

California Association of Health and Education Linked Professions,
Joint Powers Authority (CAHELP, JPA)
DESERT MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
March 24, 2023 – 9:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

MINUTES

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

Academy for Academic Excellence – Marcelo Congo, Apple Valley USD – Priscilla Avila, Barstow USD – Heather Reid via Web Ex, Bear Valley USD – Lucinda Newton, Desert/Mountain Operations (SBCSS) – Rich Frederick, Stephanie Hedberg, Health Sciences High School and Middle College – Bryan Dale via Web Ex, Hesperia USD – Shannon Garibay, Elaine Nelson, Lucerne Valley SD – Vici Miller, Silver Valley USD – Cheri Rigdon, Snowline JUSD – Pam DeRenard via Web Ex, Trona JUSD – Nicole Yeager via Web Ex.

GUESTS:

SBCSS – Jennifer Alvarado and Patricia Trevino for Presentations.

CAHELP, DMSELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Daniel Anchondo, Codi Andersen, Pam Bender, Guille Burgos, Ivan Campos, Heidi Chavez, Peggy Dunn, Marina Gallegos, Colette Garland, Derek Hale, Jennifer Harms, Linda Llamas, Maurica Manibusan, Angela Mgbeke, Lisa Nash, Sheila Parisian, Jennifer Rountree, Veronica Rousseau, Deborah Sarkesian, Adrienne Shepherd-Myles, 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 9:10 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 Lucinda Newton, seconded by Rich Frederick, to approve the March 24, 2023 Desert Mountain SELPA Steering and Finance Committee Meeting Agenda with the amended meeting date and address for Barstow USD. The motion carried on the following vote: 11:0:0, Ayes: Avila, Congo, Dale, DeRenard, Frederick, Miller, Nelson, Newton, Reid, Rigdon, and Yeager, Nays: None, Abstentions: None.

5.0 PRESENTATIONS

5.1 2022-23 Desert Mountain County Operated Special Education Fee-For-Service Budget – 2nd Interim Update

Jennifer Alvarado presented the 2022-23 Desert Mountain County Operated Special Education

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Fee-For-Service Budget – 2nd Interim Update. She said there is an increase of revenue in the amount of \$7.4 million primarily due to a large increase in the number of students being served in the 2022-23 academic year. When the budget was presented in April 2022, it was in anticipation of 895 students in special day class program and the number is now estimating at over one thousand in addition to the related services as well. Jennifer continued that also contributing is an increase of revenue transfer because the number of students has increased average daily attendance (ADA). She said expenditures are expecting a \$5 million increase in response to the growth seen in the region, primarily in related services. The result is an ending balance of \$2.4 million which will be returned to the districts based on proportionate share to which they were billed throughout the year.

5.2 2022-23 1st 50% Local Control Funding Formula (LCFF) Revenue Transfer – District Funded Students in County Operated Special Education Programs

Jennifer Alvarado presented the 2022-23 1st 50% LCFF Revenue Transfer – District Funded Students in County Operated Special Education Programs. This transfer is done twice a year: once after P-1 certification and then a final 50% to true up amount after P-2 certification. Jennifer said this is identified by CDE P-1 Certification using district's Unduplicated Pupil Percentage (UPP) and ADA at the time. She continued as of P-1, there is an estimated \$10.4 million generated in LCFF revenue for ADA in students attending county operated programs.

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 Cheri Rigdon, seconded by Vici Miller, the following Consent Item be approved with the amendment of removing Teri McCollum from members present. The motion carried on the following vote: 11:0:0, Ayes: Avila, Congo, Dale, DeRenard, Frederick, Miller, Nelson, Newton, Reid, Rigdon, and Yeager, Nays: None, Abstentions: None.

6.1.1 Approve the January 27, 2023 Desert Mountain SELPA Steering and Finance Committee Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Update

Pam Bender provided a legislative update stating February 17, 2023 was the deadline for bills to be introduced to the state. Pam reviewed the following Assembly (AB) and Senate Bills (SB):

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- SB 354 – reintroduced for special education inclusive practices that would allow students in special education to be completely involved with their peers in general education.
- SB 323 – for pupils with exceptional needs and IEPs, to ensure there are emergency safety procedures included in IEP accommodations and be able to support the comprehensive school safety plan.
- AB 438 – asking for transition services goals to be in the child’s IEP at the age of 14 instead of the current age of 16.
- AB 447 – postsecondary education for students with severe disabilities, looking at inclusive college pilot programs for students with intellectual disability (ID) or developmental delay (DD).
- AB 222 – from Civil Rights Department, asking for Californians with Disabilities workgroup to make broad recommendations to achieve full inclusion of students with disabilities in integrated general education classrooms without restraint and seclusion.
- SB 483 – pupil rights to eliminate prone restraints.
- AB 1466 – requires all restraint and seclusion data to be posted on LEA websites.
- SB 691 – Dyslexia screening requirements, by June 2024 the State Board of Education to provide a list of dyslexia screening instruments and by 2024-25, all kinder through second grade students be screened within the first 90 days of school and new students be screened within first 30 days. Within 45 days, school administration must notify parents of the results and provide resources on evidence-based literacy instruction, progress monitoring, and interventions within the general education program.
- AB 87 – 504 Plan team meetings with the option of being recorded. Pam said 504 Plans are beginning to look more like special education with the use of the term Free Appropriate Public Education (FAPE) being included.
- AB 723 – nonpublic schools being the school of origin for foster youth.
- AB 497 – requires LEAs to provide braille instructional aides information on specific teacher credentialing programs.
- AB 248 – removes obsolete terminology including “mentally retarded persons” “Mentally retarded children” “retardation” regarding individuals with intellectual or developmental disabilities.
- SB 509 – regarding mental health education, this bill includes the requirement to train employees on how to make referrals to special education.

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- SB 445 – requires translation of the IEP, assessments and progress into the native language of the parent, or communication type within 30 days of the meeting.
- AB 611 – requires LEAs to notify parent within 14 days of a change in nonpublic school certification status.

Pam said at April’s State SELPA meeting, she will learn more about the strongly supported bills and will be report back to the Steering Committees. She said inclusion is a very hot topic for the students in special education to have the same access as general education students to academics and school activities.

Pam reminded the committee members that based on California Education Code 52062(a)(5), SELPA input is required at Local Control and Accountability Plan (LCAP) meetings. Also based on California Education Code 52064, if students with disabilities were identified for differentiated assistance (DA), the goals for this group are required in the LEAs 2023-24 LCAP with SELPA input for developing those goals. Pam reiterated that any subgroup that has areas of deficit must have goals in the LCAP.

Pam said that the Supreme Court passed a ruling that all methods through special education process and procedure must be exhausted before a family can ask for monetary damages. Pam said based on some articles that she’s read, districts will have the expense of their own legal fees plus possibly parent legal fees. Pam will review to see if an attorney can be present for DMSELPA meeting.

7.2 Educationally Related Mental Health Service (ERMHS) Funding Update

Pam Bender provided an ERMHS Funding update. She said in previous years and currently, the ERMHS funding goes to the SELPA and then is distributed to the LEAs but effective July 1, 2023, funding is to be routed directly to LEAs. Desert Mountain Children’s Center matches the funding with Department of Behavioral Health (DBH) to increase the services and clinicians that can be provided by DMCC including crisis teams, residential placement visitations and monitoring as well as counseling. She continued that CAHELP JPA Governance Council is working toward a decision on how to move forward with the funding distribution and will vote at their May meeting. Pam added that most residential facilities are out of state as California does not have lock down facilities for students that may be elopers or are a danger to themselves and others. The off the top costs include Care Solace except for Hesperia USD as they have their own contract that was signed before CAHELP contracted.

7.3 Alternative Diploma Pathway Update

Pam Bender provided an Alternative Diploma Pathway update. The pathway is for students with severe disabilities to be able to receive a high school diploma. Pam said this pathway is for a very small number of students because it is for the moderate/severe population who are administered the California Alternative Assessment (CAA) in 11th grade and take state standardized classes.

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Pam continued that each LEA is to decide their pathway requirements but there can be issues when a student changes LEAs. Pam stated that receiving the high school diploma does not end the students right to Free Appropriate Public Education (FAPE) as they remain eligible through age 22. CDE is expected to provide more direction to LEA but Pam encouraged the work to continue while waiting.

Rich Frederick attended Special Education Administrators of County Offices (SEACO) conference the week prior. What he heard is that the pathway is greatly being promoted by regional centers and disabilities rights groups throughout the state so parents are aware and will be requesting it. Rich said that LEAs were also advised to begin developing coursework and curriculum for this alternative pathway.

Adrienne Shepherd-Myles said when students graduate from high school, LEAs need to complete the Summary of Performance form to take to the Disabled Student Programs and Services (DSPS) office and not necessarily a 504 Plan.

Pam said there was a workgroup in San Diego that has developed a padlet she will email to the committee members as a reference. She also reminded the attendees that the diploma and transcript received via this pathway cannot specify that it is different from a traditional diploma.

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

Linda Llamas presented the Desert Mountain Children's Center Client Services monthly reports and update. She said the point of contact for LEAs receiving DMCC services were emailed the referral report and client services report via encrypted email. Linda asked to be contacted if there has been a change in the point of contact or to confirm point of contact. Linda said it is important to have a system of how the data provided in the reports is disseminated because there is a wealth of information included and it is helpful for staff to be aware of the children receiving DMCC services.

Linda continued that a mental health resource article was included in the materials regarding how the pandemic has affected young girls, women, and students that identify as female. Linda said the article can be shared with anyone that would benefit from the information

Vici Miller thanked Linda for providing the articles. She said her district has many newer teachers that are providing good feedback to the articles, saying they are easy to read with great information that helps them understand some of the behaviors they are witnessing.

7.5 Professional Learning Summary and Update

Heidi Chavez presented the DMSELPA's Professional Learning Summary and update. She noted the next Directors' Training is scheduled for April 21, 2023 and will be in person with Attorney Jack B. Clarke Jr. presenting *Office of Administrative Hearing (OAH) Legal Updates*. Heidi

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continued that with the March 8, 2023 IMTSS Symposium concluding, planning has begun for next year's IMTSS Symposium which is scheduled for February 21, 2024. She asked for topic ideas to be emailed to her. Heidi reported there will be a follow up training to the 2023 IMTSS Symposium on May 17, 2023 regarding LGBTQIA+ Language, Sensitivity, and Legislation. Heidi then shared the next Community Advisory Committee (CAC) meeting is scheduled for April 20, 2023 with in-person attendance. The presentation portion is titled *Positive Behavior Supports in the Home*. Heidi concluded that her team will be scheduling their annual training needs conversations with special education directors in preparation for next year's trainings.

7.6 Resolution Support Services Summary and Update

Sheila Parisian reported there are currently five cases in the Desert Mountain Charter SELPA with one of them being against the parent. She shared there has been a great deal of feedback from attorney groups in the area of transition. It was stressed to make good notes and have the transition assessments as part of the multi-disciplinary team report.

Heidi Chavez shared SELPA Administrators of California is hosting a virtual mini conference, *Hot Legal Topics of 2023* on April 18, 2023 from 8:30am-3:15pm. The registration cost is \$75.00 with a 2.25% service fee.

7.7 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She said Annual Determination Letters were distributed earlier in the week to the affected LEAs that are in targeted monitoring. Peggy said LEAs that are part of Continuous Improvement Monitoring (CIM) are in step four of the implementation plan. She shared she is happy that the five LEAs applied for the \$15,000 guaranteed grant to assist with the process. Peggy said the IEP Implementation Data Collection window is March 1, 2023 through April 28, 2023 and is CDE's attempt to identify systemic issues with LEAs not providing services in accordance with IEPs. She has emailed a PowerPoint and FAQ sheet to member LEAs to provide a refresher on the process. Peggy reported there are a total of 1,301 overdue IEPs in DMSSELPA as of February 28, 2023. Overdue IEPs are part of the monitoring and included in the Annual Determination Letters. Peggy then concluded that in the process of transitioning from Web IEP to SEIS, there will be several training opportunities available to ensure success.

Colette Garland thanked everyone for completing Fall 1 CALPADS certification. She said Desired Results Developmental Profile (DRDP) Fall Submission 2022 has also been completed and certified. Colette asked for LEAs to attempt to get IEPs that are due July 1-August 30, 2023 completed prior to June 30, 2023 while Web IEP is still active. This is to ensure CALPADS is complete for the initial SEIS data submission. Colette will be sending reports out on Monday, March 27, 2023 so LEAs will know which IEPs are included. She continued the first SEIS training for MIS districts contacts is scheduled for April 26, 2023 virtually from 9am-2pm with full user training on May 5, 2023.

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7.8 Nonpublic School/Nonpublic Agency Update

Peggy Dunn provided a nonpublic school/nonpublic agency update. She said the quarterly meetings Bright Futures, Desert View and other nonpublic schools are continuing and allow an exchange of ideas and be a support system for one another. Peggy asked to be notified if there are any issues with nonpublic agency (NPA) staff. She stressed that NPA overtime must be approved by the district special education director. Peggy shared she is updating the Master Contract for 2023-24 to include more directions in that area.

7.9 Prevention and Intervention Update

Deborah Sarkesian presented a Prevention and Intervention update. She shared the California Integrated Supports Project (CA-ISP) is based on the California MTSS Framework grant with an upcoming opportunity to enrich the LEA efforts. Deborah asked to be contacted if interested. She reported on an upcoming training *Understanding and Supporting Students with Adverse Childhood Experiences (ACES)*. The training is being offered on April 20, 2023 1:00pm-4:30pm with no cost to DMSELPA or DMCS members.

8.0 FINANCE COMMITTEE REPORTS

8.1 Fall 2022 Pupil Count – Final

Marina Gallegos presented the Fall 2022 Pupil Count – Final. She said there is a 10% increase over prior year and the pupil count is used to allocate the federal local assistance dollars and for excess cost calculation.

8.2 2021-22 Federal Grant Funding Status

Marina Gallegos provided the 2021-22 Federal Grant Funding Status. She said some supplemental federal local assistance funding is remaining for 2021-22. Marina said the funds can be used in the same way as 3310 federal local assistance. She continued the next reporting period is for January 1-June 30, 2023. Marina concluded federal dollars are a reimbursement so an LEA must incur the expense before accessing the revenue.

8.3 Learning Recovery Support, Dispute Prevention and Resolution Funds Update

Marina Gallegos provided Learning Recovery Support, Dispute Prevention and Resolution Update. She reminded the committee members this is one time state funding meant to litigate losses related to COVID-19 pandemic. The funds must be encumbered by June 30, 2023 and expended by September 30, 2023. Marina is aware of the concern with Maintenance of Effort (MOE) so she emailed a calculator for LEAs to see if they will pass one of the four MOE tests.

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8.4 Special Education Revenue Distribution Certified on February 17, 2023

Marina Gallegos presented the Special Education Revenue Distribution Certified February 17, 2023. She reminded the committee that each fiscal year is certified six times and reviewed the comparisons between 2020-21 through current 2022-23.

9.0 INFORMATION ITEMS

9.1 Monthly Audiological Services Reports

9.2 Monthly Occupational & Physical Therapy Services Reports

Codi Anderson shared the OT/PT department has started using a new electronic documentation system that has slightly changed the way billing is done. This will cause the billing report to look different than previous months as services are still being accounted for internally, ensuring students are receiving their services.

9.3 Monthly Nonpublic School Placement Report

9.4 Upcoming Professional Learning Opportunities

10.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

None.

11.0 CEO COMMENTS

Pam Bender encouraged committee members to relax and enjoy spring break to be refreshed and ready to take on the end of the year activities. Pam shared 10 quotes regarding rest and rejuvenation.

12.0 MATTERS BROUGHT BY THE PUBLIC

None.

13.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Rich Frederick, seconded by Lucinda Newton, to adjourn the meeting at 10:48 a.m. The motion carried on the following vote: 11:0:0, Ayes: Avila, Congo, Dale, DeRenard, Frederick, Miller, Nelson, Newton, Reid, Rigdon, and Yeager, Nays: None, Abstentions: None.

The next regular meeting of the Desert Mountain SELPA Steering and Finance Committee will be held on Friday, April 21, 2023, at 9:00 a.m., at the Desert Mountain Educational Service Center, Aster/Cactus

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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.