

California Association of Health and Education Linked Professions,
Joint Powers Authority (CAHELP, JPA)
DESERT MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
April 21, 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, Adelanto SD – Michael Baird, Apple Valley USD – Priscilla Avila, David Wheeler, Bear Valley USD – Lucinda Newton, Desert/Mountain Operations (SBCSS) – Rich Frederick, Stephanie Hedberg, Excelsior Charter Schools – Marie Silva, Health Sciences High School and Middle College – Bryan Dale via Web Ex, Helendale SD – Michael Esposito via Web Ex, Hesperia USD – Shannon Garibay, Eric Land, Elaine Nelson, Lucerne Valley SD – Vici Miller via Web Ex, Needles USD – Jamie Wiesner via Web Ex, Oro Grande SD – Bill Flynn, Scott Heitman, Silver Valley USD – Cheri Rigdon, Snowline JUSD – Pam DeRenard, Dennis Zimmerman, Trona JUSD – Nicole Yeager via Web Ex, Victor Elementary SD – Tanya Benitez, and VVUHSD – Krystal Kerns via Web Ex.

GUESTS:

SBCSS – Jennifer Alvarado for Presentations. Christina Leal – Options for Youth.

CAHELP, DMSELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Guille Burgos, Ivan Campos, Heidi Chavez, Danielle Cote, Peggy Dunn, Marina Gallegos, Renee Garcia, Colette Garland, Derek Hale, Linda Llamas, Maurica Manibusan, Isaac Medina, Lisa Nash, Sheila Parisian, Kathleen Peters, Linda Rodriguez, 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 Acting Chairperson Heidi Chavez, at 9:05 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 Lucinda Newton, to approve the April 21, 2023 Desert Mountain SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 17:0:0 Ayes: Baird, Benitez, Congo, Dale, DeRenard, Esposito, Frederick, Heitman, Kerns, Land, Miller, Newton, Rigdon, Silva, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

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5.0 PRESENTATIONS

5.1 2023-24 County Operated Special Education Fee-For-Service Budget

Jennifer Alvarado presented the 2023-24 County Operated Special Education Fee-For-Service (FFS) Budget. Jennifer reviewed the budget assumptions that were used to build the budget county wide and across all budgets. Jennifer said the total budgeted expenditures of \$69.5 million is offset by some revenue sources before FFS is established. Those revenue sources include Local Control Funding Formula (LCFF) revenue transfer for district funded students, early start infant program, grant and entitlement, and a preschool grant and total almost \$13 million in offsetting revenue. The excess cost is then \$56.5 million which is used to determine the FFS rate across eight service categories. Jennifer highlighted for next year there is no proposed FFS for the early start infant program, which is for the 0-3 population, due to receiving additional infant funding in arrears. Because it is in arrears, SBCSS will not know if they receive the additional funding for 2023-24 until they apply in April.

6.0 PUBLIC HEARINGS

6.1 Desert Mountain SELPA Annual Budget Plan (ACTION)

California Education Code requires that an Annual Budget Plan be approved by the CAHELP JPA Governance Council as part of the Local Plan. The 2023-24 Annual Budget Plan describes the revenues and expenditures for special education for all local education agencies in the Desert Mountain SELPA.

6.1.1 **BE IT RESOLVED** that a motion was made by Cheri Rigdon, seconded by Lucinda Newton, to approve the Desert Mountain SELPA 2023-24 Annual Budget Plan as presented. The motion carried on the following vote 17:0:0 Ayes: Baird, Benitez, Congo, Dale, DeRenard, Esposito, Frederick, Heitman, Kerns, Land, Miller, Newton, Rigdon, Silva, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

6.2 Desert Mountain SELPA Annual Service Plan (ACTION)

California Education Code requires that an Annual Service Plan be approved by the CAHELP Governance Council as part of the Local Plan. The 2023-24 Annual Service Plan describes all special education services currently provided in the Desert Mountain SELPA broken down by type, location, and level of severity.

6.2.1 **BE IT RESOLVED** that a motion was made by Michael Baird, seconded by Rich Frederick, to approve the Desert Mountain SELPA 2023-24 Annual Service Plan as presented. The motion carried on the following vote 17:0:0 Ayes: Baird, Benitez, Congo, Dale, DeRenard, Esposito, Frederick, Heitman, Kerns, Land, Miller, Newton, Rigdon, Silva, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

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7.0 INFORMATION/ACTION

7.1 Form D/M 120A Occupational Therapy Referral (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 DMSELPA Steering Committee for consideration and approval.

7.1.1 **BE IT RESOLVED** that a motion was made by Cheri Rigdon, seconded by Marie Silva, to approve the Form D/M 120A Occupational Therapy Referral as presented. The motion carried on the following vote 17:0:0 Ayes: Baird, Benitez, Congo, Dale, DeRenard, Esposito, Frederick, Heitman, Kerns, Land, Miller, Newton, Rigdon, Silva, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

7.2 Form D/M 120B Physical Therapy Referral (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 DMSELPA Steering Committee for consideration and approval.

7.2.1 **BE IT RESOLVED** that a motion was made by Lucinda Newton, seconded by David Wheeler, to approve the Form D/M 120A Physical Therapy Referral as presented. The motion carried on the following vote 17:0:0 Ayes: Baird, Benitez, Congo, Dale, DeRenard, Esposito, Frederick, Heitman, Kerns, Land, Miller, Newton, Rigdon, Silva, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

8.0 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.

8.1 **BE IT RESOLVED** that a motion was made by Lucinda Newton, seconded by Scott Heitman, to approve the following Consent Item as presented. The motion carried on the following vote 17:0:0 Ayes: Baird, Benitez, Congo, Dale, DeRenard, Esposito, Frederick, Heitman, Kerns, Land, Miller, Newton, Rigdon, Silva, Wheeler, Wiesner, and Yeager, Nays: None, Abstentions: None.

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- 8.1.1 Approve the March 24, 2023 Desert Mountain SELPA Steering and Finance Committee Meeting Minutes.

9.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

9.1 Legislative Update

Heidi Chavez presented a legislative update, sharing the current status of several bills. She reported all bills must be heard by May 15, 2023. Wednesday, May 3, 2023 is Legislative Day when people can speak to the legislators about bills they support and the reasons for their support. Heidi said an update will be provided when information is received.

9.2 Learning Recovery Support, Dispute Prevention and Resolution Funds Update

Heidi Chavez provided Learning Recovery Support, Dispute Prevention and Resolution Update. She said there is a large amount of funding that has not been claimed and any funds not used will be returned to the state. Heidi said if there are questions on how to use the allocated funding, to contact her or Kathleen Peters. Marina Gallegos is available to help with determining Maintenance of Effort (MOE). Heidi continued an activity plan including demographics must be submitted to her or Kathleen for review then the reimbursement comes from the CAHELP business office. Heidi also suggested to review staff salaries to see if those fit in the plans.

Marina Gallegos added that if an LEA will not be using their funds, it can be redistributed to other LEAs for use. She said there may have been expenditure in prior year that can be claimed with documentation being submitted to Heidi or Kathleen.

Heidi agreed to email the plan and PowerPoint to the directors and fiscal staff.

9.3 Alternative Diploma Pathway Update

Heidi Chavez provided an Alternative Diploma Pathway update. She explained Assembly Bill (AB) 181 contained many items, including Educationally Related Mental Health Services (ERMHS) funding going to LEAs and independent study. There was not much discussion around this bill or the many items it included. Heidi reiterated that a student receiving the alternative diploma continues to have special education eligibility until they are 22 years of age. She reviewed the requirements of the pathway: student must know by 10th grade, have taken the California Alternative Assessment (CAA) in 11th grade, and must complete state standard aligned coursework that meets the California state law. Heidi continued that CDE still has not provided guidance though they have formed a workgroup. She continued that it is only 1% of the student population that is eligible to take the CAA and that it is important to begin having conversations with those parents. If a student does request services to continue after receiving this alternative diploma, it will be up to the LEA to determine how to provide those services.

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9.4 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 LEA point of contact has been sent the reports via encrypted email. Linda asked to be contacted if there are questions about the reports or if a committee member would like to review the reports with her. Linda shared a research article on the rise of eating disorders being prevalent in children during the pandemic.

9.5 Professional Learning Summary and Update

Heidi Chavez presented the DMSELPA’s Professional Learning Summary and update. Jack Clark will be presenting on legal updates at the end of the DMSELPA Steering and Finance Committee meeting. Heidi said her team will be scheduling professional learning conversations to get input on training topics. She said the meetings can include other LEA staff that so that everyone is aware of the trainings the LEA is requesting. Heidi continued sharing the LGBTQIA+ Language, Sensitivity, and Legislation training that will take place on Wednesday, May 17, 2023, 8:30am-12:30pm with Ami Davis. She shared Celebrating Families is a resiliency program that goes beyond drug and alcohol use. It is a 16-week program and the next cohort begins in August. Heidi shared the IMTSS Symposium Save the Date flyer for February 21, 2024. She reported there will be a Community Advisory Committee (CAC) Meeting on April 20, 2023 with the representative meeting from 5:00-5:30pm followed by a presentation on PBIS in the home. Heidi concluded that a survey will be emailed to the special education directions asking for input on topics for the 2023-24 Directors’ Trainings.

Jennifer Rountree provided information on CAHELP Peers Training program. She shared it is a social skills program for adolescents with social skills challenges, primarily autism but it also supports other social needs as well. There is also a component for parents or anyone 18 or older that supports these students. There is a referral process and August when the next cohort begins. Jennifer said she is asking for any LEAs that might be interested in doing the school-based curriculum to contact her as there is an option for LEAs to offer training at the school level.

9.6 Resolution Support Services Summary and Update

Kathleen Peters presented the DMSELPA’s Resolution Support Services Summary and update. She said cases are continuing to be aggressive with many layers and they have not been resolving at resolution. There is an overlap in the increase of expulsions and students having more social emotional difficulties at younger ages which is causing in increase in assessment requests.

Kathleen then spoke about Perez v. Sturgis supreme court decision. The law states before filing for damages under Section 504, if there is a concern with special education, it must be addressed and completed with Office of Administrative Hearings through due process before filing for fiscal award.

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Kathleen then summarized the Lozano Smith Client Brief regarding Least Restrictive Environment (LRE). The involved student was meeting goals in the inclusive environment but the IEP team found a more restrictive environment would benefit him academically. The judge determined the progress towards the goals was more important than LRE. Kathleen stated to continue writing the IEP based to meet the needs of the student.

Kathleen shared Core Communication Skills will be presented by David P Dowling, JD, MDR on May 4, 2023, 8:30am-1:30pm. The training is to help staff better understand the needs of parents. The CAHELP Outreach Team is also reaching out to parent centers and parent engagement groups for their staff to attend as well. The training will be offered again on May 31, 2023, 8:30am-3:30pm to teachers and administrators to continue building their skills.

9.7 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). The IEP Data Collection window will be open March 1-April 28, 2023 and is the period when CDE will pull their data. Peggy will forward any information she receives from CDE to the appropriate LEA. Peggy reported the number of overdue IEPs is increasing and encouraged directors to continue working on decreasing those numbers.

Colette Garland provided a SEIS Overview for the directors. She reviewed the PowerPoint that included the training dates and formats, the transition process, and data on CALPADS End-of-Year information. Colette confirmed that county student records are with the district of residence as DMOPS is the service provider and does not keep records. Colette shared that if any LEA needs deeper discussion, she is available for discussion and to assist.

9.8 Nonpublic School/Nonpublic Agency Update

Peggy Dunn provided a nonpublic school/nonpublic agency update. She reported she is working on Master Contracts with language being added regarding overtime as well as lunches. Peggy shared that Dwight Counsel of Desert View School passed away recently. She said he was instrumental in ensuring students received the best possible educational experience.

Derek Hale reported a new nonpublic school will be opening to the area. They are expecting to open October and January. Derek said it is important to ensure all resources have been exhausted locally before referring a child to residential treatment.

9.9 Prevention and Intervention Update

Deborah Sarkesian presented a Prevention and Intervention update. She shared the California PBIS Recognition Timeline stating the application window will close on May 12, 2023. Deborah said that if an LEA is not contracted with DMSELPA for prevention and intervention services, the LEA can contact the team for supports.

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10.0 FINANCE COMMITTEE REPORTS

10.1 Proposed 2023-24 Desert Mountain SELPA Budget

Marina Gallegos presented the proposed 2023-24 Desert Mountain SELPA Budget. She shared the different funding sources and budget assumptions as well as the specifics for the different allocations.

10.2 Proposed 2023-24 Desert Mountain SELPA Fee-For-Service Rates

Marina Gallegos presented the proposed 2023-24 Desert Mountain SELPA Fee-For-Service rates. She explained the fees are to support the OT/PT services and some mental health services. Marina said the education support for services greater than 120 minutes was previously billed annually but starting 2023-24, it will be billed monthly.

10.3 2022-23 Special Education MOE – Projected vs Actual Comparison (SEMAI)

Marina Gallegos presented the 2022-23 SEMAI. She said most LEAs are in line to pass at least one of the Maintenance of Effort (MOE) tests as long as the budgets do not veer far from 2nd interim.

11.0 INFORMATION ITEMS

11.1 2022-23 Personnel Data Reports

11.2 Monthly Audiological Services Reports

11.3 Monthly Occupational & Physical Therapy Services Reports

11.4 Monthly Nonpublic School Placement Report

11.5 Upcoming Professional Learning Opportunities

12.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

Mike Esposito thanked Ivan Campos and Colette Garland for all their hard work during the transition to SEIS.

David Wheeler asked if county programs are offering Expanded Learning Opportunities (ELOP) opportunities. Rich Frederick answered that DMOPS does not receive that funding so the students would receive that from the DOR.

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13.0 CEO COMMENTS

Heidi Chavez quote about leadership and working with teams.

14.0 MATTERS BROUGHT BY THE PUBLIC

None.

15.0 DIRECTORS' TRAINING

Jack B. Clarke, Jr., Partner with Atkinson, Andelson, Loya, Ruud and Romo provided legal updates during the training.

16.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Tanya Benitez, seconded by Lucinda Newton, to adjourn the meeting at 1:50 pm. The motion carried on the following vote 17:0:0 Ayes: Baird, Benitez, Congo, Dale, DeRenard, Esposito, Frederick, Heitman, Kerns, Land, Miller, Newton, Rigdon, Silva, 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 19, 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.