

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*August 26, 2022 – 9:00 a.m. - Hybrid*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

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## MINUTES

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

Academy for Academic Excellence – Marcelo Congo, Apple Valley USD – Priscilla Avila, David Wheeler, Bear Valley USD – Robert Hernandez, Raven Uhler, Desert/Mountain Operations (SBCSS) – Rich Frederick, Excelsior Charter Schools – Amber Englehart Marie Silva, Health Sciences High School and Middle College – Kristen Kosaka, Helendale SD – Mike Esposito, Hesperia USD – Eric Land, Teri McCollum, Lucerne Valley SD – Vici Miller, Needles USD – Jamie Wiesner, Oro Grande SD – Scott Heitman, Silver Valley USD – Cheri Rigdon, Snowline JUSD – Pam DeRenard, Trona JUSD – Nicole Yeager, Victor Elementary SD – Melanie Arroyo, Tanya Benitez, and Victor Valley UHSD – Rama Bassham.

### **GUEST:**

Christina Leal – Options for Youth

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

Jamie Adkins, Codi Andersen, Pam Bender, Guille Burgos, Craig Cleveland, Tara Deavitt, Lindsey Devor, Peggy Dunn, Adrien Faamausili, Marina Gallegos, Colette Garland, Derek Hale, Linda Llamas, Maurica Manibusan, Robin McMullen, Kami Murphy, Lisa Nash, Karina Quezada, Jessica Soto, Pamela Strigglers, Jennifer Sutton, Stephanie Sweem, 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 SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender, at 9:03 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 Marie Silva, seconded by Mike Esposito, to approve the August 26, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

## **5.0 INFORMATION/ACTION**

5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

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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.

5.1.1 **BE IT RESOLVED** that a motion was made by Cheri Rigdon, seconded by David Wheeler, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. 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 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 Tanya Benitez, seconded by Marie Silva, to approve the Form D/M 114 Behavioral Emergency Report (BER) as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

## **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 Mike Esposito, seconded by Vici Miller, to approve the following Consent Items as presented. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

6.1.1 Approve the June 24, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Minutes.

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

#### **7.1 Legislative Updates**

Pam Bender provided legislative updates highlighting the following bills. State SELPA Administrators meeting is scheduled for September 8-9, 2022, when 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. Pam confirmed a bell schedule would not be acceptable because students are in and out of the classroom receiving services.

#### **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

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JPA Governance Council to have a specific plan.

### 7.4 Statewide Student Identifiers (SSID) for Preschool Programs

Pam Bender and Rich Frederick presented information on Statewide Student Identifiers (SSID) for Preschool Programs. Pam stated Desert Mountain Operations is a service provider and not the district of residence for students. Pam stated SSIDs must be created through district of residence (DOR) because the students belong to and are tracked by the DOR and not through county services.

Rich stated DMOPS is working with the districts that have large numbers of preschool students that qualify for services in creating SSIDs. Rich reported that listing DMOPS as the district of residence will cause a CALPADS error and that SSIDs are needed to create and close IEPs as well as to exit a student.

In discussion, multiple special education directors shared that they go through the school registration process for their preschool students to create the needed SSID which does not cause an issue or error because that student is most likely going to return to the same LEA for kindergarten. Others also administer assessments to confirm the student needs.

### 7.5 Desert Mountain Operations Update

Rich Frederick presented Desert Mountain Operations Update. He reported DMOPS continues to struggle with having adequate paraeducator staff but certificated positions are full. Rich shared they received their first state complaint but it was resolved quickly with the parent rescinding after DMOPS added additional staff to the classroom. Rich stressed that when intensive individualized services are listed on an IEP, it does not necessarily constitute a 1 to 1 full time person but instead it could be someone who is supporting multiple students in the same classroom. Also, DMOPS does not provide services for transportation, that is addressed through the district.

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

Pam Bender presented the D/M Children's Center Client Services monthly reports. She asked that Linda Llamas be emailed with changes or questions regarding the reports.

### 7.7 Professional Learning Summary and Update

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary. 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

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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.

### 7.8 Resolution Support Services Summary and Update

Kathleen Peters presented the D/M SELPA’s Resolution Support Services Summary and update. 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.

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 shared the Regional 10 ADR conference has been scheduled for March 16-17, 2023 at the Riverside Convention Center. She also said that Karina Quezada is a member of the planning committee.

Kathleen stated the open platform discussions are still occurring the first Thursday of each month at 9:00am for anyone interested in attending.

Kathleen then spoke to independent study, saying it is important for districts and IEP teams to understand the reasons to be avoided and reasons to be used when denying independent study to a student.

### 7.9 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 parent 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

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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.

### 7.10 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.

### 7.11 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She reviewed the number of overdue IEPs with great progress being made between October 8, 2021, and June 30, 2022. Peggy shared that the numbers will continue to be checked once a month with Peggy and program specialists reaching out to provide support to each LEA.

Peggy then reported there are several districts in different levels of disproportionality that are working on required activities. There is a CDE refresher webinar scheduled for September 1 and September 12, 2022, with registration required. Peggy asked to be contacted by anyone interested in attending. Peggy stated Comprehensive Coordinated Early Intervening Services (CCEIS) Plans are due November 1, 2023.

Peggy 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.

Peggy concluded by sharing the upcoming MIS meeting is scheduled for September 28, 2022, from 9:00am until 3:00pm with lunch served.

### 7.12 Nonpublic School/Nonpublic Agency Update

Peggy Dunn provided a nonpublic school/nonpublic agency update. She shared the 3-year costs

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for nonpublic schools and residential treatment center costs broken down by district.

### 7.13 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 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.

## **9.0 INFORMATION ITEMS**

### 9.1 Monthly Occupational & Physical Therapy Services Reports

### 9.2 Monthly Nonpublic School Placement Report

### 9.3 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**

## **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.

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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 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.

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

None.

### **13.0 ADJOURNMENT**

Having no further business to discuss, a motion was made by Mike Esposito, seconded by David Wheeler, to adjourn the meeting. The motion carried on the following vote 17:0: Ayes: Bassham, Benitez, Congo, DeRenard, Esposito, Frederick, Heitman, Kosaka, Land, Miller, Reid, Rigdon, Silva, Uhler, Wheeler, Wiesner, Yeager. Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain SELPA Steering and Finance Committee will be held on Friday, September 23, 2022, 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.*