, to approve the April 19, 2024 Desert Mountain SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote: 16:0:0: Ayes: Benitez, Congo, Crocker, De Renard, Drake, Espinoza, Esposito, Frederick, Heitman, Kerns, Land, Miller, Rigdon, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

### **5.0 PUBLIC HEARING**

5.1 Desert Mountain SELPA Local Plan Section B: Governance and Administration (**ACTION**)

California Education Code requires that a Special Education Local Plan Section B: Governance and Administration be presented for public hearing prior to submission to the California

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Department of Education (CDE). The Local Plan describes how special education services are provided for eligible students who reside within a Special Education Local Plan Area (SELPA) region every three years. By June 30, 2024, all SELPAs are required to submit a Local Plan using CDE adopted templates. A final draft of the 2024-25 Desert Mountain SELPA Local Plan will be presented for public hearing. Exact language for ERMHS funding language as approved by the CAHELP Governance Council.

5.1.1 **BE IT RESOLVED** that a motion was made by Michael Esposito, seconded by Tanya Benitez, to approve the Desert Mountain SELPA Local Plan Section B: Governance and Administration as presented. The motion carried on the following vote: 16:0:0: Ayes: Benitez, Congo, Crocker, De Renard, Drake, Espinoza, Esposito, Frederick, Heitman, Kerns, Land, Miller, Rigdon, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

Note: Amber Best joined the meeting at 9:22 a.m.

### 5.2 Desert Mountain SELPA Annual Service Plan (**ACTION**)

California Education Code requires that an Annual Service Plan be approved by the CAHELP JPA Governance Council as part of the Local Plan. The 2024-25 Annual Service Plan describes all special education services currently provided in the Desert Mountain SELPA broken down by type, location, and level of severity.

5.2.1 **BE IT RESOLVED** that a motion was made by Leigh Ann Drake, seconded by Deanna Crocker, to approve the Desert Mountain SELPA 2024-25 Annual Service Plan as presented. The motion carried on the following vote: 17:0:0: Ayes: Benitez, Best, Congo, Crocker, De Renard, Drake, Espinoza, Esposito, Frederick, Heitman, Kerns, Land, Miller, Rigdon, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

### 5.3 Desert Mountain SELPA Annual Budget Plan (**ACTION**)

California Education Code requires that an Annual Budget Plan be approved by the CAHELP Governance Council as part of the Local Plan. The 2024-25 Annual Budget Plan describes the revenues and expenditures for special education for all local education agencies in the Desert Mountain SELPA.

5.3.1 **BE IT RESOLVED** that a motion was made by Cheri Rigdon, seconded by David Wheeler, to approve the Desert Mountain SELPA 2024-25 Annual Budget Plan as presented. The motion carried on the following vote: 17:0:0: Ayes: Benitez, Best, Congo, Crocker, De Renard, Drake, Espinoza, Esposito, Frederick, Heitman, Kerns, Land, Miller, Rigdon, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

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### **6.0 CONSENT ITEMS**

It is recommended that the 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.

6.1 **BE IT RESOLVED** that a motion was made by Leigh Ann Drake, seconded by David Wheeler, to approve the following Consent Item as presented. The motion carried on the following vote: 17:0:0: Ayes: Benitez, Best, Congo, Crocker, De Renard, Drake, Espinoza, Esposito, Frederick, Heitman, Kerns, Land, Miller, Rigdon, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

6.1.1 March 22, 2024 Desert Mountain SELPA Steering and Finance Committee Meeting Minutes.

### **7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS**

#### 7.1 Legislative Update

Pam Bender presented a legislative update, highlighting the following bills that pertain to special education:

- Assembly Bill (AB) 438 Pupils with Exceptional Needs: Individualized Education Programs: Postsecondary Goals and Transition Services – states that students are to have transition goals in place by ninth grade. Also, if an IEP team determines a student does not need transition goals at this time, it must be written in IEP why transition goals are not included.
- AB 2768 Golden State Teacher Grant Program: Nonpublic, Nonsectarian Schools or Agencies – to expand language so nonpublic schools, nonsectarian schools or agencies are considered priority schools as public schools are.
- AB 1938 Special Education: Inclusive Practices and Strategies – this bill is for children who are deaf, hard of hearing, blind, visually impaired, or deaf-blind to be part of inclusive practices and strategies to improve pupil outcomes.
- AB 2026 Disabilities: Person-First Terminology – looking to institute person-first terminology in Health and Safety Codes along with Welfare and Institutions Codes. The bill, however, is not written consistently using person-first language. DMSELPA and DMCS have had this in place for several years.
- AB 2173 Special Education: Emotional Disability – changing language only from “emotional disturbance” to “emotional disability”. The criteria would not change.
- AB 2784 Special Education: Nonpublic, Nonsectarian Schools: Waivers – is a “spot Bill” meaning there is no substance to the measure but the legislator has intent.
- Senate Bill (SB) 445 Special Education: Individualized Education Programs: Translation

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Services – the 2<sup>nd</sup> year of 2-year bill pursuing translations of IEPs to be completed within 30 calendar days of meeting or from when translation requested by parent. State SELPA is talking with the author of the bill in an attempt to change the timeline to 45 days and/or school days instead of calendar days.

- SB 483 Pupil Rights: Prone Restraint – bill would prohibit the use of prone restraint and prone containment in special education and general education.

Regarding AB 665 that allows students 12 years of age and older to request mental health supports without notifying parent, Guille Burgos reported that there will be no change at this time with how DMCC referrals are processed.

### 7.2 Credentials Bridge Authorization

Pam Bender presented SBCSS credentials bridge authorization information. She said Rich Frederick shared the SBCSS/DMOPS information with CAHELP Governance Council on March 29, 2024, and they want SELPA to provide a similar opportunity. SELPA will provide the training and the LEAs will decide how the \$100 California Commission on Teacher Credentialing (CTC) fee will be paid. Pam noted that DMOPS is using Elementary and Secondary School Emergency Relief (ESSER) funds to pay the CTC fee for their teachers.

Rich shared there is no timeline for the bridge authorization to be completed. He said State SELPA materials have been used for the training and meet CTC criteria. Rich reported a clear credential is required to be able to bridge. He reviewed the previous credentials and the current credentials, noting that Early Childhood Special Education (ECSE) can now teach transitional kindergarten and kindergarten. Rich also shared the federal disability categories now covered by Mild Moderate Support Needs (MMSN) and Extensive Support Needs (ESN). New teachers that are entering credentialing programs currently should be receiving the new credentials. Administrators can also bridge their credentials using this process.

Pam said that DMSELPA will offer the training to teachers of member LEAs when it is ready. It will be optional and not a requirement with the information being shared with the directors of special education, and not directly with the teachers. Pam shared it will likely be a 2-hour class and possibly offered in a hybrid model.

Heidi Chavez said the training offered by DMSELPA will be free but the CTC filing fee cannot be waived. The training will possibly be offered after school dismissal to allow for greater attendance, which might require overtime from the LEA. Rich shared DMOPS used after hours professional development rate.

Pam said that these credentials apply to all special education teachers. Pam will confirm if the autism authorization is required for the MMSN. If it is required, teachers should be able to complete the bridge then work to obtain the autism authorization.

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### 7.3 Submission of Low Incidence Equipment Requests

Pam Bender provided information on the submission of Low Incidence Equipment (LIE) Requests. She said that there are many requests for LIE that she receives several months to a year after the IEP meeting was held. Students are losing FAPE due to not having needed equipment which is also a due process concern. Pam reminded the committee members that these requests need to be processed right away. She said that the correct disability also needs to be accurate.

Vici Miller shared that often parents are not providing clearance from the medical doctor for the LIE requests to move forward. She said in the IEP notes it is documented that the request for equipment will be processed once the needed documents are provided by the parent.

Pam acknowledged that sometimes delays are inevitable and wanted to provide a gentle reminder.

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

Guille Burgos presented the Desert Mountain Children's Center Client Services monthly reports and update. She said she or Linda Llamas can be contacted with any questions or concerns.

### 7.5 Professional Learning Summary and Update

Heidi Chavez presented the Desert Mountain Charter SELPA's Professional Learning Summary and updates. She shared the participant numbers reflect the member LEAs are taking advantage of trainings being offered. Heidi said the professional learning conversations are being held in April and May to understand what the district is doing and how to align DMSELPA trainings with that. She reported a directors' survey will be emailed for input on 2024-25 Directors' Training topics. Heidi then shared the date for the 2025 IMTSS Symposium as February 27, 2025, with the scheduled venue of High Desert Church with the theme of trauma. She spoke about Celebrating Families, sharing it can be used for school attendance review board (SARB) referral, though families must start at the beginning of a cohort which would be August and February. Participants will receive a Certificate of Participation if they did not attend the full 16 weeks and a Certificate of Completion if they do attend all 16 weeks.

Karina Quezada shared the School Psychologists' Committee meeting dates and topics for 2024-25, stating the meetings will be held in person at Desert Mountain Educational Service Center. She reported that a flyer with additional details will be provided during the summer.

### 7.6 Resolution Support Services Summary and Update

Sheila Parisian presented DMSELPA's Resolution Support Services Summary and update. She informed the committee members that there are nine open cases as of the date of the meeting. Sheila reported there is currently a family that is moving through school districts in the high desert with five cases filed throughout. There was a hearing with the family with a cross filing by the

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district for the opportunity implement the offer FAPE and place the student with the district. The hearing judge noticed the student was receiving the same amount of SDC and mainstreaming in the county class as is proposed for the district, questioning what the difference was. The district was able to respond that the least restrictive environment (LRE) would best be provided at the district of residence. It is important to describe how the LRE such as the student to adult ratio, the differences in the programs, what supports the student can and will be provided.

### 7.7 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She reported on the number of LEAs in each level of Annual Determination Monitoring, compiled for both DMCS and DMSELPA. For LEAs in Compliance and Improvement Monitoring (CIM) Targeted 1, 2, and 3, progress reports are due July 10, 2024, which means they must be submitted before school dismisses for summer break. Peggy shared that she has received a number of phone calls from LEAs stating the data CDE is reviewing for Cyclical Monitoring is incorrect. Peggy explained that CDE is looking at data from a single date snapshot and that is the information used for the Annual Determination Letter. She said there are some discrepancies in the data that was pulled that she is working to correct. Peggy continued that in August 2024, CDE will gather another snapshot of LEAs that are in Cyclical Monitoring A, B, and C. It is important for LEAs to have their IEPs up to date so they are not placed in CIM Monitoring for Small Schools. Peggy reviewed the number of late annual and triennial IEPs. On May 1, 2024, the IEP Implementation list of randomly selected students will be provided so CDE can see if IEPs are being implemented with fidelity. This means that no less than 90% of services are being provided. Peggy was told by CDE that the Small Schools monitoring data was pulled from February 2023 with data being pulled from this school year to be used for next year's review.

Colette Garland reported personnel data reports were submitted by April 9, 2024, with the amendment window being open until April 30, 2024. She continued that the SELPA DocuSign contract ended April 15, 2024, and encouraged LEAs to use SEIS Sign moving forward. Colette stated Web IEP data distribution is moving forward with SBCSS Technical Services making appointments to deliver the data to LEAs. She said an agreement will need to be signed by each LEA with the original agreement being retained by DMCS. The LEA check-ins continue to ensure CALPADS is moving smoothly and that any questions are answered. Colette concluded that SEIS trainings and open forums continue twice a month.

### 7.8 Nonpublic School/Nonpublic Agency Update

Peggy Dunn provided a nonpublic school/nonpublic agency update. She shared that she and Karina Quezada continue to work closely with Learning Academy, Desert View, and Dynamic Hope as well as a few nonpublic schools (NPS) down the hill that currently have students attending.

Karina Quezada reported that she has been providing trainings to nonpublic schools to help them

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better support students and LEAs. The trainings also allow the staff from different nonpublic schools to make connections and build relationships. Karina reported the trainings will continue to be provided next year based on the areas they request such as classroom management, interacting with students and building relationships, and incorporating assistive technology. She said staffing shortages continue to greatly affect their ability to accept additional students.

Karina spoke about residential treatment centers reporting there are currently 10 students placed, with three returning back to district. Their IEPs have been scheduled and the team is working with the family to find the right setting for therapeutic recovery. There is another student who will be entering a step-down facility with the assistance of DMCC. Karina asked to be included early in the conversation when a residential placement referral is being considered. This will allow DMSELPA and DMCC to support the LEA, the student, and the family as the removal from the home is traumatic and has a financial impact. Karina added that the return home can also be a delicate process after families have been disconnected for one to two years. Other interventions can be researched and considered. She asked that when an LEA is ready to make the referral that all forms and documents are submitted as one complete package as it will assist in making sure the evaluation is done in a timely manner with all of the pieces in place.

Note: Rich Frederick and Stephanie Hedberg left the meeting at 10:31 a.m.

### 7.9 Career Technical Education Update

Deborah Sarkesian provided the Career Technical Education (CTE) update. She reported the Transition Resource Fair was held on Tuesday, April 16, 2024, and the event started with keynote speaker Brad Butler II spoke to the attending students, parents, and vendors about having hope and not letting difficulties prevent them from achieving goals. There were more than 40 vendors present who focused on supporting and serving students and adults with disabilities including the 122 attendees. Deborah shared that the CTE team has been talking about marketing the resource fair differently so more parents and students can hear the speaker.

Note: Larry Brunson joined the meeting at 10:40 a.m.

### 7.10 Prevention and Intervention Update

Deborah Sarkesian provided the Prevention and Intervention update. She shared that year one of the California Integrated Support Project Grant with the focus being on culturally relevant and sustaining practices. With the same schools moving to year two, the focus will be social emotional learning and trauma informed practices. California PBIS recognition window is currently open and will be closing on May 10, 2024. Deborah shared one of the requirements for recognition is an external acer. The California PBIS is scheduled for October 9-11, 2024, in Sacramento, CA and registration is open. CAHELP P&I webpage has information as well.

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### 7.11 Occupational and Physical Therapy Service Reports and Update

Codi Andersen provided the Occupational and Physical Therapy Service reports and update. She said that her team continues to be available for trainings on how to safely transfer students with disabilities and mobility trainings for paraeducators and special education teachers. These trainings can be requested via the onsite request form or by contacting Codi. Codi also reported that her team has been attending trainings where the importance of mental health and the correlation with physical exercise are stressed. She continued that OTs and PTs can help with activities that increase the heart rate for those that have limited mobility. Codi said trainings are being planned for late July and early August with flyers coming. She added that transportation directors will also be invited to the trainings.

## **8.0 FINANCE COMMITTEE REPORTS**

### 8.1 Proposed 2024-25 Desert Mountain SELPA Budget

Marina Gallegos presented the proposed 2024-25 Desert Mountain SELPA Budget. She reviewed the primary funding sources and shared SBCSS budget assumptions since they are the administrative agency for CAHELP who uses the same budget assumptions. Marina shared the budget does include two additional program specialists and one additional program manager. The primary reason for the large projected ending budget is the Out of Home funding as well as the base rate through AB 602. Marina explained that in 2017-18, DMSELPA was one of the lowest funded in the state, but in 2019-20 the state started equalizing funds causing the increase in the base rate. Those additional funds are what will allow the new positions. The additional \$2 million received in one-time funding for learning recovery support and alternate dispute resolution (ADR) was used, when possible, to cover costs instead of typical funding sources. Marina said that also contributing to the projected ending balance is the number of vacancies within the program specialists and OT/PT department. She reported there is deficit spending in the areas of program specialists and the OT/PT budget. Marina pointed out in management code 0297, there is a marked increase in revenues generated and with Codi Andersen doing analysis of services counts, it is likely that LEAs are being under billed for OT/PT services. The review is continuing and there will not be back billing for missed services but the point is to ensure students are receiving all of their services.

Thomas Flores reported DMCC has a multi-year contract with Department of Behavioral Health (DBH) for Student Assistance Program (SAP) and School-Aged Treatment Services (SATS) that will be ending June 30, 2024, but as of April 18, 2024, the contract has been awarded for an additional six months. Thomas also reported DMCC is writing for a four-year grant that will fund Screening Assessment Referral & Treatment (SART) and Early Identification, Intervention Services (EIS) beginning July 1, 2024.

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8.2 Proposed 2024-25 Desert Mountain SELPA Fee-For-Service Rates

Marina Gallegos presented the proposed 2024-25 Desert Mountain SELPA Fee-For-Service rates. She said the FFS rates are for OT/PT services purchased and there will be no increase due to the ending balance.

8.3 Special Education Director and Fiscal Roles

Pam Bender presented information pertaining to special education director and fiscal roles. Pam said that because most special education directors do not have a fiscal background, she wanted to share a comparison of the special education and fiscal staff roles. She said there will possibly be a fiscal workshop at the beginning of the 2024-25 school year for special education directors to help them understand the finances. Pam shared that most fiscal staff do not attend the monthly Steering and Finance Committee meetings but it might help if the finance portion of the meeting were moved to the beginning of the agenda allowing more fiscal conversation.

### **9.0 INFORMATION ITEMS**

9.1 Monthly Audiological Service Reports

9.2 Monthly Nonpublic School Placement Report

9.3 Upcoming Professional Learning Opportunities

### **10.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS**

None.

### **11.0 CEO COMMENTS**

Pam Bender said she sent an email to superintendents and CEOs copying the special education directors asking to be contacted if there are errors or data missing from SEIS, or if there are software issues so they can be resolved by June 30, 2024. Pam expressed that resolving any issues could prevent LEAs from having additional differentiated assistance or compliance issues.

### **12.0 MATTERS BROUGHT BY THE PUBLIC**

None.

### **13.0 DIRECTORS' TRAINING**

Jack B. Clarke, Jr. presented recent Office of Administrative Hearing (OAH) court decisions and how they impact the work of Special Education.

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**14.0 ADJOURNMENT**

Having no further business to discuss, a motion was made by Pam De Renard, seconded by Cheri Rigdon, to adjourn the meeting at 1:35 p.m. The motion carried on the following vote: 16:0:0: Ayes: Benitez, Best, Congo, Crocker, De Renard, Drake, Espinoza, Esposito, Heitman, Kerns, Land, Miller, Rigdon, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

The next regular meeting of the Desert Mountain SELPA Steering and Finance Committee will be held on Friday, May 17, 2024, 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.*