

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEETING
April 21, 2022 – 10:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

NOTICE: This meeting will be held as a hybrid council meeting with some council members participating in person and others participating via Web Ex. If members of the public wish to participate in the meeting and/or make public comment, please follow the instructions below to participate telephonically:

PARTICIPATE BY PHONE:

Dial Access Number: 1-415-655-0003

When prompted - enter Meeting Number: 2462 996 3093

Follow directions as a Participant; an Attendee I.D. is not required to participate.

If you wish to make a public comment at this meeting, prior to the meeting please submit a request to address the D/M Charter SELPA Executive Council to the recording secretary via fax at 1-760-242-5363 or email jamie.adkins@cahelp.org. Please include your name, contact information and which item you want to address.

Reasonable Accommodation: If you wish to request reasonable accommodation to participate in the meeting telephonically, please contact the recording secretary (via contact information noted above) at least 48 hours prior to the meeting.

1.0 CALL TO ORDER

2.0 ROLL CALL

3.0 PUBLIC PARTICIPATION

Citizens are encouraged to participate in the deliberation of the Desert/Mountain Charter SELPA Executive Council. Several opportunities are available during the meeting for the Council to receive oral communication regarding the presentations of any items listed on the agenda. Please ask for recognition either before a presentation or after the presentation has been completed. Please complete and submit a “Registration Card to Address the Desert/Mountain Charter SELPA Executive Council” to the Recording Secretary and adhere to the provisions described therein.

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that the April 21, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Agenda be approved as presented.

5.0 PUBLIC HEARINGS

5.1 Desert/Mountain Charter 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 2022-23 Annual Service Plan describes all special education services currently provided in the Desert/Mountain Charter SELPA broken down by type, location, and level of severity.

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5.1.1 **BE IT RESOLVED** that the Desert/Mountain Charter SELPA 2022-23 Annual Service Plan be approved as presented.

5.2 Desert/Mountain Charter 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 2022-23 Annual Budget Plan describes the revenues and expenditures for special education services currently for all local education agencies in the Desert/Mountain Charter SELPA.

5.2.1 **BE IT RESOLVED** that the Desert/Mountain Charter SELPA 2022-23 Annual Budget Plan be approved as presented.

6.0 INFORMATION/ACTION

6.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

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.

6.1.1 **BE IT RESOLVED** that the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements be approved as presented.

6.2 Proposed 2022-23 Desert/Mountain Charter SELPA Budget (**ACTION**)

The annual Desert/Mountain Charter SELPA budget for regional services administered by the SELPA office include the primary services provided through program specialists/regional services, X-pot, clinical counseling, SELPA regional services, and DMCC. In reviewing and approving the budgets, the Desert/Mountain Charter Executive Council designates and supports the staff and operational expenses necessary to carry out the functions of the D/M Charter SELPA as designated in the Local Plans.

6.2.1 **BE IT RESOLVED** that the Proposed 2022-23 Desert/Mountain Charter SELPA Budget be approved as presented.

6.3 Proposed 2022-23 Desert/Mountain Charter SELPA Fee-for-Service Rates (**ACTION**)

Pam Bender will present the Proposed 2022-23 Desert/ Mountain Charter SELPA Fee-for-Service Rates.

6.3.1 **BE IT RESOLVED** that the 2022-23 Desert/Mountain Charter SELPA Proposed Fee-For-Service Rates be approved as presented.

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6.4 Desert/Mountain Charter SELPA Policy and Procedures Chapter 14 (**ACTION**)

Policies and procedures governing the operation of special education programs within the Desert/Mountain Charter SELPA are developed, reviewed and revised throughout the year upon the recommendation of the Program Team. Policies and Procedures are modified as necessary in order to ensure that special education programs are operated in an efficient, effective and legally compliant manner. Suggested revisions to Charter SELPA Policy and Procedures are submitted to the D/M Charter SELPA Executive Council for consideration and approval.

6.4.1 **BE IT RESOLVED** that the Desert/Mountain Charter SELPA Policy & Procedures Chapter 14 be approved as presented.

6.5 Desert/Mountain SELPA D/M 68A IEP Demographics Page (**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 Charter SELPA Executive Council for consideration and approval.

6.5.1 **BE IT RESOLVED** that the Desert/Mountain SELPA D/M 68A IEP Demographics Page be approved as presented.

6.6 Desert/Mountain SELPA D/M 68E Supplementary Aids and Supports (**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 Charter SELPA Executive Council for consideration and approval.

6.6.1 **BE IT RESOLVED** that the Desert/Mountain SELPA D/M 68E Supplementary Aids and Supports be approved as presented.

6.7 Desert/Mountain SELPA D/M 68F Physical Fitness Test (**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 Charter SELPA Executive Council for consideration and approval.

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- 6.7.1 **BE IT RESOLVED** that the Desert/Mountain SELPA D/M 68F Physical Fitness Test be approved as presented.
- 6.8 Desert/Mountain SELPA D/M 68F English Language Proficiency Assessment Participation Consideration Alternative Assessment (**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 Charter SELPA Executive Council for consideration and approval.
- 6.8.1 **BE IT RESOLVED** that the Desert/Mountain SELPA D/M 68F English Language Proficiency Assessment Participation Consideration Alternative Assessment be approved as presented.
- 6.9 Desert/Mountain Charter SELPA Application for Membership FY 2022-23 (**ACTION**)
- The Desert/Mountain Charter SELPA has received one application from Allegiance STEAM Academy-Fontana for membership into the Charter SELPA for FY 2022-23. A discussion will occur regarding the potential applicant. A recommendation for membership will be offered from the CAHELP administrative team and the Charter SELPA CEOs.
- 6.9.1 **BE IT RESOLVED** that the Allegiance STEAM Academy-Fontana application for membership be approved as presented
- 6.10 CAHELP JPA Governance Council Representative Fiscal Year 2022-23 (**ACTION**)
- Article IV of the CAHELP JPA Bylaws specifies the CAHELP JPA Governance Council shall consist of two (2) CEO representatives from the Desert/Mountain Charter SELPA. The two Desert/Mountain Charter SELPA representatives will be chosen annually and will assume their roles as of July 1 of the next fiscal year. Discussion will center on the selection of these two representatives.
- 6.10.1 **BE IT RESOLVED** that the selection of the two representatives for the CAHELP JPA Governance Council be approved as presented.
- 6.11 Desert/Mountain Charter SELPA Executive Council 2022-23 Meeting Dates and Times (**ACTION**)
- The CAHELP JPA CEO seeks approval for dates and times of the 2022-23 Desert/Mountain Charter SELPA Executive Council Meetings.
- 6.11.1 **BE IT RESOLVED** that the Desert/Mountain Charter SELPA Executive Council approves the dates and times of the 2022-23 Desert/Mountain Charter SELPA Executive

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Council Meetings.

7.0 CONSENT ITEMS

It is recommended that the Desert/Mountain Charter SELPA Executive Council 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.

- 7.1 **BE IT RESOLVED** that the following Consent Items be approved as presented:
 - 7.1.1 Approve the October 21, 2021 Desert/Mountain Charter SELPA Executive Council Meeting Minutes.
 - 7.1.2 Approve the January 20, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Minutes.

8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

- 8.1 State SELPA Administrators Update

Pam Bender will an update from State SELPA Administrators including legislative information.
- 8.2 2022-23 Desert/Mountain Charter SELPA Risk Pool Levels

Pam Bender will provide notification on 2022-23 D/M Charter SELPA Risk Pool levels.
- 8.3 Educationally Related Mental Health Services (ERMHS) Funding Changes

Pam Bender will provide information regarding changes in Educationally Related Mental Health Services (ERMHS) Funding.
- 8.4 Professional Learning Summary

Heidi Chavez will present the D/M Charter SELPA’s Professional Learning Summary.
- 8.5 Resolution Support Services Summary

Kathleen Peters will present the D/M Charter SELPA’s Resolution Support Services Summary.
- 8.6 Alternative Dispute Resolution (ADR) Request Form and Brochure

Kathleen Peters will present the Alternative Dispute Resolution (ADR) Request Form and brochure as well as the electronic submission link (<https://forms.office.com/r/2LJe9iXrpq>).

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8.7 Compliance Updates

Peggy Dunn will present an update on compliance items from the California Department of Education (CDE).

9.0 FINANCE COMMITTEE REPORTS

10.0 INFORMATION ITEMS

10.1 Upcoming Professional Learning Opportunities

11.0 DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS COMMENTS / REPORTS

12.0 CEO COMMENTS

13.0 MATTERS BROUGHT BY CITIZENS

This is the time during the agenda when the Desert/Mountain Charter SELPA Executive Council is again prepared to receive the comments of the public regarding items on this agenda or any school related special education issue.

When coming to the podium, citizens are requested to give their name and limit their remarks to three minutes.

Persons wishing to make complaints against Desert/Mountain Charter SELPA Executive Council personnel must have filed an appropriate complaint form prior to the meeting.

When the Desert/Mountain Charter SELPA Executive Council goes into Closed Session, there will be no further opportunity for citizens to address the Council on items under consideration.

14.0 ADJOURNMENT

The next regular meeting of the Desert/Mountain Charter SELPA Executive Council will be held on Thursday, June 23, 2022, at 10:00 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.

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN
Section E: Annual Service Plan
SPECIAL EDUCATION LOCAL PLAN AREA

California Department of Education
Special Education Division
2022-23 Local Plan Annual Submission

Local Plan Section E: Annual Service Plan

California *Education Code (EC)* sections 56205(b)(2) and (d); 56001; and 56195.9

The Local Plan Section E: Annual Service Plan must be adopted at a public hearing held by the SELPA. Notice of this hearing shall be posted in each school in the SELPA at least 15 days before the hearing. Local Plan Section E: Annual Service Plan may be revised during any fiscal year according to the SELPA's process as established and specified in Section B: Governance and Administration portion of the Local Plan consistent with *EC* sections 56001(f) and 56195.9. Local Plan Section E: Annual Service Plan must include a description of services to be provided by each local educational agency (LEA), including the nature of the services and the physical location where the services are provided (Attachment VI), regardless of whether the LEA is participating in the Local Plan.

Services Included in the Local Plan Section E: Annual Service Plan

All entities and individuals providing related services shall meet the qualifications found in Title 34 of the *Code of Federal Regulations (34 CFR)* Section 300.156(b), Title 5 of the *California Code of Regulations (5 CCR)* 3001(r) and the applicable portions 3051 et. seq.; and shall be either employees of an LEA or county office of education (COE), employed under contract pursuant to *EC* sections 56365-56366, or employees, vendors or contractors of the State Departments of Health Care Services or State Hospitals, or any designated local public health or mental health agency. Services provided by individual LEAs and school sites are to be included in **Attachment VI**.

Include a description each service provided. If a service is not currently provided, please explain why it is not provided and how the SELPA will ensure students with disabilities will have access to the service should a need arise.

- 330–Specialized Academic Instruction/
Specially Designed Instruction

Provide a detailed description of the services to be provided under this code.

Adapting, as appropriate to the needs of the child with a disability, the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.

Section E: Annual Service Plan

SELPA:

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210–Family Training, Counseling, Home Visits (Ages 0-2 only)

Service is Not Currently Provided

Include an explanation as to why the service option is not included as part of the SELPA’s continuum of services available to students with disabilities.

220–Medical (Ages 0-2 only)

Service is Not Currently Provided

Include an explanation as to why the service option is not included as part of the SELPA’s continuum of services available to students with disabilities.

230–Nutrition (Ages 0-2 only)

Service is Not Currently Provided

Include an explanation as to why the service option is not included as part of the SELPA’s continuum of services available to students with disabilities.

240–Service Coordination (Ages 0-2 only)

Service is Not Currently Provided

Include an explanation as to why the service option is not included as part of the SELPA’s continuum of services available to students with disabilities.

250–Special Instruction (Ages 0-2 only)

Service is Not Currently Provided

Include an explanation as to why the service option is not included as part of the SELPA’s continuum of services available to students with disabilities.

260–Special Education Aide (Ages 0-2 only)

Service is Not Currently Provided

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Include an explanation as to why the service option is not included as part of the SELPA's continuum of services available to students with disabilities.

- 270-Respite Care (Ages 0-2 only) *Service is Not Currently Provided*

Include an explanation as to why the service option is not included as part of the SELPA's continuum of services available to students with disabilities.

- 340-Intensive Individual Instruction

Provide a detailed description of the services to be provided under this code.

- 350-Individual and Small Group Instruction

Provide a detailed description of the services to be provided under this code.

- 415-Speech and Language *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

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425-Adapted Physical Education

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

Direct physical education services provided by an adapted physical education specialist to pupils who have needs that cannot be adequately satisfied in other physical education programs as indicated by assessment and evaluation of motor skills performance and other areas of need. It may include individually designed developmental activities, games, sports and rhythms, for strength development and fitness, suited to the capabilities, limitations, and interests of individual students with disabilities who may not safely, successfully or meaningfully engage in unrestricted participation in the vigorous activities of the general or modified physical education program.

435-Health and Nursing: Specialized
Physical Health Care

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

Specialized physical health care services means those health services prescribed by the child's licensed physician and surgeon, requiring medically related training of the individual who performs the services and which are necessary during the school day to enable the child to attend school. Specialized physical health care services include but are not limited to suctioning, oxygen administration, catheterization, nebulizer treatments, insulin administration, and glucose testing.

436-Health and Nursing: Other

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

This includes services that are provided to individuals with exceptional needs by a qualified individual pursuant to an IEP when a student has health problems which require nursing intervention beyond basic school health services. Services include managing the health problem, consulting with staff, group and individual counseling, making appropriate referrals, and maintaining communication with agencies and health care providers. These services do not include any physician supervised or specialized health care service. IEP required health and nursing services are expected to supplement the regular health services program.

445-Assistive Technology

Service is Not Currently Provided

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SELPA:

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Provide a detailed description of the services to be provided under this code.

Any specified training or technical support for the incorporation of assistive devices adapted computer technology, or specialized media with the educational programs to improve access for students. The term included a functional analysis of the student's needs for assistive technology, selecting, designing, fitting, customizing, or repairing appropriate devices, coordinating services with assistive technology devices, training or technical assistance for students with a disability, the student's family, individuals providing education or rehabilitation services.

450–Occupational Therapy

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

Occupational Therapy (OT) includes services to improve student's educational performance, postural stability, self-help abilities, sensory processing and organization, environmental adaptation and use of assistive devices, motor planning and coordination, visual perception and integration, social and play abilities, and fine motor abilities. Both direct and indirect services may be provided within the classroom, other educational settings, or the home, in groups or individually, and may include therapeutic techniques to develop abilities, adaptations to the student's environment or curriculum, and consultation and collaboration with other staff and parents. Services are provided, pursuant to an IEP, by a qualified occupational therapist registered with the American occupational Therapy Certification Board.

460–Physical Therapy

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

These services are provided, pursuant to an IEP, by a registered physical therapist or physical therapist assistant, when assessment shows a discrepancy between gross motor performance and other educational skills. Physical therapy includes, but is not limited to, motor control and coordination, posture and balance, self-help, functional mobility, accessibility and use of assistive devices. Services may be provided within the classroom, other educational settings or in the home, and may occur in groups or individually. These services may include adaptations to the student's environment and curriculum, selected therapeutic techniques and activities, and consultation and collaborative interventions with staff and parents.

510–Individual Counseling

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Provide a detailed description of the services to be provided under this code.

One-to-one counseling, provided by a qualified individual pursuant to an IEP. Counseling may focus on such student aspects are education, career, personal, or be with parents or staff members on learning problems or guidance programs for students. Individual counseling is expected to supplement the regular guidance and counseling program.

515–Counseling and Guidance *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Counseling in a group setting provided by a qualified individual pursuant to an IEP. Group counseling is typically social skills development, but may focus on such student aspects as education, career, personal, or be with parents or staff members on learning problems or guidance programs for students. IEP required group counseling is expected to supplement the regular guidance and counseling program. Guidance services include interpersonal, intrapersonal, or family interventions, performed in an individual or group setting by a qualified individual pursuant to an IEP. Specific programs include social skills development, self-esteem building, parent training and assistance to special education students supervised by staff credentialed to service special education students. These services are expected to supplement the regular guidance and counseling program.

520–Parent Counseling *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Individual or group counseling provided by a qualified individual pursuant to an IEP to assist the parent(s) of special education students in better understanding and meeting their child's needs and may include parenting skills or other pertinent issues. IEP required parent counseling is expected to supplement the regular guidance and counseling program.

525–Social Worker *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Social work services, provided by a qualified individual pursuant to an IEP, include, but are not limited to, preparing a social or developmental history of a child with a disability. group and individual counseling with the child and family, working with those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school, and mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program. Social work services are expected to supplement

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530–Psychological *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services, provided by a credentialed or licensed psychologist pursuant to an IEP. Includes interpreting assessment results for parents and staff in implementing the IEP, obtaining and interpreting information about the child's behavior and conditions related to learning, and planning programs of individual or group counseling and guidance services for children and parents. These services may include consulting with other staff in planning school programs to meet the special needs of children as indicated in the IEP. IEP required psychological services are expected to supplement the regular guidance and counseling program.

535–Behavior Intervention *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

A systematic implementation of procedures designed to promote lasting, positive changes in the student's behavior resulting in greater access to a variety of community settings, social contacts, public events, and placement in the least restrictive environment.

540–Day Treatment

Provide a detailed description of the services to be provided under this code.

Structured education, training, and support services to address the student's mental health needs.

545–Residential Treatment

Provide a detailed description of the services to be provided under this code.

A 24-hour, out-of-home placement that provides intensive therapeutic services to support the educational program.

610–Specialized Service for Low Incidence Disabilities *Service is Not Currently Provided*

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Provide a detailed description of the services to be provided under this code.

Low incidence services are defined as those provided to the student population who have orthopedic impairment (OI), visual impairment (VI), who are deaf, heard of hearing (HH), or deaf-blind (DB). Typically, services are provided in an education setting by an itinerant teacher or an itinerant teacher/specialist. Consultation is provided to the teacher, staff, and parent as needed. These services must be clearly written in the student's IEP, including frequency and duration of the services to the student.

710–Specialized Deaf and Hard of Hearing *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services include speech therapy, speech reading, auditory training, and/or instruction in the student's mode of communication. Rehabilitative and educational services, adapting curricula, methods, and the learning environment. and special consultation to students, parents, teachers, and other school personnel.

715–Interpreter *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Sign language interpretation of spoken language to individuals whose communication is normally sign language, by a qualified sign language interpreter.

720–Audiological *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services include measurements of acuity, monitoring amplification, and frequency modulation system use. Consultation services with teachers, parents, or speech pathologists must be identified in the IEP as to reason, frequency, and duration of contact, infrequent contacts considered assistance and would not be included.

725–Specialized Vision *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

This is a broad category of services provided to students with visual impairments. It includes assessment of functional vision, curriculum modifications necessary to meet the student's

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educational needs including Braille, large type, and aural media; instruction in areas of need; concept development and academic skills; communication skills including alternative modes of reading and writing, and social, emotional, career, vocational, and independent living skills. It may include coordination of other personnel providing services to the students such as transcribers, readers, counselors, orientation and mobility specialists, career/vocational staff and others and collaboration with the student's classroom teacher.

730–Orientation and Mobility *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Students with identified visual impairments are trained in body awareness and to understand how to move. Students are trained to develop skills to enable them to travel safely and independently around the school and in the community. It may include consultation services to parents regarding their children requirement such services according to an IEP.

735–Braille Transcription *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Any transcription services to convert materials from print to Braille. It may include textbooks, tests, worksheets, or anything necessary for instruction. The transcriber should be qualified in English Braille as well as Nemeth Code (mathematics) and be certified by appropriate agency

740–Specialized Orthopedic *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Specially designed instruction related to the unique needs of students with orthopedic disabilities including specialized materials and equipment.

745–Reading *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Based on the need of the child, coordinated by the LEA.

750–Note Taking *Service is Not Currently Provided*

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Provide a detailed description of the services to be provided under this code.

Any specialized assistance given to the student for the purpose of taking notes when the student is unable to do so independently. This may include, but is not limited to, copies of notes taken by another student or transcription of tape-recorded information from a class or aide designated to take notes. This does not include instruction in the process of learning how to take notes.

755-Transcription *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Any transcription service to convert materials from print to a mode of communication suitable for the student. This may also include dictation services as it may pertain to textbooks, tests, worksheets, or anything needed for instruction.

760-Recreation Service, Including
Therapeutic Recreation *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Therapeutic recreation and specialized instructional programs designed to assist pupils to become as independent as possible in leisure activities and when possible and appropriate facilitate the pupil's integration into general recreation programs.

820-College Awareness *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

College awareness is the result of acts that promote and increase student learning about higher education opportunities, information, and options that are available including but not limited to, career course prerequisites admission eligibility and financial aid.

830-Vocational Assessment, Counseling,
Guidance, and Career Assessment *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, and may include provision for work experience, job coaching, development and/or placement, and situational assessment This includes career counseling

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to assist a student in assessing his/her aptitudes, abilities, and interests in order to make realistic career decisions.

840–Career Awareness *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Transition services include a provision for self-advocacy, career planning, and career guidance. This also emphasizes the need for coordination between these provisions and the Perkins Act to ensure that students with disabilities in middle schools will be able to access vocational education funds.

850–Work Experience Education *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Work experience education means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

855–Job Coaching *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Work experience education means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

860–Mentoring *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Mentoring is a sustained coaching relationship between a student and teacher through ongoing involvement. The mentor offers support, guidance, encouragement and assistance as the learner encounters challenges with respect to a particular area such as acquisition of job skills. Mentoring can be either formal, as in planned, structured instruction, or informal that occurs naturally through friendship and counseling.

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865–Agency Linkages (referral and placement)

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

Service coordination and case management that facilitates the linkage of individualized education programs under this part and individualized family service plans under part C with individualized service plans under multiple Federal and State programs, such as title I of the Rehabilitation Act of 1973 (vocational rehabilitation), title XIX of the Social Security Act (Medicaid), and title XVI of the Social Security Act(supplemental security income).

870–Travel and Mobility Training

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

Based on needs of the child, coordinated by the LEA.

890–Other Transition Services

Service is Not Currently Provided

Provide a detailed description of the services to be provided under this code.

These services may include program coordination, case management and meetings, and crafting linkages between schools and between schools and postsecondary agencies.

900–Other Related Service

Pursuant to Title 5 of the *California Code of Regulations* (5 CCR) 3051.24, "other related services" not identified in sections 5 CCR sections 3051.1 through 3051.23 must be provided only by staff who possess a license to perform the service issued by an entity within the Department of Consumer Affairs or another state licensing office; or by staff who hold an credential issued by the California Commission on Teacher Credentialing authorizing the service. If code 900 is used, include the information below. Users may select the "+" and "-" buttons to add or delete responses.



Description of the "Other Related Service"

Special Transportation

Qualifications of the Provider Delivering "Other Related Service"

Code 900 is used to indicate Special Transportation for students with disabilities as

Section E: Annual Service Plan

SELPA: Desert/Mountain Charter SELPA

Fiscal Year: 2022–23

indicated on the IEP.

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN

Section D: Annual Budget Plan

SPECIAL EDUCATION LOCAL PLAN AREA

California Department of Education

Special Education Division

2022–23 Local Plan Submission

Local Plan Section D: Annual Budget Plan

Projected special education budget funding, revenues, and expenditures by LEAs are specified in **Attachments II–V**. This includes supplemental aids and services provided to meet the needs of students with disabilities as defined by the Individuals with Disabilities Education Act (IDEA) who are placed in regular education classrooms and environments, and those who have been identified with low incidence disabilities who also receive special education services.

IMPORTANT: Adjustments to any year’s apportionment must be received by the California Department of Education (CDE) from the SELPA prior to the end of the first fiscal year (FY) following the FY to be adjusted. The CDE will consider and adjust only the information and computational factors originally established during an eligible FY, if the CDE's review determines that they are correct. California *Education Code (EC)* Section 56048

Pursuant to *EC* Section 56195.1(2)(b)(3), each Local Plan must include the designation of an administrative entity to perform functions such as the receipt and distribution of funds. Any participating local educational agency (LEA) may perform these services. The administrative entity for a multiple LEA SELPA or an LEA that joined with a county office of education (COE) to form a SELPA, is typically identified as a responsible local agency or administrative unit. Whereas, the administrative entity for single LEA SELPA is identified as a responsible individual. Information related to the administrative entity must be included in Local Plan Section A: Contacts and Certifications.

TABLE 1

Special Education Projected Revenue Reporting (Items D-1 to D-3)

D-1. Special Education Revenue by Source

Using the fields below, identify the special education projected revenue by funding source. The total projected revenue and the percent of total funding by source is automatically calculated.

Funding Revenue Source	Amount	Percentage of Total Funding
Assembly Bill (AB) 602 State Aid	<input type="text" value="6,357,740"/>	86.15%
AB 602 Property Taxes	<input type="text" value="0"/>	0.00%
Federal IDEA Part B	<input type="text" value="943,058"/>	12.78%
Federal IDEA Part C	<input type="text" value="0"/>	0.00%
State Infant/Toddler	<input type="text" value="0"/>	0.00%
State Mental Health	<input type="text" value="0"/>	0.00%
Federal Mental Health	<input type="text" value="78,953"/>	1.07%
Other Projected Revenue	<input type="text" value="0"/>	0.00%
Total Projected Revenue:	7,379,751	100.00%

D-2. "Other Revenue" Source Identification

Identify all revenue identified in the "Other Revenue" category above, by revenue source, that is received by the SELPA specifically for the purpose of special education, including any property taxes allocated to the SELPA pursuant to *EC* Section 2572. *EC* Section 56205(b)(1)(B)

D-3. Attachment II: Distribution of Projected Special Education Revenue

Using the form template provided in **Attachment II**, complete a distribution of revenue to all LEAs participating in the SELPA by funding source.

TABLE 2

Total Projected Budget Expenditures by Object Code (Items D-4 to D-6)

D-4. Total Projected Budget by Object Code

Using the fields below, identify the special education expenditures by object code. The total expenditures and the percent of total expenditures by object code is automatically calculated.

Object Code	Amount	Percentage of Total Expenditures
Object Code 1000—Certificated Salaries	<input type="text" value="5,089,995"/>	41.38%
Object Code 2000—Classified Salaries	<input type="text" value="1,710,392"/>	13.90%
Object Code 3000—Employee Benefits	<input type="text" value="1,688,680"/>	13.73%
Object Code 4000—Supplies	<input type="text" value="185,115"/>	1.50%
Object Code 5000—Services and Operations	<input type="text" value="3,526,527"/>	28.67%
Object Code 6000—Capital Outlay	<input type="text" value="0"/>	0.00%
Object Code 7000—Other Outgo and Financing	<input type="text" value="101,183"/>	0.82%
Total Projected Expenditures:	12,301,892	100.00%

D-5. Attachment III: Projected Local Educational Agency Expenditures by Object Code

Using the templates provided in **Attachment III**, complete a distribution of projected expenditures by LEAs participating in the SELPA by object code.

D-6. Code 7000—Other Outgo and Financing

Include a description for the expenditures identified under object code 7000:

Object code 7000 includes the CDE approved indirect cost rate applied to allowable expenditures.

Section D: Annual Budget Plan

SELPA

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TABLE 3

Federal, State, and Local Revenue Summary (Items D-7 to D-8)

D-7. Federal Categorical, State Categorical, and Local Unrestricted Funding

Using the fields below, enter the projected funding by revenue jurisdiction. The "Total Revenue From All Sources" and the "Percentage of Total Funding" fields are automatically calculated.

Revenue Source	Amount	Percentage of Total Funding
Projected State Special Education Revenue	<input type="text" value="6,357,740"/>	86.15%
Projected Federal Revenue	<input type="text" value="1,022,011"/>	13.85%
Local Contribution	<input type="text" value="0"/>	0.00%
Total Revenue from all Sources:	7,379,751	100.00%

D-8. Attachment IV: Projected Revenue by Federal, State, and Local Funding Source by Local Educational Agency

Using the CDE-approved template provided in **Attachment IV**, provide a complete distribution of revenues to all LEAs participating in the SELPA by federal and state funding source.

D-9. Special Education Local Plan Area Allocation Plan

- a. Describe the SELPA's allocation plan, including the process or procedure for allocating special education apportionments, including funds allocated to the RLA/AU/responsible person pursuant to *EC* Section 56205(b)(1)(A).

The Charter SELPA special education revenue distribution model combines CDE certified state AB 602 funding and federal funding to calculate an equalized funding rate. Prior to calculation apportionments, off-the-top adjustments are made to support program specialists, administration, risk-pool, set-aside pool (appropriated at board discretion), and purchased services. Each charter's certified ADA is multiplied by the equalized rate to calculate the charter's apportionment. The adjusted apportionment funds are distributed to members. Some state and federal funding is retained at the SELPA level to centralize services and increase capacity.

- b. YES NO

If the allocation plan specifies that funds will be apportioned to the RLA/AU/AE, or to the SELPA administrator (for single LEA SELPAs), the administrator of the SELPA, upon receipt, distributes the funds in accordance with the method adopted pursuant to *EC* Section

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56195.7(i). This allocation plan was approved according to the SELPA's local policymaking process and is consistent with SELPA's summarized policy statement identified in Local Plan Section B: Governance and Administration item B-4. If the response is "NO," then either Section D should be edited, or Section B must be amended according to the SELPA's adopted policy making process, and resubmitted to the COE and CDE for approval.

Section D: Annual Budget Plan

SELPA

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TABLE 4

Special Education Local Plan Area Expenditures (Items D-10 to D-11)

D-10. Regionalized Operations Budget

Using the fields below, identify the total operating expenditures projected for the SELPA, exclusively. Expenditure line items are according SACS object codes. Include the projected amount budgeted for the SELPA's exclusive use. The "Percent of Total" expenses is automatically calculated. NOTE: Table 4 does not include district LEA, charter LEA, or COE LEA expenditures, there is no Attachment to be completed for Table 4.

Accounting Categories and Codes	Amount	Percentage of Total
Object Code 1000—Certificated Salaries	<input type="text" value="289,338"/>	24.54%
Object Code 2000—Classified Salaries	<input type="text" value="201,796"/>	17.11%
Object Code 3000—Employee Benefits	<input type="text" value="205,700"/>	17.44%
Object Code 4000—Supplies	<input type="text" value="8,329"/>	0.71%
Object Code 5000—Services and Operations	<input type="text" value="417,368"/>	35.39%
Object Code 6000—Capital Outlay	<input type="text" value="0"/>	0.00%
Object Code 7000—Other Outgo and Financing	<input type="text" value="56,667"/>	4.81%
Total Projected Operating Expenditures:	1,179,198	100.00%

D-11. Object Code 7000 --Other Outgo and Financing Description

Include a description of the expenditures identified under "Object Code 7000—Other Outgo and Financing" by SACS codes. See Local Plan Guidelines for examples of possible entries.

Object code 7000 includes the CDE approved indirect cost rate applied to allowable expenditures.

SELPA

Fiscal Year

TABLE 5

Supplemental Aids and Services and Students with Low Incidence Disabilities (D-12 to D-15)

The standardized account code structure (SACS), goal 5760 is defined as "Special Education, Ages 5-22." Students with a low incidence (LI) disability are classified severely disabled. The LEA may elect to have locally defined goals to separate low-incidence disabilities from other severe disabilities to identify these costs locally.

D-12. Defined Goals for Students with LI Disabilities

Does the SELPA, including all LEAs participating in the SELPA, use locally defined goals to separate low-incidence disabilities from other severe disabilities?

YES NO

If "No," describe how the SELPA identifies expenditures for low-incidence disabilities as required by *EC* Section 56205(b)(1)(D)?

Member charters use restricted classes in the schools accounting system or other unique identifiers to segregate low incidence expenditures when applicable. The SELPA uses a unique management code to segregate low incidence expenditures. Additionally, all low incidence funds are apportioned to the SELPA, and members are reimbursed for low incidence related costs - up to a specific amount per member based on available funds - upon invoice to SELPA. LEAs must include supporting documentation including the student's IEP to substantiate the reimbursement request with the invoice.

D-13. Total Projected Expenditures for Supplemental Aids and Services in the Regular Classroom and for Students with LI Disabilities

Enter the projected expenditures budgeted for Supplemental Aids and Services (SAS) disabilities in the regular education classroom.

D-14. Total Projected Expenditures for Students with LI Disabilities

Enter the total projected expenditures budgeted for students with LI disabilities.

D-15. Attachment V: Projected Expenditures by LEA for SAS Provided to Students with Exceptional Needs in the Regular Classroom and Students with LI Disabilities

Using the current CDE-approved template provided for Attachment V, enter the SELPA's projected funding allocations to each LEA for the provision of SAS to students with exceptional needs placed in the regular classroom setting and for those who are identified with LI disabilities. Information included in this table must be consistent with revenues identified in Section D, Table 5.

AB 361 Creates Exemptions to Brown Act Virtual Meeting Requirements During a State of Emergency

September 22, 2021
Number 27

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On September 15, 2021, the Governor signed Assembly Bill (AB) 361, amending the Ralph M. Brown Act to allow local agencies to continue conducting public meetings remotely during a state of emergency, so long as certain requirements are met. As explained in more detail below, public agencies who wish to conduct meetings remotely on or after October 1, 2021, must make specific findings, every thirty days, and ensure conditions related to public participation are satisfied.

Background

Generally, if a local agency elects to use teleconferencing for a public meeting, the Brown Act requires: (1) a quorum of the legislative body to participate from within the boundaries of the agency's jurisdiction, (2) the public agency to post notice of each teleconference location, and (3) the public be allowed to address the legislative body from each teleconference location.

Beginning in March 2020, Governor Newsom issued Executive Orders (Prior Orders) relaxing these Brown Act provisions, allowing public agencies greater flexibility in holding remote meetings during the COVID-19 pandemic. The Prior Orders, suspending the Brown Act teleconferencing requirements and confirming the use of internet-based service options for holding public meetings, were set to expire on September 30, 2021. In light of this looming deadline, AB 361 was passed and amends the Brown Act to allow public agencies to continue conducting remote meetings during a state of emergency without the need to comply with all of the teleconferencing requirements. While AB 361 was an urgency measure, effective upon the Governor's signature, the Governor also signed a new Executive Order, clarifying that most of the requirements of AB 361 become effective October 1, 2021.

Although the Governor waived the applicability of AB 361 until October 1, 2021, local agencies retain the option of meeting before October 1 to make the required findings under AB 361 in order to hold future meetings remotely. If a local agency does not do so, it will have to have a separate meeting in October to make the necessary findings before any regular or special meetings otherwise scheduled for October can be held remotely.

Applicability of AB 361

Under the urgency legislation, a local agency may utilize the more “relaxed” Brown Act teleconferencing requirements in any of the following circumstances:

1. There is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
2. There is a proclaimed state of emergency, and the local agency’s meeting is for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. There is a proclaimed state of emergency, and the local agency has determined, by majority vote, that as a result of the emergency meeting in person would present an imminent risk to the health or safety of attendees.

AB 361 defines a “state of emergency” as a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act. Importantly, this includes the current state of emergency proclaimed by the Governor due to the COVID-19 Pandemic.

To continue to rely on the relaxed teleconferencing provisions, the local agency must reconsider the circumstances of the state of emergency and make the following findings by majority vote, *every 30 days*:

- The state of emergency continues to directly impact the ability of the members to meet safely in person; or
- State or local officials continue to impose or recommend measures to promote social distancing.

Virtual Meeting Requirements Under AB 361

For all remote meetings held under AB 361, local agencies are required to meet the following public participation and notice requirements (note that some of these requirements differ from what had been in place under the Prior Orders):

- Meeting agendas and notices must describe how members of the public may access the meeting and offer public comment, and identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option;
- The public must have the opportunity to address the legislative body and comment in real time. The local agencies may still allow for the public to submit comments in advance of the meeting, but the local agency must also provide an option for the public to comment in real time;
- If a timed public comment period is provided on an agenda, whether on a specific agenda item or in general, registration and the public comment period cannot close until the time has elapsed. If public comment is taken separately on each agenda item, the legislative body must allow a reasonable amount of time per item to allow members of the public the opportunity to provide public comment, register, or otherwise be recognized for the purpose of providing public comment;

- Local agencies are permitted to use platforms which, incidental to their use and deployment, may require users to register for an account with that platform so long as the platform is not under the control of the local agency;
- If there is a disruption in the broadcast of a public meeting using the call-in option or the internet-based option, or there is a disruption within the agency's control which prevents members of the public from offering comments, the agency must not take any action on items appearing on the agenda until full access is restored.

Meeting agendas are not required to be posted at all teleconference locations, and local agencies are not required to make each teleconference location accessible to the public, provided that members of the public are afforded the opportunity to provide public comment remotely.

Takeaways

AB 361 creates statutory exemptions to the Brown Act that extend flexibility for remote public meetings during proclaimed emergencies, through January 1, 2024. For state and local agencies that are subject to the Bagley-Keene Open Meeting Act and the Gloria Romero Open Meetings Act, AB 361 establishes similarly relaxed guidance for virtual public meetings, until January 31, 2022. State and local agencies must give the public notice and an opportunity to comment and participate at meetings in real time, even using remote means, and they must comply with certain prerequisites in order to rely on the remote meeting provisions, including reconsideration of the circumstances and need for remote meetings every 30 days. While this new law relaxes certain remote meeting requirements relating to member participation, agendas, and public accessibility at remote locations, the underlying aim of the Brown Act—to ensure meetings of local agencies be open and public—remains.

If you have any questions about AB 361 or about Brown Act or board governance issues in general, please contact the author of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcasts](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.



AB-361 Open meetings: state and local agencies: teleconferences. (2021-2022)

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Date Published: 09/17/2021 09:00 PM

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held

for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each

teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the

meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and

federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have

imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations

within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information

concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.



2021-2022 Second Interim Report
2022-2023 Preliminary Budget

Primary Funding Sources

Contract/Grant Funding

- ♦ Department of Behavioral Health
- ♦ Department of Rehabilitation
- ♦ Workforce Development Department
- ♦ Other local and state contracts for services and staff development

AB 602 Special Education Revenue

- ♦ Out-of-Home
- ♦ Program Specialist/Regionalized Services

Fee-for-Service/Other Fees

- ♦ X-Pot Contributions
- ♦ Desert/Mountain SELPA Related Services FFS
- ♦ Desert/Mountain Children's Center Mental Health FFS
- ♦ Desert/Mountain Children's Center Intensive Therapeutic Services FFS
- ♦ Registration Fees

2021-2022

Second Interim Notes

- ♦ AB 602 base rate \$715 per ADA
- ♦ Established the following positions: JPA community lead outreach specialist, outreach specialist (4), network technician, occupational therapist (2), certified occupational therapy assistant (2), physical therapy assistant, work incentive technician (2)
- ♦ Department of Rehabilitation contract augmentation to support CTE services
- ♦ Department of Behavioral Health Student Assistance Program expansion
- ♦ DBH removed the county reimbursement rate and increased the per minute reimbursement rate by program to increase likelihood of maximizing grant
- ♦ DBH lifted the requirement for DMCC to subcontract with the County of San Bernardino for public health nurses
- ♦ City of Victorville lease ends June 30

2021-2022

Second Interim

Program	Revenue	Expense	Revenue Less Expense	Beginning Balance	Projected Ending Balance June 30
CAHELP JPA	\$ 2,596,462	\$ 2,597,643	\$ (1,181)	\$ 1,181	\$ -
Spirit River Complex	\$ 418,995	\$ 418,995	\$ -	\$ -	\$ -
D/M SELPA	\$ 37,447,279	\$ 34,401,121	\$ 3,046,158	\$ 8,145,918	\$ 11,192,076
D/M Charter SELPA	\$ 1,806,673	\$ 1,489,721	\$ 316,952	\$ 1,498,624	\$ 1,815,576
D/M Children's Center	\$ 28,892,041	\$ 25,236,096	\$ 3,655,945	\$ 827,383	\$ 4,483,328
D/M SELPA Pass-Through	\$ 56,668,629	\$ 56,668,629	\$ -	\$ -	\$ -
D/M Charter SELPA Pass-Through	\$ 5,790,832	\$ 5,790,832	\$ -	\$ -	\$ -
Total	\$ 133,620,911	\$ 126,603,037	\$ 7,017,874	\$ 10,473,107	\$ 17,490,980

2022-2023

Budget Assumptions

- ♦ Assume mental health state and federal funding will continue to flow to the SELPAs by way of apportionment, grant award, or MOU
- ♦ 3% COLA on salary
- ♦ Funded step and column
- ♦ 5% increase on medical, dental, vision, and life insurance
- ♦ Assume medical opt-out
- ♦ Employer paid statutory rates

Medicare	1.45%
SUI	0.05%
WC	2.92%
STRS	19.10%
PERS	26.10%
- ♦ Information Technology user fee \$2,549 per FTE / email only \$112 per FTE
- ♦ Indirect Cost Rate 8.95%

2022-2023

Preliminary Notes

- ♦ X-Pot contribution \$253 per pupil
- ♦ AB 602 base rate \$820 per ADA
- ♦ Establish the following positions: Behavioral Health Counselor Supervisor, leadership coach, fiscal analyst II, administrative team lead (2)
- ♦ Workforce Development Department WIOA grant award including program expansion
- ♦ Triage grant ends September 30, 2022

2022-2023 Preliminary

Program	Revenue	Expense	Revenue Less Expense	Beginning Balance	Projected Ending Balance June 30
CAHELP JPA	\$ 3,141,257	\$ 3,141,257	\$ -	\$ -	\$ -
Spirit River Complex	\$ 423,629	\$ 423,629	\$ -	\$ -	\$ -
D/M SELPA	\$ 26,870,054	\$ 27,320,320	\$ (450,266)	\$ 11,192,076	\$ 10,741,810
D/M Charter SELPA	\$ 1,435,425	\$ 1,482,058	\$ (46,633)	\$ 1,815,576	\$ 1,768,943
D/M Children's Center	\$ 29,205,988	\$ 29,736,744	\$ (530,756)	\$ 4,483,328	\$ 3,952,572
D/M SELPA Pass-Through	\$ 48,417,255	\$ 48,417,255	\$ -	\$ -	\$ -
D/M Charter SELPA Pass-Through	\$ 6,182,302	\$ 6,182,302	\$ -	\$ -	\$ -
Total	\$ 115,675,910	\$ 116,703,565	\$ (1,027,655)	\$ 17,490,980	\$ 16,463,325

2022-2023 vs 2021-2022 Staffing

Program	Object Range	CAHELP JPA			Spirit River Complex			D/M SELPA			D/M Charter SELPA			D/M Children's Center		
		FTE 2022-23	FTE 2021-22	Net Effect	FTE 2022-23	FTE 2021-22	Net Effect	FTE 2022-23	FTE 2021-22	Net Effect	FTE 2022-23	FTE 2021-22	Net Effect	FTE 2022-23	FTE 2021-22	Net Effect
Certificated Pupil Support	1200	-	-	-	-	-	-	1.00	2.00	(1.00)	-	-	-	1.00	2.00	(1.00)
Certificated Supervisor/Admini	1300	1.00	1.00	-	-	-	-	4.58	4.65	(0.07)	0.42	0.35	0.07	-	-	-
Other Certificated	1900	-	-	-	-	-	-	9.00	10.15	(1.15)	1.65	1.50	0.15	2.35	1.35	1.00
Classified Pupil Support	2200	-	-	-	-	-	-	57.23	57.00	0.23	1.67	1.25	0.42	136.25	123.75	12.50
Classified Supervisor/Adminin	2300	2.00	2.00	-	-	-	-	3.85	2.55	1.30	1.05	0.45	0.60	13.40	11.00	2.40
Clerical and Office	2400	12.20	11.00	1.20	1.00	1.00	-	23.25	28.15	(4.90)	1.07	0.95	0.12	32.23	43.90	(11.67)
Other Classified	2900	-	-	-	-	-	-	-	-	-	-	-	-	-	4.00	(4.00)
Total		15.20	14.00	1.20	1.00	1.00	-	98.91	104.50	(5.59)	5.86	4.50	1.36	185.23	186.00	(0.77)

Net Effect Across Organization (3.80)

CAHELP AND DESERT/MOUNTAIN SELPA
Proposed Budget With Prior Year Comparisons
Branch Head - Pamela Bender, Chief Executive Officer

MGMT CODE	RESOURCE CODE	DESCRIPTION	BEGINNING BALANCE	2020-21 ACTUALS			2021-22 ESTIMATED ACTUALS			2022-23 PROPOSED BUDGET		
				REVENUES	EXPENDITURES	ENDING BALANCE	REVENUES	EXPENDITURES	ENDING BALANCE	REVENUE	EXPENDITURES	ENDING BALANCE
DMJ1	9295	CAHELP JPA	1,206	2,605,615	2,605,639	1,181	2,596,462	2,597,643	0	3,141,257	3,141,257	(0)
029S	9299	CAHELP Spirit River Complex	-	364,800	364,800	(0)	418,995	418,995	(0)	423,629	423,629	0
0292	9292	D/M SELPA X-Pot	1,098,545	2,442,712	1,705,959	1,835,298	2,716,219	2,693,945	1,857,572	2,814,453	2,829,104	1,842,921
029B	9292	NPS/NPA	-	11,220,810	11,220,810	(0)	15,068,370	15,068,370	0	15,871,514	15,871,514	0
0293	6500	Regional Services	1,026,550	2,275,461	2,108,425	1,193,586	2,654,043	2,142,427	1,705,202	2,673,286	2,457,770	1,920,718
0294	9294	Staff Development	-	27,703	23,315	4,388	55,000	59,388	(0)	29,000	29,000	(0)
0296	6500	Low Incidence Funding	105,029	2,248,168	1,911,996	441,201	2,248,168	1,797,923	891,446	2,304,093	1,912,493	1,283,046
0297	6500	Therapeutic Services	985,143	6,354,742	5,457,302	1,882,582	7,433,489	7,104,671	2,211,400	7,522,157	7,750,629	1,982,927
298B	6500	Out-of-Home	1,351,982	2,422,377	1,403,619	2,370,740	2,298,816	2,368,117	2,301,439	2,154,140	1,905,951	2,549,628
298C	9298	Prevention and Intervention	-	218,950	218,950	(0)	26,600	26,600	(0)	490,905	490,905	(0)
298D	9299	Mental Health Triage	-	1,340,493	1,340,493	(0)	1,323,342	1,323,342	(0)	258,617	258,617	(0)
0455	3410	Transitional Partnership Program	-	661,679	661,679	0	1,027,506	1,027,506	(0)	1,158,019	1,158,019	(0)
455A	3410	Work Experience	-	90,864	90,864	0	143,833	143,833	(0)	120,466	120,466	0
455B	9455	CAPROMISE Enrollment Funds	25,327	0	8,530	16,797	0	4,314	12,483	0	1,634	10,849
455D	9296	Employment Network	18,529	4,482	10,690	12,322	5,940	3,667	14,595	4,572	1,307	17,859
455F	9293	Paid Internship Program (IRC)	-	0	0	0	1,194	1,194	0	1,205	1,205	0
455G	5610	GenerationGo! (WDD)		232,790	232,790	0	280,000	280,000	0	632,000	632,000	0
455H	9299	DOR/Kids First foundation		63,289	63,289	(0)	39,945	39,945	(0)	39,366	39,366	(0)
455I	5610	CALWORKS Supsidized Employment Program		31,246	31,246	0	118,347	118,347	0	138,829	138,829	(0)
0496	6520	WorkAbility I	-	102,105	102,105	(0)	102,105	102,105	0	102,105	102,105	0
0489	3385	Part C Early Intervention	-	5,000	5,000	0	5,000	5,000	0	5,000	5,000	0
0490	3395	Alternate Dispute Resolution Expansion	-	7,009	7,009	0	19,144	19,144	0	19,144	19,144	0
490A	3395	Alternate Dispute Resolution COVID-19	-	14,984	14,984	0	51,914	51,914	(0)	18,918	18,918	(0)
490B	6536	Dispute Prevention & Dispute Resolution Fund 01	-	0	0	0	1,816,998	1,495,686	321,312	0	128,267	193,045

CAHELP AND DESERT/MOUNTAIN SELPA
Proposed Budget With Prior Year Comparisons
Branch Head - Pamela Bender, Chief Executive Officer

MGMT CODE	RESOURC E CODE	DESCRIPTION	BEGINNING BALANCE	2020-21 ACTUALS			2021-22 ESTIMATED ACTUALS			2022-23 PROPOSED BUDGET		
				REVENUES	EXPENDITURES	ENDING BALANCE	REVENUES	EXPENDITURES	ENDING BALANCE	REVENUE	EXPENDITURES	ENDING BALANCE
490B	6536	Dispute Prevention & Dispute Resolution Fund 10	-	0	0	0	1,453,598	1,453,598	0	0	0	0
490C	6537	Learning Recovery Support Fund 01	-	0	0	0	8,176,491	6,692,689	1,483,802	0	679,493	804,310
490C	6537	Learning Recovery Support Fund 10	-	0	0	0	6,541,193	6,541,193	0	0	0	0
0494	3315	Preschool Entitlement	-	22,813	22,813	0	21,559	21,559	0	21,559	21,559	(0)
0497	3345	Preschool Staff Development	-	2,738	2,738	0	2,738	2,738	0	2,738	2,738	0
DSMH	3327	Mental Health ADA	-	1,003,925	1,003,926	(0)	1,356,749	1,356,749	0	1,180,337	1,180,337	0
DSMH	6546	Mental Health AB 114	-	6,515,923	6,515,923	0	6,779,822	6,779,822	0	6,779,822	6,779,822	0
325H	9164	LEA Medi-Cal	99,942	22,994	0	122,937	20,000	16,178	126,759	25,000	15,253	136,506
0484	9494	Region 10	-	0	0	0	11,550	11,550	0	11,550	11,550	0
0484	9494	Region 10 Fiscal Agent (School 088)	286,891	0	20,825	266,066	12,500	12,500	266,066	(266,066)	0	0
DS10	3310	Federal Local Assistance	-	16,249,411	16,249,411	0	15,789,737	15,789,737	0	16,830,001	16,830,001	0
DS15	3315	Federal Preschool	-	181,202	181,202	0	265,343	265,343	0	265,343	265,343	0
DS05	3305	D/M SELPA ARP Supplemental Local Assistance	-	0	0	0	3,848,180	3,848,180	0	0	0	0
DS08	3308	D/M SELPA ARP Supplemental Federal Preschool	-	0	0	0	283,047	283,047	0	0	0	0
DS29	6500	AB 602	-	7,556,935	7,556,935	0	11,917,092	11,917,092	0	13,848,282	13,848,282	0
029C	6500	Revenue Pool	1	184,753	184,753	0	200,336	200,336	0	230,956	230,956	0
		TOTAL	4,999,146	64,475,974	61,328,022	8,147,098	97,131,365	94,086,386	11,192,076	78,852,196	79,302,462	10,741,810

Desert/Mountain SELPA
 Comparative Fiscal Analysis Summary by Major Object Code

		CAHELP and Desert/Mountain SELPA Total		
<u>Object</u>	<u>Description</u>	2020-21 Actual	2021-22 Projection	2022-23 Proposed
8000	Revenue			
1000	Certificated Salaries	2,309,838	2,402,928	2,429,080
2000	Classified Salaries	7,041,353	8,481,045	9,199,865
3000	Employee Benefits	3,684,993	4,482,012	5,143,719
4000	Books & Supplies	64,475,974 166,212	89,135,380 515,965	78,850,991 409,984
5000	Services & Other Operating	21,526,272	27,519,130	28,163,176
6000	Capital Outlay	-	12,000	12,000
7000	Indirect Cost/Pass-Through	26,599,353	42,677,322	
	Total Expenses	61,328,022	86,090,401	79,301,257
	Beginning Balance	4,999,147	8,147,098	11,192,076
	Revenue less Expense	3,147,952	3,044,978	(450,266)
	Ending Balance	8,147,099	11,192,076	10,741,810

	Vacant	Filled	Total
1200	-	33,943,130	1.00
1300	-	5.58	5.58
1900	0.85	8.15	9.00
2200	16.80	40.43	57.23
2300	0.50	5.35	5.85
2400	3.50	32.95	36.45
2900	-		
	21.65	93.46	115.11

DESERT/MOUNTAIN CHARTER SELPA
Proposed Budget With Prior Year Comparisons
Branch Head - Pamela Bender, Chief Executive Officer

MGMT CODE	RESOURCE CODE	DESCRIPTION	BEGINNING BALANCE	2020-21 ACTUALS			2021-22 ESTIMATED ACTUALS			2022-23 PROPOSED BUDGET		
				REVENUE	EXPENDITURES	ENDING BALANCE	REVENUE	EXPENDITURES	ENDING BALANCE	REVENUE	EXPENDITURES	ENDING BALANCE
DCPS	6500	Regional Services	295,848	472,291	427,164	340,975	568,735	471,393	438,316	629,041	626,859	440,499
DCRP	6500	Risk Pool	292,264	231,799	68,726	455,337	272,065	305,355	422,046	302,241	339,378	384,909
DCSA	6500	Set-Aside Pool	571,870	152,901	82,752	642,020	175,958	19,143	798,834	197,462	150,000	846,296
DCAD	3395	Alternate Dispute Resolution	0	2,334	2,334	(0)	19,416	19,416	0	13,675	13,675	(0)
DCCD	3395	Alternate Dispute Resolution COVID-19	0	10,412	10,412	(0)	35,927	35,927	0	14,958	14,958	0
DCMH	3327	Mental Health ADA	0	78,953	78,953	0	78,953	78,953	(0)	78,953	78,953	0
DCMH	6512	Mental Health AB114 SPED	400,286	0	400,286	0	0	0	0	0	0	0
DCMH	6546	Mental Health AB114	0	435,853	435,853	0	453,506	453,506	(0)	453,506	453,506	(0)
DCLI	6500	Low Incidence	4,175	57,958	1,840	60,293	57,958	45,129	73,122	59,417	44,938	87,601
DC10	3310	Local Assistance Entitlements	0	765,247	765,247	0	755,689	755,689	0	811,507	811,507	0
DC29	6500	AB 602	0	3,353,948	3,353,948	0	3,985,889	3,985,889	0	5,056,967	5,056,967	0
DC05	3305	ARP Supplemental Local Assistance Entitlements	0	0	0	0	283,047	283,047	0	0	0	0
DCCP	6536	Dispute Prevention & Resolution Fund 01	0	0	0	0	91,956	78,685	13,271	0	13,271	0
DCCP	6536	Dispute Prevention & Resolution Fund 10	0	0	0	0	73,565	73,565	0	0	0	0
DCCL	6537	Learning Recovery Support Fund 01	0	0	0	0	413,801	343,815	69,986	0	60,348	9,638
DCCL	6537	Learning Recovery Support Fund 10	0	0	0	0	331,041	331,041	0	0	0	0
		TOTAL	1,564,444	5,561,696	5,627,516	1,498,624	7,597,505	7,280,553	1,815,576	7,617,727	7,664,360	1,768,943

Desert/Mountain Charter SELPA
 Comparative Fiscal Analysis by Major Object Code

		Desert/Mountain Charter SELPA		
<u>Object</u>	<u>Description</u>	2020-21 Actual	2021-22 Projection	2022-33 Proposed
8000	Revenue			
1000	Certificated Salaries	246,452	257,548	289,338
2000	Classified Salaries	219,349	245,727	341,595
3000	Employee Benefits	178,027	204,214	279,596
4000	Books & Supplies	5,561,696 493	7,597,505 24,514	7,617,727 21,368
5000	Services & Other Operating	813,410	658,008	782,451
6000	Capital Outlay	-	-	-
7000	Indirect Cost/Pass-Through	4,169,785	5,890,543	
	Total Expenses	5,627,516	7,280,553	7,664,360
	Beginning Balance	1,564,444	1,498,624	1,815,576
	Revenue less Expense	(65,820)	316,952	(46,633)
	Ending Balance	1,498,624	1,815,576	1,768,943

		Vacant	Filled	Total
1200	Certificated Pupil Support	-	5,950,012	-
1300	Certificated Supervisor/Administrator	-	0.42	0.42
1900	Other Certificated	0.15	1.50	1.65
2200	Classified Support	0.20	1.47	1.67
2300	Classified Supervisor/Administrator	0.50	0.55	1.05
2400	Clerical/Technical/Office	-	1.07	1.07
2900	Other Classified	-		
		0.85	5.01	5.86

DESERT/MOUNTAIN CHILDREN'S CENTER
Proposed Budget With Prior Year Comparisons
Branch Head - Pamela Bender, Chief Executive Officer

MGMT CODE	DESCRIPTION	BEGINNING BALANCE	2020-21 ACTUALS			2021-22 ESTIMATED ACTUALS			2022-23 PRELIMINARY		
			REVENUE	EXPENDITURES	ENDING BALANCE	REVENUE	EXPENDITURES	ENDING BALANCE	REVENUE	EXPENDITURES	ENDING BALANCE
029M	MAA - MEDI-CAL ADMINISTRATIVE ACTIVIT	212,720	259,912	206,006	266,626	167,979	207,216	227,389	220,000	201,000	246,389
029P	INTENSIVE THERAPEUTIC SERVICES	0	1,180,891	1,146,112	34,779	1,163,347	1,042,062	156,064	1,225,336	1,210,000	171,400
029T	TRAINING INSTITUTE	41,329	10,451	(108)	51,888	35,206	2,880	84,214	67,875	223	151,866
0483	SATS - SCHOOL-AGED TREATMENT SERVIC	0	11,030,143	11,030,143	0	12,673,541	12,673,541	0	14,630,539	14,630,539	0
325K	LEA MEDI-CAL BILLING	71,279	0	(2,184)	73,463	0	12,133	61,330	0	2,152	59,178
483A	SART-15 - SCREENING ASSESSMENT REFE	0	6,075,535	6,075,535	0	7,289,273	7,289,273	0	8,737,844	8,737,844	0
483I	SART-45 - SCREENING ASSESSMENT REFE	0	386,809	386,809	0	383,434	383,434	0	383,434	383,434	0
483J	SART-60 - SCREENING ASSESSMENT REFE	0	594,941	594,941	0	754,244	754,244	0	838,020	838,020	0
483B	SAP-15 - STUDENT ASSISTANCE PROGRAM	0	851,783	851,783	0	839,575	839,575	0	1,019,456	1,019,456	0
483M	SAP-45 - STUDENT ASSISTANCE PROGRAM	0	289,640	289,640	0	305,814	305,814	0	336,248	336,248	0
483O	SAP EXP. - MHSOAC MHSSA	0	0	0	0	179,556	179,556	0	400,681	400,681	0
483E	CIS - CHILDREN'S INTENSIVE SERVICES	0	395,596	395,596	0	0	0	0	0	0	0
483F	DMCC/SELPA/DM DISTRICTS MOU FOR MH	38,737	361,890	0	400,627	3,323,910	(229,794)	3,954,331	(630,592)	0	3,323,739
483G	EIIS-15 - EARLY IDENTIFICATION INTERVE	0	2,144,649	2,144,649	0	1,674,683	1,674,683	0	1,871,698	1,871,698	0
483H	EIIS-60 - EARLY IDENTIFICATION INTERVE	0	103,709	103,709	0	101,479	101,479	0	105,449	105,449	0
	TOTAL	364,064	23,685,949	23,222,631	827,383	28,892,041	25,236,096	4,483,328	29,205,988	29,736,744	3,952,572

DESERT/MOUNTAIN CHILDREN'S CENTER
 Comparative Fiscal Analysis Summary by Major Object Code

		DMCC Total All Programs		
<u>Object</u>	<u>Description</u>	2020-21 Actual	2021-22 Projection	2022-23 Proposed
8000	Revenue	23,685,949	28,892,041	29,205,988
1000	Certificated Salaries	458,476	536,171	491,175
2000	Classified Salaries	13,837,272	14,447,329	16,308,982
3000	Employee Benefits	6,063,518	6,630,661	8,236,241
4000	Books & Supplies	28,533	143,737	115,735
5000	Services & Other Operating	1,133,007	1,660,116	2,185,735
6000	Capital Outlay	0	0	0
7000	Indirect Cost/Pass-Through	1,701,825	1,818,082	2,398,876
		23,222,630	25,236,096	29,736,744
	Beginning Balance	364,064	827,383	4,483,328
	<u>Revenue less Expense</u>	463,319	3,655,945	(530,756)
	Ending Balance	827,383	4,483,328	3,952,572
		Vacant	Filled	Total
1200	Certificated Pupil Support	-	1.00	1.00
1300	Certificated Supervisor/Administrator	-	-	-
1900	Other Certificated	-	2.35	2.35
2200	Classified Support	21.00	115.25	136.25
2300	Classified Supervisor/Administrator	1.00	12.40	13.40
2400	Clerical/Technical/Office	4.00	28.23	32.23
2900	Other Classified	-	-	-
		26.00	159.23	185.23

Desert/Mountain SELPA
 Desert/Mountain Charter SELPA
 Desert/Mountain Children's Center
 2022-23 Fee-for-Service

Rates					
FY	SELPA-Related Services	* SELPA Education Support	Intensive Therapeutic Services AVCEC/Ingles	D/M Children's Center Mental Health Services	** RSP
2022-23	\$ 7,224	\$ 3,612	\$ 11,515	\$ 6,904	\$ 2,880
2021-22	\$ 6,858	\$ 3,429	\$ 10,932	\$ 6,904	\$ 2,734

Projected Service Counts				
FY	SELPA-Related Services	* SELPA Education Support	Intensive Therapeutic Services AVCEC/Ingles	D/M Children's Center Mental Health Services
2022-23	1084	113	106	898

* Education support for services greater than 120 minutes annually as indicated on SELPA form 68D - charged annually based on December count

** RSP Rate Used to Calculate Served By/For



**DESERT / MOUNTAIN
CHARTER SELPA**

Revised Desert/Mountain SELPA Policies & Procedures

Table 1: Chapter 1 Executive Summary

Section	Proposed Revision(s)	Rev. Date
Chapter 14: Independent Educational Evaluation (IEE)	The IEE cost guideline table in Section C – Criteria for Obtaining an IEE at Public Expense was updated to provide current allowable IEE costs for specific evaluations, as well as updating IEE descriptions and provider criteria, and adding new IEE types. <i>Note: This table is repeated in Appendix A-Notice to Parents Regarding IEEs and Appendix C-Suggested cost Guidelines for Assessment and was updated in both appendices.</i> (20 U.S.C. 1415(b)(1) and (d)(2)(A); 34 C.F.R. § 300.502)	11/18/2021



DESERT / MOUNTAIN
CHARTER SELPA

Chapter 14: Independent Educational Evaluation (IEE)

SECTION A: INTRODUCTION/CONSIDERATION OF INDEPENDENT EDUCATIONAL EVALUATIONS (IEES)

SECTION B: PROCEDURES FOR PARENTS REQUESTING AN IEE AT PUBLIC EXPENSE

SECTION C: CRITERIA FOR OBTAINING AN IEE AT PUBLIC EXPENSE

SECTION D: CRITERIA FOR DETERMINATION OF IEE FEES

SECTION E: CIRCUMSTANCES RESULTING IN EVALUATION NOT FUNDED AT CHARTER LEA EXPENSE

APPENDIX A: NOTICE OF PARENTS REGARDING IEES

APPENDIX B: NON-EXCLUSIVE LIST OF QUALIFIED EXAMINERS

APPENDIX C: SUGGESTED COST GUIDELINES FOR ASSESSMENT

APPENDIX D: TEST PROTOCOLS (OSEP POLICY LETTER)

APPENDIX E: SELPA FORM D/M 83 – REIMBURSEMENT REQUEST

APPENDIX F: SAMPLE IEE LETTERS TO PARENTS

Introduction

An Independent Educational Evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the Charter Local Education Agency (LEA) or public agency responsible for the education of a child with a disability (*Title 34 of the Code of Federal Regulations § 300.502*). Since a child's educational program and placement are determined by the results of assessments, a parent who disagrees with a Charter LEA's evaluation has the right to obtain an IEE at public expense to identify the child's disabilities and resulting educational needs. A parent is entitled to only one IEE at public expense each time the Charter LEA conducts an evaluation with which the parent disagrees (*Title 34 of the Code of Federal Regulations § 300.502*).

Section C – Criteria for Obtaining an IEE at Public Expense

The IEE must be administered by the independent examiner in the same type of location and/or setting as that used by the Charter LEA in providing similar evaluations (*Title 34 of the Code of Federal Regulations § 300.502(e)*). If the Charter LEA’s evaluation included classroom observations, the independent examiner will be given access to the classroom (*Education Code § 56327*).

Clinical psychologists selected to perform independent evaluations must base the assessment on the required eligibility criteria (*Title 34 of the Code of Federal Regulations § 300.8* and *Title 5 of the California Code of Regulations § 3030*) that school psychologists utilize to determine eligibility for special education and related services. While it is understood that psychological evaluations performed by clinical psychologists, who typically work outside of the school setting or in private practice, can include many of the same formal assessments as psychoeducational and neuropsychological evaluations in order to examine an individual’s psychological, emotional, and behavioral functioning, these findings are typically intended to guide diagnosis and treatment from a medical perspective, not from an educational perspective. Therefore, independent examiners conducting psychological assessments under an IEE should align their assessment with the eligibility requirements in federal and state law that school psychologists rely on to determine eligibility for special education and related services. The examiner’s assessment should assist in determining specific areas of need, services, or supplemental aides that will support children with disabilities in educational settings. The assessment must be sufficiently comprehensive to identify all of the child’s special education and related service needs, whether or not commonly linked to the disability category being considered for the child, and should seek to understand the child’s learning style, and then guide the development of classroom accommodations and supports from an educational perspective.

The IEE must be provided by an examiner who holds equivalent certifications, licenses, or other qualifications that would be required of Charter LEA staff providing similar evaluations (*Title 34 of the Code of Federal Regulations § 300.502(e)* and *Education Code § 56322*). All assessments must be conducted in accordance with all requirements of federal and state laws including, but not limited to, observing the child in the appropriate setting (*Education Code § 56327*) and conducting evaluations in accordance with *Education Code § 56320*. Independent examiners must meet the credentialing criteria listed below. All assessments, including all tests and subtests must be conducted by persons competent to perform the assessment as determined by the Charter LEA (*Education Code § 56322*).

Type of Assessment	Proposed Estimate	Qualifications
Adaptive Behavior	\$500 - \$1,000	Credentialed Special Education Teacher Credentialed School Psychologist Licensed Clinical Psychologist Licensed Educational Psychologist

Type of Assessment	Proposed Estimate	Qualifications
Adapted Physical Education	\$1,000	Credential issued by the California Commission on Teacher Credentialing that authorizes service in adapted physical education
Assistive Technology	\$1,500 - \$2000	Credentialed Special Education Teacher Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist Credentialed Assistive Technology Specialist
Augmentative/Alternative Communication (AAC)	\$1,500 - \$2,000	Credentialed Special Education Teacher Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist Credentialed Assistive Technology Specialist
Central Auditory Processing (Auditory acuity and perception)	\$1,500 - \$2,000	Licensed or Credentialed Audiologist Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist
Educationally Related Mental Health	\$2,500	Marriage Family Therapist (MFT) Licensed Clinical Social Worker (LCSW) Professional Clinical Counselor (PCC) PsyD – Doctorate in Clinical Psychology Ph.D. – Doctorate in Psychology Clinical Psychologist
Functional Behavior (Social/Emotional/Behavior/Behavior Intervention)	\$2,500	Board Certified Behavior Analyst (BCBA) Credentialed School Psychologist School Counselor with Pupil Personnel Services (PPS) Credential Credentialed Special Education Teacher Licensed Clinical Psychologist Licensed Educational Psychologist (LEP) Licensed Clinical Social Worker (LCSW) Licensed Marriage and Family Therapist (LMFT) Professional Clinical Counselor (PCC)
Functional Vision (Acuity/Developmental Vision/Motor Integration/Perception)	\$1,750	Credentialed Teacher of the Visually Impaired Credentialed School Psychologist Licensed Educational Psychologist (LEP) Licensed Ophthalmologist Optometrist

Type of Assessment	Proposed Estimate	Qualifications
Health	\$500	Licensed Physician Credentialed School Nurse - trained and prepared to access cultural and ethnic factors appropriate to the student
Independent Multi-Disciplinary Evaluation	\$4,500	See individual evaluator qualifications
Neuro-Psychological Evaluation	\$4,500 - \$5,500	See individual evaluator qualifications
Occupational Therapy (Fine or Gross Motor)	\$1,000 - \$1,500	Licensed Occupational Therapist
Orientation and Mobility for the Blind	\$1,000	Credential that authorizes services in orientation and mobility instruction in the State of California
Physical Therapy	\$1,500	Licensed Physical Therapist
Psycho-Educational (may include academic, adaptive functioning, cognition, psychological processing (auditory, visual, phonological processing), social/emotional functioning)	\$4,500	Credentialed School Psychologist Licensed Clinical Psychologist Licensed Educational Psychologist (LEP)
Speech and Language	\$1,750	Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist
Transition/Vocational	\$1,500 - \$2,000	Credentialed Teacher with a career development authorization Special Education Teacher Credentialed School Counselor with a Pupil Personnel Services (PPS) Credential

It is recommended that when selecting an independent examiner not on the non-exclusive list of qualified examiners (Appendix B), the Charter LEA request a copy of the examiner’s resume, two references by LEAs, a sample evaluation report, and itemized costs for the evaluation including writing the report and attending the IEP meeting. Prior to making the final selection of an examiner, the Charter LEA should review the resume to ensure proper licensure/credential certification, and contact the references provided.



DESERT / MOUNTAIN
CHARTER SELPA

Chapter 14: Independent Educational Evaluation (IEE)

SECTION A: INTRODUCTION/CONSIDERATION OF INDEPENDENT EDUCATIONAL EVALUATIONS (IEES)

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Section C – Criteria for Obtaining an IEE at Public Expense

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The IEE must be provided by an examiner who holds equivalent certifications, licenses, or other qualifications that would be required of Charter LEA staff providing similar evaluations (*Title 34 of the Code of Federal Regulations § 300.502(e)* and *Education Code § 56322*). All assessments must be conducted in accordance with all requirements of federal and state laws including, but not limited to, observing the child in the appropriate setting (*Education Code § 56327*) and conducting evaluations in accordance with *Education Code § 56320*. Independent examiners must meet the credentialing criteria listed below. All assessments, including all tests and subtests must be conducted by persons competent to perform the assessment as determined by the Charter LEA (*Education Code § 56322*).

Type of Assessment	Proposed Estimate	Qualifications
Academic Achievement	\$1,000	Credentialed Special Education Teacher Credentialed School Psychologist Licensed Clinical Psychologist Licensed Educational Psychologist
Adaptive Behavior	\$500 - \$1,000	Credentialed Special Education Teacher

Type of Assessment	Proposed Estimate	Qualifications
		Credentialed School Psychologist Licensed Clinical Psychologist Licensed Educational Psychologist
Adapted Physical Education	\$1,000	Credential issued by the California Commission on Teacher Credentialing that authorizes service in adapted physical education
Auditory Acuity	\$500	Licensed or Credentialed Audiologist Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist
Auditory Perception	\$500	Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist Credentialed School Psychologist Licensed Educational Psychologist
Assistive Technology	\$900 \$1,500 - \$2000	Credentialed Special Education Teacher Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist Credentialed Assistive Technology Specialist
Augmentative/Alternative Communication (AAC)	\$1,500 - \$2,000	Credentialed Special Education Teacher Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist Credentialed Assistive Technology Specialist
Central Auditory Processing (Auditory acuity and perception)	\$1,500 - \$2,000	Licensed or Credentialed Audiologist Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist
Cognitive	\$850	Credentialed School Psychologist Licensed Clinical Psychologist Licensed Educational Psychologist
Educationally Related Mental Health	\$2,000 \$2,500	Marriage Family Therapist (MFT) Marriage Family Therapist Intern (under the supervision of MFT) Licensed Clinical Social Worker (LCSW) Licensed Clinical Social Worker Intern (under the supervision of the LCSW) Professional Clinical Counselor (PCC) Professional Clinical Counselor Intern (under

Type of Assessment	Proposed Estimate	Qualifications
		the supervision of the PCC) PsyD – Doctorate in Clinical Psychology Ph.D. – Doctorate in Psychology Clinical Psychologist
Functional Behavior (Social/Emotional/Behavior/ Behavior Intervention)	\$2,000 \$2,500	Board Certified Behavior Analyst (BCBA) Credentialed School Psychologist School Counselor with Pupil Personnel Services (PPS) Credential Credentialed Special Education Teacher Licensed Clinical Psychologist Licensed Educational Psychologist (LEP) Licensed Clinical Social Worker (LCSW) Licensed Marriage and Family Therapist (LMFT) Professional Clinical Counselor (PCC) Licensed Psychiatrist
Functional Vision (Acuity/Developmental Vision/Motor Integration/ Perception)	\$1,750	Credentialed Teacher of the Visually Impaired Credentialed School Psychologist Licensed Educational Psychologist (LEP) Licensed Ophthalmologist Optometrist
Health	\$300 \$500	Licensed Physician Credentialed School Nurse - trained and prepared to access cultural and ethnic factors appropriate to the student
Independent Multi-Disciplinary Evaluation	\$4,000 \$4,500	See individual evaluator qualifications
Neuro-Psychological Evaluation	\$5,000 \$4,500 - \$5,500	See individual evaluator qualifications
Occupational Therapy (Fine or Gross Motor)	\$1,000 - \$1,500	Licensed Occupational Therapist Licensed Physical Therapist Credentialed Adaptive Physical Education Specialist Credentialed Teacher of the Physically Impaired
Orientation and Mobility for the Blind	\$1,000	Credential that authorizes services in orientation and mobility instruction in the State of California
Physical Therapy	\$1,500	Licensed Physical Therapist

Type of Assessment	Proposed Estimate	Qualifications
Psycho-Educational (may include academic, adaptive functioning, cognition, psychological processing (auditory, visual, phonological processing), social/emotional functioning)	\$4,500	Credentialed School Psychologist Licensed Clinical Psychologist Licensed Educational Psychologist (LEP)
Speech and Language	\$1,500 \$1,750	Credentialed Speech and Language Pathologist Licensed Speech and Language Pathologist
Transition/Vocational	\$1,500 - \$2,000	Credentialed Teacher with a career development authorization Special Education Teacher Credentialed School Counselor with a Pupil Personnel Services (PPS) Credential
Vision (Functional)	\$400	Credentialed Teacher of the Visually Impaired
Visual Acuity/ Developmental Vision	\$400	Licensed Ophthalmologist Optometrist
Visual Motor Integration	\$400	Credentialed School Psychologist Licensed Educational Psychologist Licensed Occupational Therapist
Visual Perception	\$400	Credentialed School Psychologist Licensed Educational Psychologist Credentialed Special Education Teacher

It is recommended that when selecting an independent examiner not on the non-exclusive list of qualified examiners (Appendix B), the Charter LEA request a copy of the examiner’s resume, two references by LEAs, a sample evaluation report, and itemized costs for the evaluation including writing the report and attending the IEP meeting. Prior to making the final selection of an examiner, the Charter LEA should review the resume to ensure proper licensure/credential certification, and contact the references provided.

The independent examiner must be located within an 85-mile radius of the Charter SELPA office or a 40-mile radius of the Charter LEA responsible for the IEE. Examiners outside of this area may be approved by the Charter LEA if the parents can demonstrate the necessity of using an examiner outside of the geographical determined location. Unless an out-of-area evaluation is required for the child to receive an IEE, costs beyond the evaluation (i.e., transportation, lodging, food, etc.) are not covered in the contract or reimbursement to the parent.

Independent examiners must comply with all state and federal requirements (*Title 34 of the Code of Federal Regulations § 300.502(e)*).

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA (CODE 3601)
DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA (CODE 3651)
 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 • (760) 552-6700

- Individualized Family Service Plan Individualized Education Program
 Individualized Services Plan Not Eligible
 Eligible No Plan Parentally Placed in Private School Eligible No Plan Other Reasons

PURPOSE OF MEETING

- Eligibility / Initial Placement
 Annual
 Matriculation
 Triennial
 D/M 119 Completed
 Other: _____

STUDENT INFORMATION:

Last: _____ First: _____ Mid. Initial: _____ Suffix: _____
 DOB: _____ Age: _____ Student No: _____ Gender: M F Non-Binary Grade: _____
 Ethnicity: Select one only YES, Hispanic or Latino **OR** NO, not Hispanic or Latino Indicate one or more race(s) below:
 (1) _____ (2) _____ (3) _____
 Medi-Cal Eligible: Yes No Medi-Cal No.: _____ SSID No.: _____
 Parent/Guardian/Surrogate: _____ Home Phone: _____
 Address: _____ Work Phone: _____
 Mailing Address: _____ Emg. Phone: _____
 Contact Person (if student address different): _____ Contact Phone: _____
 Student's Address (if different): _____ Residency Code: _____
 LEA of Residence (**Accountability**): _____ School of Residence: _____
 LEA of Service: _____ Attending School: _____
 School Type Code: _____ Weekly % of Time the Student is in the General Education Setting: _____
 Infant Setting (Ages 0-2): _____ Preschool Setting (Ages 3-5): _____ School Age Setting (Ages 6-22): _____

DISABILITY:

PRIMARY DISABILITY: _____

SECONDARY DISABILITY: _____

Check all that apply below and indicate the Primary and Secondary Disability Codes in the space provided above: (*Low Incidence)

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Intellectual Disability (210) | <input type="checkbox"/> Hard of Hearing (220)* | <input type="checkbox"/> Deafness (230)* | <input type="checkbox"/> Speech / Lang. Imp. (240) |
| <input type="checkbox"/> Visual Impairment (250)* | <input type="checkbox"/> Emotional Disturbance (260) | <input type="checkbox"/> Orthopedic Impairment (270)* | <input type="checkbox"/> Other Health Imp. (280) |
| <input type="checkbox"/> Est. Med. Disability (281) | <input type="checkbox"/> Spec. Learning Disability (290) | <input type="checkbox"/> Deaf / Blindness (300)* | <input type="checkbox"/> Multiple Disabilities (310) |
| <input type="checkbox"/> Autism (320) | <input type="checkbox"/> Traumatic Brain Injury (330) | | |

DATE:

TIMELINE INFORMATION (DATES)

Please mark the appropriate box and complete all information as they relate to the child.

- CHECK HERE IF INFANT (AGE 0-2) CHECK HERE IF CHILD IS AGE 3-22

Referred by for Initial Assessment: _____

Date LEA Received **Initial** Signed AP: _____ Initial Referral Date: _____

Initial IEP Meeting Date: _____ Pre-referral Intervention w/in last 2 Years: Yes No

If assessment not completed prior to student's 3rd birthday, specify Code No.: _____

If assessment not completed within 60-day timeline, specify Code No.: _____

Low Incidence Disability: Yes No Disability Code: 220 230 250 270 300

Original S.E. Entry Date: _____ Exit S.E. Date: _____ S.E. Re-entry Date: _____

Exit S.E. Code: _____

Current Annual Date: _____ Next Annual Review Date: _____

Annual Delay Date: _____ Reason for Delay: _____

Current Triennial Date: _____ Next Triennial Date: _____

Triennial Delay Date: _____ Reason for Delay: _____

Early Start Transition Plan Meeting Date: _____

Home Language Code: _____ English Language Learner: Yes No **Reclassified**

Migrant: Yes No Extended School Year: Yes No No. of Days: _____

Agency Services: CCS Rehab CARE Reg. Ctr. Other: _____

- Severe Disability Non-severe Disability Solely Low Incidence Disability (0-2 Years Only)

GRADUATION INFORMATION

Participate in High School Curriculum to Graduate with a Diploma Yes No

High School Program Leading to a Certificate of Completion Yes No

SPECIAL TRANSPORTATION INFORMATION

Check if student requires special transportation arrangements to participate in special education services.

- Eligible (indicate type and provider) Eligible - Parent Declined Not Eligible

Type: _____

Provider: _____

REASON FOR DECISION / ELIGIBILITY STATEMENT:

FEDERAL PROGRAM LOCATION OF SERVICES			LOCATION OF SERVICES				
Ages 0-2 Only	Ages 3-5 Only	Ages 6-22 Only	210 Home Instruction Based on IEP Team Determination (not medical)	550 Public Residential Facility	710 Community College		
100 Home	400 Regular Early Childhood Program or Kindergarten	400 Regular Classroom Public Day School	220 Hospital	560 Other Public School or Facility	720 Adult Education Facility		
200 Community Based Setting	(50-69% nondisabled children)	450 Separate School	310 Head Start Program	570 Charter School (operated by an LEA/District)	810 Nonpublic Day School		
900 Other Setting	410 Regular Early Childhood Program or Kindergarten (70%+ nondisabled children)	460 Residential Facility	320 Child Development or Child Care Facility	571 Charter School by an LEA Regular Classroom (push in)	820 Nonpublic Residential School in CA		
	440 Separate Class	470 Homebound/Hospital	330 Public Preschool	572 Charter School by an LEA Separate Classroom (pull out)	830 Nonpublic Residential School outside CA		
	450 Separate School	480 Correctional Facility	340 Private Preschool	580 Charter School (operated as an LEA/District)	840 Private Day School (not certified by Special Educ. Div.)		
	460 Residential Facility	490 Parentally Placed in Private School	350 Extended Day Care	581 Charter School by an LEA Regular Classroom (push in)	850 Private Residential School (not certified by Special Educ. Div.)		
	470 Home	500 Homeschool Charter, Virtual Charter, Indep. Study Charter	360 Residential Facility	582 Charter School by an LEA Separate Classroom (pull out)	860 Parochial School		
	475 Service Provider Location		510 Regular Classroom/Public Day School	610 Continuation School	890 Service Provider Location		
			520 Separate Classroom in Public Integrated Facility	620 Alternative Work Education Center/Work Study Facility	900 Any Other Location/Setting		
			530 State Special School	630 Juvenile Court School			
			540 Separate School or Special Education Center or Facility	640 Community School			
				650 Correctional Institution or Facility			
SPECIAL EDUCATION AND RELATED SERVICES (3-22 YEARS)			PROVIDER				
330 Specialized Academic Instruction	715 Interpreter Services		100 District of Services	240 Child Development Funded Program	410 Nonpublic School under Contract w/SELPA or District		
340 Intensive Individual Services	720 Audiological Services		110 County Office of Education	250 Head Start	500 Other Public Program		
348 One-to-One Bus Aide	725 Specialized Vision Services		120 SELPA	300 Department of Mental Health	550 DMCC		
350 Individual & Small Group Instr. (ages 3-5)	730 Orientation & Mobility		130 Another District, County or SELPA	310 California Children's Services	600 Other Private Program		
355 Individual & Small Group Instr. (ages 6+)	735 Braille Transcription		200 WorkAbility	320 Department of Social Services			
415 Language & Speech	740 Specialized Orthopedic Services		210 Transition Partnership Program	330 Department of Rehabilitation			
417 SELPA / DMCC Speech	745 Reader Services		220 Regional Center	340 Employment Development Department			
425 Adapted Physical Education	750 Note Taking Services		230 Alcohol and Drug Prevention Program	400 Nonpublic Agency under Contract w/SELPA or District			
435 Health & Nursing - Specialized Physical Health Care Services	755 Transcription Services			SCHOOL TYPE (WHERE ENROLLED)			
436 Health & Nursing - Other Services	760 Recreation Services includes Therapeutic Recreation		00 No School (0-5 Only)	32 Correctional Institution or Incarcerated Facility	64 Private School		
445 Assistive Technology Services	820 College Awareness		10 Public Day School	40 Home Instruction Based on IEP Team Team Determination	65 Extended Day Care		
450 Occupational Therapy	830 Vocational Assessment, Counseling, Guidance, and Career Assessment		11 Public Residential School	45 Hospital Facility	70 Nonpublic Day School		
460 Physical Therapy	840 Career Awareness		15 Special Educ. Center or Facility	50 Community College	71 Nonpublic Residential School in CA		
510 Individual Counseling	850 Work Experience Education		19 Other Public School or Facility (such as a store-front transition program)	51 Adult Education Program	72 Nonpublic Residential School outside CA		
515 Counseling & Guidance	855 Job Coaching (includes job shadow and service learning)		20 Continuation School	55 Charter School (operated by an LEA/District/ COE)	75 Private Day School (not certified by Special Educ. Div.)		
520 Parent Counseling	860 Mentoring		22 Alternative Work Education Center/Work Study Program	56 Charter School (operated as an LEA/District)	76 Private Residential School (not certified by Special Educ. Div.)		
525 Social Work Services (DMCC)	865 Agency Linkages (referral and placement)		24 Independent Study	61 Head Start Program	79 Nonpublic Agency		
530 Psychological Services	870 Travel Training (includes Mobility training)		30 Juvenile Court School	62 Child Development or Child Care Facility	80 Parochial School		
535 Behavior Intervention Services	890 Other Transition Services		31 Community School	63 State Preschool			
540 Day Treatment Services	900 Other Special Education/Related Services						
545 Residential Treatment Services	901 Transportation						
550 Residential Monitoring (DMCC)							
610 Specialized Services for Low Incidence Disabilities							
710 Specialized Deaf and Hard of Hearing							
REASON ANNUAL / TRIENNIAL IEP IS UNTIMELY			LANGUAGE CODES				
10 Timely IEP; another IEP held after timely IEP	90 Other (SELPA must list a reason in district summary report to CDE)		00 English	10 Lao	20 Chamorro		
20 Parent contacted - did not attend			01 Spanish	11 Arabic	21 Hebrew		
30 Transfer			02 Vietnamese	12 Armenian	22 Hindi		
			03 Cantonese	13 Burmese	23 Hmong		
			04 Korean	14 Croatian	24 Hungarian		
			05 Filipino (Tagalog)	15 Dutch	25 Ilocano		
			06 Portuguese	16 Farsi	26 Indonesian		
			07 Mandarin (Putonghua)	17 French	27 Italian		
			08 Japanese	18 German	28 Punjabi		
			09 Khmer Cambodian	19 Greek	29 Russian		
INFANT RELATED SERVICES (AGES 0-2 YEARS)			RACE				
210 Family Training, Counseling and Home Visits	250 Special Instruction		205 Asian Indian	208 Hmong	303 Samoan		
220 Medical Services (evaluation only)	260 Special Education Aide in Regular Dev. Class Child Care		207 Cambodian	202 Japanese	304 Tahitian		
230 Nutrition Services	Center or Facility Child Care Home		201 Chinese	203 Korean	204 Vietnamese		
240 Service Coordination	270 Respite Care Services		400 Filipino	206 Loatian	700 White		
			302 Guamanian	299 Other Asian	900 Intentionally left blank		
			301 Hawaiian	399 Other Pacific Islander			
REASON FOR EXITING SPECIAL EDUCATION			STUDENT'S GRADE LEVEL				
70 Returned to General Education or No Longer Eligible for Special Education or Successful Completion of IEP/IFSP/ISP			100 Amer Ind or Alaska Native	01 First Grade	07 Seventh Grade		
71 Graduated from High School with Diploma			600 Black or African American	02 Second Grade	08 Eighth Grade		
72 Graduated from High School with Certificate of Completion or Other than Diploma				03 Third Grade	09 Ninth Grade		
73 Reached Maximum Age				04 Fourth Grade	10 Tenth Grade		
74 Dropped Out, includes Attempts to Contact Unsuccessful or Not Known to be Continuing				05 Fifth Grade	11 Eleventh Grade		
76 Moved, and Known to be Continuing, includes Transfer to Another Program				06 Sixth Grade	12 Twelfth Grade		
77 Deceased					13 12+ Grade/ Transition		
78 Parent Withdrawal/Self Withdrawal if over 18 (includes parent revocation of consent)					15 Ungraded		
81 Received High School Completion/Achievement Certification through General Educational Development (GED) or Requirements of E.C. 56390					16 Infant		
					17 Preschool		
					18 Kindergarten		
REFERRED BY		FREQUENCY		PRIMARY TRANSITION		STUDENT'S RESIDENTIAL STATUS	
10 Parent	10 Daily	100 None	500 Comm. Exp	10 Parent or Legal Guardian	50 Residential Facility		
20 Teacher	20 Weekly	200 Training	501 Ind. Living	20 Licensed Children's Institution (LCI)	60 Incarcerated Institution		
30 Student Study Team	30 Monthly	300 Education	502 Functional Evaluation	30 Foster Family Home (FFH)	71 State Hospital		
40 Other School Dist Personnel	40 Yearly	400 Employment		40 Hospital (except state hospital)	75 Homeless		
90 Other	90 Any Other Frequency as Needed				72 Development Center		
					90 Other		
REASON FOR EVALUATION DELAY (ASSESSMENT PRIOR TO 3 RD BIRTHDAY)				REASON FOR DELAY OF 60 DAY TIMELINE FOR ASSESSMENT			
10 Parent refusal to consent	91 IEP was late, completed after 3rd bday / previously in Part C	10 Parent chose not to make student available	90 Other reason must be provided to CDE	20 Official school break of more than 5dys	91 IEP was late, more than 60 days after parental consent was received		
20 Parent did not make student available		30 Official school break of more than 5dys		30 Transferred			
30 Official school break of more than 5dys	92 New Referral after 3 RD birthday / Student not previously in Part C						
90 Other Reason (Must be provided to CDE)							

DESERT/MOUNTAIN SELPA SCHOOL SITES

ADELANTO SD		BEAR VALLEY USD (CONT.)		NEEDLES USD (CONT.)		TRONA JUSD		EXCELSIOR PUBLIC CHARTER SCHOOLS	761
<u>School</u>	<u>Site</u>	<u>School</u>	<u>Site</u>	<u>School</u>	<u>Site</u>	<u>School</u>	<u>Site</u>		
Adelanto Elem	174	Big Bear MD	463	ETC	266	CA STEAM Charter	24A	HEALTH SCIENCES HIGH MIDDLE COLLEGE	
Bradach Elem	117	Big Bear Sr.	066	Needles MS	929	Trona CDS	258	<u>School</u>	<u>Site</u>
Columbia MS	433	Chautaugua	290	Needles Sr.	169	Trona Elem	199	Health Sciences High	462
Eagle Ranch	409	Fallsvale	741	Vista Colorado	115	Trona High	487	Health Sciences Middle	HSM
El Mirage	MIR	North Shore	052			Trona MS	196		
George Magnet MS	425			ORO GRANDE SD		University Prep Charter–San Bernardino	321		
Gus Franklin Elem	898	HELENDALE SD		<u>School</u>	<u>Site</u>			NORTON SCIENCE AND LANGUAGE ACADEMY	NOR
Melva Davis Acad.	448	<u>School</u>	<u>Site</u>	Oro Grande	453	VICTOR ELEMENTARY SD			
Mesa Linda MS	370	Academy of Careers/Expl.	723	Riverside Prep	928	<u>School</u>	<u>Site</u>		
Morgan Kincaid Prep	604	Helendale	935			Academy Performing Pre	632		
Theodore Vick Elem	441	Independence Charter Acad	948	ORO GRANDE SD - MOJAVE RIVER ACADEMY (Dependent Charters)		Brentwood	757		
Victoria Magathan	VMA	Riverview	072	<u>School</u>	<u>Site</u>	Challenger	641		
West Creek Elem	WCE			MRA – Gold Canyon	17F	Del Rey	329		
Westside Park	694	HESPERIA USD		MRA – National Trails	18D	Discovery	766		
		<u>School</u>	<u>Site</u>	MRA – Oro Grande	190	Endeavor	449		
APPLE VALLEY USD		Carmel	120	MRA – Route 66	20D	Galileo Academy 101	386		
<u>School</u>	<u>Site</u>	Canyon Ridge	CRC	MRA – Rockview Park	21D	Green Tree East	522		
Apple Valley Sr.	423	Cedar MS	108	MRA – Silver Mountain	22D	Irwin Academy	352		
Desert Knolls	337	Cottonwood	498	MRA – Marble City	23B	Liberty	860		
Granite Hills	894	Cypress School of Arts	805			Lomitas	219		
Mariana	240	Eucalyptus	968			Mojave Vista	587		
Phoenix Academy	PHX	Hesperia Christian	534	SILVER VALLEY USD		Mtn. View Montessori	350	D/M CHARTER SELPA	
Rancho Verde	257	Hesperia Community Day	944	<u>School</u>	<u>Site</u>	Park View	DME	<u>School</u>	<u>Site</u>
Rio Vista	605	Hesperia Jr.	547	Calico High (Cont.)	282	Puesta Del Sol	227	ASA Charter	ASA
Sandia	346	Hesperia Sr.	407	Colin Powell	84A	Sixth Street Prep	927	Allegiance STEAM Acad-Thrive	54H
Sitting Bull Academy	SBA	Hollyvale	112	Ft. Irwin MS	681	Village	386	Aveson Global Leadership Acad	47B
Smart Start Preschool	SSP	Joshua Circle	943	Lewis Elem	331	West Palms Conservatory	WEP	Aveson School of Leaders	47A
Sycamore Rocks	825	Juniper	950	Newberry	406			Ballington Academy	BAL
Vanguard Preparatory	VAN	Kingston	937	Silver Valley Sr.	274	VVUHSD		Desert Trails Preparatory Acad	918
Yucca Loma	265	Krystal School of Sci, Math, Tech	KRY	Silver Valley Com	SVC	<u>School</u>	<u>Site</u>	Elite Academic Academy	96E
		Lime Street	454	Silver Valley Acad	199	Adelanto HS	419	Encore Jr./Sr. High School	707
BAKER VALLEY USD		Maple	M37	Tiefort View Int	096	Cobalt Inst. of Math and Science	698	Julia Lee Performing Arts Acad	851
<u>School</u>	<u>Site</u>	Mesa Grande	643	Yermo	455	Goodwill HS	GWH	LaVerne Elementary Prep Acad	059
Baker Elem	273	Mesquite Trails	680			Hook Jr.	554	Odyssey Charter	47C
Baker Jr.	193	Mission Crest Elem	090	SNOWLINE JUSD		Lakeview Leadership Academy	562	Odyssey Charter School-South	945
Baker Sr.	076	Mojave High	472	<u>School</u>	<u>Site</u>	Options for Youth(Charter)	670	Pasadena Rosebud Acad	89K
		Oak Hills HS	OAK	Baldy Mesa	710	Silverado HS	787	Pathways to College	PTC
				Chaparral (Cont.)	365			Taylion Charter	TAY
BARSTOW USD		Oxford Academy	813	Desert View Ind	589	University Prep Academy	064	Virtual Preparatory Lucerne	10F
<u>School</u>	<u>Site</u>	Ranchero MS	359	Eagle Summit CDS	720	Victor Valley Sr.	012		
Barstow Jr.	537	Shadow Ridge	811	Pinon Mesa	116			D/M OPERATIONS	
Barstow Sr.	803	Sultana	746	Quail Valley	932	<u>School</u>	<u>Site</u>	Apple Valley County Sp Ed Ctr	DMO
Barstow Stem Acad.	452	T.C. Academy Charter	DMY	Serrano	233	First (1 st) Class	1CC	Siegrist	348
Cameron Elem	299	Topaz Preparatory Academy	751	Sweet Haven	ESS				
Henderson	349	Elite Academic Acad Charter	96E	Vista Verde Elem	718	ACADEMY FOR ACADEMIC EXCELLENCE	837		
Hinkley	356	Lucerne Elem	976	Wrightwood	394				
Lenwood	372	Lucerne MS	696			EXCELSIOR – CORONA/ NORCO CHARTER	869		
Montara	380	Lucerne Sr.	563						
Skyline	414	Lucerne Com Day	795						
Thomson	422	Mountain View (Cont.)	696						
		Sky Mountain Charter	SKM						
BEAR VALLEY USD									
<u>School</u>	<u>Site</u>	NEEDLES USD							
Baldwin Lane	866	<u>School</u>	<u>Site</u>						
Big Bear Elem	936	Chemehuevi	885						
		Community Day School	140						

Student Name: _____ DOB: _____ Date: _____

SUPPLEMENTARY AIDS AND SUPPORTS

Supplementary aids and supports to the student and/or program modification(s)/support(s) for school personnel (to be provided during the effective dates of this IEP) that are necessary to enable the student to: (A) advance appropriately toward the IEP goal attainment; (B) be involved and progress in the general curriculum; (C) participate in extracurricular activities; (D) be educated and participate with other children with disabilities and with nondisabled peers. 34 CFR § 300.320(a)(4)-(7) **See Consideration of Special Factors on the next page.**

		SUPPLEMENTARY AIDS AND SUPPORTS PROGRAM ACCOMMODATION(S) / MODIFICATION(S)	LOCATION	START DATE	FREQUENCY	DURATION
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
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<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					
<input type="checkbox"/>	Student					
<input type="checkbox"/>	Personnel					

Comments:

Student Name: _____ DOB: _____ Date: _____

SUPPLEMENTARY AIDS AND SUPPORTS

Vision Screening: Pass Fail Parent Waived in Writing
 Date: _____

Hearing Screening: Pass Fail Parent Waived in Writing
 Date: _____

Comments: _____

Methods of reporting progress toward IEP goals: Quarter Semester Trimester Other: *(describe below)*

Describe how progress will be reported to parents:

Student learning strengths/preferences:

Parent priorities for enhancing student's long-term education:

How does the student's disability affect involvement and progress in the general curriculum? For preschool students, how does the student's disability affect participation in appropriate activities?

Mainstream activities to provide support for transition into general education:

CONSIDERATION OF SPECIAL FACTORS

<p>Is the student blind or visually impaired? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If "YES" is the instruction provided in Braille and the use of Braille? <input type="checkbox"/> Yes <input type="checkbox"/> No If "NO" state rationale based on evaluation of the student's reading and writing skills, appropriate reading and writing media, and the student's future needs for instruction in Braille and the use of Braille:</p>	<p>Is the student an English Language Learner (ELL)? If "YES" <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> Have the language needs of the student been considered? <input type="checkbox"/> Yes <input type="checkbox"/> No Does the student have linguistically appropriate goals, objectives, programs and services? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>Does the student's behavior impede his or her learning or the learning of others? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> Have positive behavioral interventions and supports been implemented? (List on the "Supplementary Aids and Supports page") <input type="checkbox"/> Yes <input type="checkbox"/> No Have annual behavioral goals been implemented and revised as needed? <input type="checkbox"/> Yes <input type="checkbox"/> No Has a Behavior Intervention Plan (BIP) Level 1 been implemented and revised as needed? <input type="checkbox"/> Yes <input type="checkbox"/> No Has a Functional Behavioral Assessment (FBA) been completed? <input type="checkbox"/> Yes <input type="checkbox"/> No Has a Behavior Intervention Plan (BIP) Level 2 been implemented and revised as needed? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>Has the IEP team considered the student's need for assistive technology (AT) devices and services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Needs are currently being met without AT. AT is not required at this time. <input type="checkbox"/> AT devices/services are required and will be used in designated task(s) in educational environments. <input type="checkbox"/> Further information/assessment is necessary to determine if or what AT devices and services may be required.</p> <p>Please explain:</p>
<p>Is the student deaf or hard of hearing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If "YES"</p> <ul style="list-style-type: none"> Have the communication needs of the student been considered? <input type="checkbox"/> Yes <input type="checkbox"/> No Has the opportunity for direct communication with peers and professional personnel in the student's communication mode and at the student's academic level been considered? <input type="checkbox"/> Yes <input type="checkbox"/> No Has the student's full range of communication needs been considered, including opportunities for direct instruction in the student's language communication mode? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>Has the IEP team considered the student's functional performance and does the student have needs in this area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If "YES"</p> <ul style="list-style-type: none"> Have functional goals been developed and included in this IEP? <input type="checkbox"/> Yes <input type="checkbox"/> No 	

Student Name: _____ DOB: _____ Date: _____

TESTING MATRIX FOR CALIFORNIA PHYSICAL FITNESS TEST (PFT)

DIRECTIONS: SELECT ALL IEP TEAM APPROVED VARIATIONS/ACCOMMODATIONS FOR UTILIZATION ON THE NEXT TEST ADMINISTRATION.

TEST VARIATION (1) / ACCOMMODATION (2)

	PFT
Administration of the test at the most beneficial time of day to the student	2
Audio amplification equipment	1
English learners (ELs) may have the opportunity to be tested separately with other ELs provided that the student is directly supervised by an employee of the school who has signed the test security affidavit and the student has been provided such a flexible setting as part of his/her regular instruction or assessment	1
Extra time on a test within a testing day	ALL
Hear the test directions printed in the test administration manual translated into the student's primary language. Ask clarifying questions about the test directions in the student's primary language	1
Manually Coded English or American Sign Language to present directions for administrations (does not apply to test questions)	1
Test administered at home or in hospital by a test examiner	2
Test administration directions that are simplified or clarified (does not apply to test questions)	ALL
Test individual student separately, provided that a test examiner directly supervises the student	1
Test students in a small group setting	ALL

Test Variation (1)

Students may have these testing variations if regularly used in the classroom.

Accommodation (2)

Eligible students shall be permitted to take the examination/test with accommodations if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.

Desired Results Developmental Profile

- TYPE OF DRDP:** Code A - IFSP (Continue to receive infant/toddler special education services; transition to preschool; exit special education services)
 Code B - IEP (Continue to receive preschool special education services; transition to transitional kindergarten; transition to kindergarten; exit special education services)

ADAPTATIONS USED WITH THE DRDP ACCESS (MARK THE APPROPRIATE BOX(ES))

- Augmentative/Alternative Communication System Alternative Mode for Written Language Visual Support Assistive Equipment/Device Functional Positioning Sensory Support Alternative Response Mode

Student Name: _____ DOB: _____ Date: _____

ENGLISH LANGUAGE PROFICIENCY ASSESSMENT PARTICIPATION CONSIDERATION

PURPOSE AND USE: Alternate assessments provide an alternate means to measure the English language proficiency of students with disabilities whose individualized education program (IEP) teams have determined that they are unable to participate in the ELPAC even with universal tools, designated supports or accommodations. In order to aid an IEP team in its determination of whether a student should use alternate assessments, the following may be considered:

Check "Yes" or "No" for each item	
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the student have a significant cognitive disability and an IEP?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is or will the student be learning content aligned with the common core standards, the California Next Generation Science Standards, or the 2012 California English Language Development (ELD) standards?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is or will the student be receiving extensive direct individualized instruction and substantial supports to achieve measurable gain?
See worksheet in library section of WebIEP or click on the link below. https://www.cde.ca.gov/ta/tg/ca/documents/altassessmentdecision.pdf	

EXTENT OF PARTICIPATION IN NEXT STATEWIDE ASSESSMENT PROGRAM	
ELPAC	
<input type="checkbox"/> OPTION 1:	CODE 60-ELPAC <u>with</u> TESTING ACCOMMODATIONS CODE 70-ELPAC <u>without</u> TESTING ACCOMMODATIONS ELPAC ONLY
<input type="checkbox"/> OPTION 2:	CODE 61-ELPAC Partial <u>with</u> Testing Accommodations CODE 71-ELPAC Partial <u>without</u> Testing Accommodations ELPAC PARTIAL PARTICIPATION: 1 SUBTEST FROM ORAL DOMAIN & 1 SUBTEST FROM WRITTEN DOMAIN (ALTERNATE ASSESSMENT NOT NEEDED) Indicate which subtest(s) student will participate in below. <u>Student must participate in at least 1 subtest from the oral domain and 1 from the written domain.</u> ORAL DOMAIN: <input type="checkbox"/> Listening <input type="checkbox"/> Speaking WRITTEN DOMAIN: <input type="checkbox"/> Reading <input type="checkbox"/> Writing
<input type="checkbox"/> OPTION 3:	CODE 85-ELPAC NOT TO PARTICIPATE (ALTERNATE ASSESSMENT MUST BE TAKEN) <input type="checkbox"/> http://www.vcselpa.org/LinkClick.aspx?fileticket=QUL-LcSs2dY%3d&portalid=0 (To be used only on Initial Evaluations)

Desert/Mountain Charter SELPA

Application for Membership Fiscal Year 2022-2023

- **Name:** Allegiance STEAM Academy Thrive – Fontana
- **Primary Contact:** Sebastian Cogna, Chief Executive Officer
sebastian.cognetta@asathrive.org 909-465-5405
- **Interviewed by D/M Charter SELPA Review Committee:** April 21, 2022
- **Application Status:** Charter organization with two or more successful years of operation. Extension of Allegiance STEAM Academy Thrive – Chino with a different authorizer.
- **Geographical Location:** School Site Location TBD – Allegiance STEAM Academy Thrive – Fontana will be using the first year of their authorization to secure a school site location. This recommendation was granted from authorizer Fontana Unified School District. Allegiance STEAM Academy Thrive – Fontana will update D/M Charter SELPA when they secure a location. At which time, a team will tour the facility.
- **Authorizer:** Allegiance STEAM Academy Thrive – Fontana was authorized by Fontana Unified School District, 9680 Citrus Avenue Fontana, CA 92335 on April 6, 2022 for four (4) consecutive school years starting with the 2022-2023 school year (2025-2026 is the fourth year of approval)
- **Classroom Based:** Yes.
- **Grades of Instruction:** Transitional Kinder – 8th grade
- **Estimated first day of Instruction:** ~~August 15, 2022~~ TBD 2023-24 School Year
- **Applied for and/or Denied LEA membership to another SELPA:** No. Allegiance STEAM Academy Thrive – Fontana reported Desert/Mountain Charter SELPA is the only SELPA they have applied to for membership to operate as an independent charter for special education purposes.

Desert/Mountain Charter SELPA Application for Membership

Self-Assessment (Step 3)

Please complete the following SELF-Assessment.

- **Reason for Applying:** Describe your rationale and/or reason(s) for applying to join the D/M Charter SELPA. Include reason(s) for leaving your current SELPA.
Allegiance Fontana is applying to join the D/M Charter SELPA because of the D/M Charter SELPA's reputation for supporting the delivery of high-quality special education programs and services to students with disabilities in the most effective manner practicable. Allegiance Chino, a member of D/M Charter SELPA since its inception in 2018, continues to receive invaluable guidance and training from the DM Charter SELPA. For the purposes of efficiency, coordination, and alignment, having both Allegiance Fontana and Allegiance Chino as members of D/M Charter SELPA will allow both schools to provide the highest quality special education programs and services to our students. The Allegiance Fontana petitioners are familiar with the D/M Charter SELPA staff, practices, and procedures. Furthermore, the D/M Charter SELPA staff are familiar with the Allegiance team having supported Allegiance since 2018.
- **Self-Ranking: Legal Obligations** - A special education program requires that you implement appropriate child find activities, provide general education program modifications, refer students for assessment, conduct assessments and develop Individualized Education Programs (IEPs) for identified students.

Using the **Self-Ranking Key** below, please rank your **current status** in terms of each of the following special education mandates.

Include your ranking number in the box next to each area. Then elaborate on your ranking by describing in detail, your specific site-based procedures for each of these areas listed below. Attach evidence (policies, form examples, handbooks, CASEMIS/CALPADS data, etc.).

- **SELF-RANKING KEY:**
1 = COMPLIANT
2 = IN DEVELOPMENT PHASE
3 = NEED ASSISTANCE

1. **1** Child Find Activities – policies, parent handbooks, postings, etc.
See ASA Thrive website: [Annual Special Education Notification](#)
ASA STT Guide (pdf in shared folder)
2. **2** General Education Program Modifications – descriptive narrative of implementation and philosophy.
ASA Fontana will implement a collaborative model between special and general education teachers. General education teachers collaborate with education specialists to develop

IEPs with appropriate goals, supports and services based on each student's documented abilities and needs.

Special education teachers will, when appropriate, work in regular classrooms or in a separate setting to provide additional support for students with disabilities.

Paraprofessionals are trained to deliver SAI in the general education classroom, providing both academic and behavior support and instruction, at the direction and under the supervision of special education case managers and in collaboration with general education teachers. The school will seek to include all students in the general education setting to the maximum extent appropriate according to their IEPs. A special day class setting will also be established and staffed by an education specialist with the required credential and a team of trained paraprofessionals to support student's academic, behavioral and functional progress. Students in the SDC setting will be included with grade level peers to the greatest extent possible, including enrichment classes (STEAM Lab, World Language, Music/Drama), physical education, recess, lunch, and school day activities. If the student's needs, as documented on the IEP, require a program other than inclusion, the school shall work with the District, San Bernardino County Office of Education, and/or its SELPA to provide appropriate placement and services. ASA Fontana will consider all of the placement options documented in a student's IEP.

3. **1** Referral Process including Student Study Team model and RTI –with examples of forms and procedures used.

ASA SST Forms:

ASA SST Guide (.pdf in shared folder – item 17d)

ASA SST Referral Form (.pdf in shared folder – item 17e)

D/M SELPA Special Education Referral Forms:

D/M 57, Referral for Special Education (.pdf in shared folder – item 17f)

D/M 58, Educational History (.pdf in shared folder – item 17g)

D/M 59, Checklist for Student Observation (.pdf in shared folder – item 17h)

D/M 70, Utilized Interventions (.pdf in shared folder – item 17i)

4. **1** Assessment includes a description of personnel responsible for the assessment by name and title or agency providing the service as well as assessment tools used.

Allegiance Employees:

- *School Psychologist*

- *Wechsler Intelligence Scale for Children -5th (WISC 5th Ed)*

- *Behavior Assessment System for Children, Second Edition (BASC-2) Teacher and Parent Scales*

- *Test of Auditory Processing (TAPS-3)*

- *Test of Visual Processing (TVPS)*

- *Beery Buktenica Developmental Test of Visual-Motor Integration (Beery VMI)*

- *CTONI-2 (Comprehensive Test of Nonverbal Intelligence)*

- *Wide Range Assessment of Memory and Learning-2*

- *Differential Ability Scales-2*

- *Autism DOS*

- *CONNERS-3*

- *Children's Depression Inventory-2*

- *Adaptive Behavior Assessment System-Second Edition (ABAS-II)*
 - *Children's Manifest Anxiety Scale-2 Second Edition (RCMAS-2)*
 - *GILLIAM AUTISM RATING SCALE-SECOND EDITION (GARS-II)*
 - *Education Specialists*
 - *Woodcock Johnson Tests of Achievement- IV*
 - *Kaufman Test of Educational Achievement-3*
 - *Speech Language Pathologist*
 - *CASL-2*
 - *Preschool Language Scales 5th Edition*
 - *Goldman Fristoe Test of Articulation-3*
 - *HAPP-3: Hodson Assessment of Phonological Patterns-Third Edition*
 - *(TOPL-2) Test of Pragmatic Language, Second Edition*
 - *TAPS-4: A Language Processing Skills Assessment*
 - *Social Language Development Test-Adolescent*
 - *Expressive One-Word Picture Vocabulary Test*
 - *Receptive One-Word Picture Vocabulary Test*
 - *Adaptive Physical Education*
 - *Peabody Developmental Motor Scales- Second Edition (PDSM-2)*
 - *Competency Testing for Adapted Physical Education: CTAPE*
 - *Test of Gross Motor Development TGMD-2*
 - *Brockport Physical Fitness Test*
 - *Contracted Providers*
 - *Occupational Therapy (Sunny Kids Therapy)*
 - *The Print Tool Standardized Handwriting Assessment*
 - *Bruininks-Oseretsky Test of Motor Proficiency- 2nd Edition (BOT-2) Sensory Profile 2*
 - *Beery test of Visual Motor Integration (VMI)*
 - *Physical Therapy (Kids First Pediatric Therapy)*
 - *Bruininks-Oseretsky Test of Motor Proficiency- 2nd Edition (BOT-2) Sensory Profile 2*
 - *Orientation and Mobility (Braille Abilities)*
5. **2** Development of an appropriate IEP. Provide blank copies of your current/proposed IEP forms and redacted copies of a completed Annual and Triennial with supporting documents. *Special education staff collaborate with general education teacher, service providers and other IEP team members to review goal progress, collect current performance, strengths and concerns, develop specific, measurable, achievable and relevant annual goals, discuss and include appropriate supports and accommodations, and come to an agreement on services to meet the proposed goals in areas of need. Staff are proficient with all DM SELPA forms in WebIEP for IEP development.*
Proposed IEP Forms_Blank (.pdf in shared folder – item 15)
6. **1** Suspension and expulsion data, procedures and policies.

See ASA Thrive website: [Student Discipline Policy](#)

- **Self-Ranking: Provision of Services** -Using the key below, please rank your current status in terms of providing each of the following special education services and place this rank in the box next to each area. Then please elaborate in writing on your ranking by describing your current special education services and understanding of each area

- **SELF-RANKING KEY:**

1 = PROVIDING SERVICES

2 = CONTRACTING FOR SERVICES

3 = NEED ASSISTANCE IN OBTAINING OR PROVIDING SERVICES

1. **1** Resource Specialist Services-Specialized Academic Instruction (SAI).
SAI is provided by mild-moderate or moderate-severe educational specialists, depending on the student's disability. Services are delivered in two separate settings and within the general education setting. Separate settings include an SDC classroom staffed by a moderate-severe specialist and a resource pull-out classroom staffed by mild-moderate specialists. In addition, education specialists provide instruction in the general education class where appropriate as well as supervise and direct paraprofessionals to provide SAI in the general education setting, including classrooms and outdoor community settings, such as recess.
2. **1 & 2** Designated Instruction and Services-Speech and Language Therapy (1), Adaptive Physical Education (1), Occupational/Physical Therapy (2), Counseling (1), Sign Language Interpreting (3), Vision & Hearing Specialists (2), etc.
ASA Fontana's staffing model includes Speech Language Therapists, a Counselor and an Adaptive PE teacher. (2) ASA Fontana's plan is to contract for Occupational/Physical Therapy, Sign Language, and Vision & Hearing services.
3. **1** Non-severe Special Day Class-SDC for students with learning disabilities requiring greater than 50% SAI.
One SDC classroom staffed by a moderate-severe specialist with trained paraprofessionals.
4. **1** Severe Special Day Class-SDC for students with severe physical, medical, emotional disturbance and/or significant developmental delays requiring intensive services requiring greater than 50% SAI.
One SDC classroom staffed by a moderate-severe specialist with trained paraprofessionals.
5. **1** Inclusion Services-Supported full-time placement in general education classes for students with severe disabilities.
Supports include: 1:1 paraprofessional, 1:1 LVN, regular collaboration with case manager, push-in and pull-out specialized related services.
6. **1** Related Services (e.g. speech and language therapy, adaptive physical education, occupational/physical therapy, counseling, sign language interpreting (3), etc.)

ASA Fontana employs an SLP and SLPA to provide speech and language assessments and therapy. Adaptive PE and Counseling are provided by ASA employees. Additional related services, including Occupational and Physical Therapies, and nursing are contracted through independent contractors or non-public agencies.

7. **3** Placement in a nonpublic school/agency (NPS/NPA) or residential treatment center (RTC) and financial implications associated with these placements.

ASA Fontana would seek DM Charter SELPA support in obtaining an NPS/NPA placement should the placement be needed. A significant reserve is incorporated into each year of ASA Fontana's forecasted budget in order to absorb the financial implication of NPS placement(s).

8. **1** Transportation for students with special needs in order to access special education services-description of your school plan to provide this.

ASA Fontana would consider the following options should the need for transportation arise: contracting with local district, contracting with county office of education, contracting with private provider: Hop Skip Drive, providing our own transportation.

9. **1** Implementation of IEP including Extended School Year.

ASA Fontana staff are trained to implement IEPs and are prepared to provide Extended School Year for students who are eligible. During the school year, IEP teams monitor students' regression of skills and rate of recoupment after extended breaks to determine eligibility. ASA Fontana staffs its ESY program with its own employees and service providers. ESY takes place for 20 school days following the end of the regular term.

10. **1** Participation in Statewide Assessments.

ASA Fontana staff are trained to identify appropriate accommodations based on student needs and to implement accommodations outlined in the IEP. Education specialists are trained to administer the CAASPP and ELPAC, including alternate assessments for each.

Compliance/Capacity

Provide a detailed written narrative explaining your understanding and experience with the following areas. Please attach site-specific forms and policies to support your explanation:

- Special Education

Allegiance Fontana recognizes its responsibility to enroll and support students with disabilities. Allegiance Fontana will comply with all applicable state and federal laws in serving students with disabilities. When students enroll at Allegiance Fontana, part of the registration process is to ascertain whether a student has an active IEP; from parents, prior school districts and through a search of CALPADS records. Additionally, professional development and training is provided for all teachers and relevant staff on the RTI and MTSS frameworks which inform our SST process to meet our Child Find obligations as an LEA. The robust SST process of documenting and providing interventions helps identify students for initial referral to evaluation for special education eligibility.

Leadership staff have thorough experience training and implementing processes described above. Lead staff, including administrators and teachers, with experience implementing the inclusion-model program outlined in the ASA Fontana charter petition, will design and implement training and on-going support for staff at Allegiance Fontana. Furthermore, case managers collaborate regularly with all involved parties (i.e. parents, teachers, administration, paraprofessionals, service providers) to maintain a keen knowledge of students' progress and address challenges in real time as they arise, amending plans as necessary.

- Section 504

ASA Thrive Fontana recognizes its responsibility to enroll and support students with disabilities. ASA Thrive Fontana will comply with all applicable state and federal laws in serving students with disabilities. When students first enroll at ASA Thrive Fontana, part of the registration process is to ascertain whether a student has an active 504 Plan; from parents, prior school districts and through a search of CALPADS records. Additionally, professional development and training is provided for all teachers and relevant staff on Section 504 requirements and how to support students with disabilities in their classrooms. Lead staff, including administrators and teachers, have experience developing and implementing appropriate Section 504 Plans.

See:

Section 504 Plan Template (.pdf in shared folder – item 17c)

Section 504 Parent Safeguards (.pdf in shared folder – item 17b)

- Due Process – list any specific cases and the outcomes, as well as the budgetary planning related to unexpected liabilities related to the due process
The budgetary planning process for ASA Thrive Fontana includes a \$90 per ADA (\$36,000 in Year 1) allocation towards annual legal fees as well as an overall forecasted annual surplus of 8% of all revenue. The 8% revenue surplus, 3% above the statutorily required 5%, provides additional funds for unexpected liabilities.
- State Complaints – your understanding of your financial responsibility, the process, how many, what issues, if any, and outcomes of any investigations
Federal law requires that each state develop and implement procedures for investigating and resolving complaints regarding Special Education in public schools. LEA's are responsible for cooperating with investigations and providing requested material in a timely manner. If an investigation's conclusion is that the LEA was/is out of compliance, the LEA may be required to, for example, reimburse complainants or provide compensatory services.
- Office of Civil Rights (OCR) Complaints - your understanding of your financial responsibility, the process, how many, what issues, if any, and outcomes of any investigations
OCR Complaints are filed with the US Department of Health & Human Services when it is believed that a government agency, including public schools, have discriminated against the individual or someone else unlawfully. OCR Complaints are investigated and if substantiated may result in the school being required to take corrective action.

- Are your facilities ADA compliant and/or the plan you have adopted to move toward compliance?
ASA Fontana is in the process of securing an ADA compliant facility.
- Special Education Total ADA:
ASA Thrive Fontana is projected to have a Special Education rate of 13% of enrollment. The following is a forecast of enrollment and ADA for the school.

Forecast	2022-23	2023-24	2024-25	2025-26	2026-27
Total Enrollment	420	630	750	840	840
Total ADA (95%)	399	598.5	712.5	798	798
Special Education Enrollment (13%)	54.6	81.9	97.5	109.2	109.2
Special Education ADA	51.87	77.805	92.625	103.74	103.74

- List of the types of disabilities served: (list on Excel spreadsheet and attach)
See excel sheet titled: [Anticipated Disabilities - based on FUSD Special Education Eligibilities served](#) in shared Drive Folder.
- Who is/are your identified special education administrator(s)? Describe their special education background, special education credentials, and training and experience in special education administration and legal issues. Has Administrative Designee Training been completed for those who will be acting in this position? If no, when will this occur?
The following are the administrators responsible for overseeing the Special Education program at ASA Thrive schools:
Callie Moreno, Ed.D.: Dr. Moreno has overseen the Special Education program at Allegiance Chino since its inception. As the Director of Educational Programs, Dr. Moreno oversees the implementation of the educational programs outlined in the initial Allegiance STEAM Academy charter petition. She has led a close-knit team to realize a Special Education program, the Think Tank, that prides itself on relationships between practitioners, students, and families, bringing together multiple perspectives to make complex decisions in the best interest of students.
Celeste Cardenas, M.Ed.: Celeste Cardenas started at Allegiance Chino in its founding year as a special education teacher. She holds Mild/Moderate and Moderate/Severe Education Specialist credentials. Prior to teaching at Allegiance, Celeste taught at a non-public school in San Diego where she gained significant experience in supporting student behaviors. She has taught in Allegiance's SDC setting, as well as served as case manager

for students in the General Education setting. In 2021-22, Celeste became the Coordinator of Special Programs at Allegiance, where she now oversees Special Education day to day operations.

- List the special education professional development your site has provided/will provide for general education and special education staff and parents the past two years and planned for the following two school years

Our professional development plan includes staff-led sessions as well as several offerings from outside providers. Professional Development will include:

- *Inclusion collaboration*
- *Inclusion co-teaching models*
- *Behavior plans and supports*
- *De-escalation strategies*
- *Least to Most Prompting*
- *Using visual supports*
- *Data collection & documentation*
- *Role of paraprofessional in classroom*
- *Meeting SEL needs of staff and students*

Staff Development from 3rd party providers, (for example, CAHELP, DM SELPA, Young Minney and Corr, LLC; San Bernardino County Office of Ed; Riverside County Office of Ed; Charter School Development Center, and more) includes:

- *Disability Awareness*
- *WebIEP - technical training & content development*
- *Development of a defensible IEP*
- *Data collection and development of FBAs and BIPs*
- *Alternative Dispute Resolution*
- *Effective reading instruction*
- *Dyslexia - Identification, Assessment*
- *CPI certification*

- Do you use alternative dispute resolution and/or what is your process for settling disputes? Please describe in written narrative your site-specific process

The Individuals with Disabilities Education Act encourages the use of mediation to resolve disputes between parents of children with disabilities and schools. Allegiance's alternative dispute resolution (ADR) process is one that aims to create mutually satisfying solutions for resolving conflicts through specific strategies and interventions. ADR uses communication, collaboration, and mediation to produce an agreement that meets the interests of both parents and the school. Through training and resources provided by D/M Charter SELPA, Allegiance continues to revise and improve its ADR process.

Pupil Count Data

The data provided for Allegiance Fontana are projected counts based on the most recent eligibility data available for Fontana Unified School District. Using Fontana's eligibility data, the following counts are projected based on the following assumptions:

Projected Enrollment in 2023-24 School Year: 630; Special Education rate of 13%

Anticipated Disabilities based on FUSD Special Education Eligibilities Served	Projected Count
Intellectual Disability (MR)	5.63
Hard of Hearing (HH)	0.6
Deaf (DEAF)	0.22
Speech or Language Impairment (SLI)	16.37
Visual Impairment (VI)	0.22
Emotional Disturbance (ED)	0.65
Orthopedic Impairment (OI)	0.45
Other Health Impairment (OHI)	7.05
Specific Learning Disability (SLD)	39.87
Deaf- Blindness (DB)	0
Multiple Disability (MD)	1.72
Autism (AUT)	9.09
Traumatic Brain Injury (TBI)	0.00
Total	81.9

Financial Information - Special Education Budget

- Certificated Salaries for current fiscal year: *n/a*
- Proposed Certificated Salaries: *\$67,000 average budgeted salary by position*
- Classified Salaries for current fiscal year: *n/a*
- Proposed Classified Salaries: *\$21,000*
- Employee Benefits for current fiscal year: *n/a*
- Proposed Employee Benefits: *STRS or PERS; Full Medical, Dental, Vision for eligible employees*
- Books and Supplies for current fiscal year: *n/a*
- Proposed books and supplies: *\$75,000*
- Services and other operating expenses for current fiscal year: *n/a*
- Proposed Services and other operating expenses: *\$200,000*
- Capital Outlay for current fiscal year: *n/a*

- Capital Outlay for 2022-23 proposed: \$362,900
- Total Budget for current year: *n/a*
- Total Budget for 2022-23 proposed: *Total forecasted revenues: \$5,297,007: Total forecasted expenditures: \$4,835,526*

ACCOUNTING

Do you provide your own internal accounting services? Yes/No: *No* If so, please provide the following information for the Contracted Accounting Services Firm.

1. Primary Contact: *Marisol Felix*
2. Title: *Director of Client Finance*
3. Email: mfelix@charterimpact.com
4. Mailing Address: *8500 Balboa Blvd., Suite 140, Northridge, CA 91325*
5. Telephone Number: *(888) 474-0322 Ext. 129*

**BYLAWS OF
CALIFORNIA ASSOCIATION OF HEALTH AND EDUCATION
LINKED PROFESSIONS JOINT POWERS AUTHORITY**

PREAMBLE

The California Association of Health and Education Linked Professions Joint Powers Authority (“CAHELP JPA”), a joint powers authority (“JPA” or “Authority”) formed under the authority of Title 1, Division 7, Chapter 5, Article 1 of the California Government Code (Section 6500 et seq.) is established for the purpose of providing for the administration of a special education service region for the implementation of the state mandated special education program for the benefit of public educational agencies who are members hereof, for such ancillary and related programs and services, and to provide a forum for discussion, study, development and implementation of recommendations of mutual interest regarding such programs and services.

ARTICLE I

NAME

The name of the joint powers authority is the California Association of Health and Education Linked Professions, (“CAHELP JPA” or the “Authority”).

ARTICLE II

POWERS

CAHELP JPA shall have the power to:

A. Exercise any power available to joint power authorities and public entities under California law, including any power of or common to the public educational agencies which are parties to the Joint Powers Agreement, provided that such powers are exercised in the furtherance of the purposes and functions of CAHELP JPA, and in the manner that such powers may be exercised by public educational agencies and joint power authorities in the State of California and not prohibited under California law.

B. Provide member agencies with a comprehensive plan, organization and administration to establish, govern, implement and coordinate and operate a Local Plan for the education of individuals with exceptional needs, and to establish such ancillary and related programs and services as may be necessary and appropriate.

C. Establish and maintain such funds and segregated accounts as necessary for the programs, activities and purposes of CAHELP JPA.

Revised May 2016

D. Acquire, hold, and dispose of property, real and personal, for the purpose of providing the member agencies with the necessary education, study, development, and programs, as well as ancillary and related services, including, but not limited to, the acquisition of necessary facilities and equipment; the hiring and retention of staff; the making and entering into contracts including inter-agency agreements and programs of benefit to member agencies and CAHELP JPA; the operations and maintenance of systems for the Local Plan; and the incurring of debts, liabilities, or obligations.

E. Receive, accept, and utilize the services of personnel offered by any member agency or its representatives or agents; to receive, accept, and utilize property, real or personal, from any member agency or its agents or representatives; to enter into joint programs with member agencies to assist in the development of programs, services and emerging technologies and processes supportive of public educational agencies; to receive, hold, dispose of, to construct, operate, and maintain buildings and other improvements; and to receive, accept, expend, and disburse funds by contract or otherwise, for the purposes consistent with the purposes and authority of CAHELP JPA which funds may be provided by any member agency or its agents or representatives.

F. Adopt such policies, codes and procedures consistent with the functions and purposes of CAHELP JPA.

G. Perform such other functions as may be necessary or appropriate to carry out the purposes of CAHELP JPA consistent with the Joint Powers Agreement, these Bylaws and California law.

ARTICLE III

MEMBERSHIP

A. Public educational agencies located within the State of California are eligible for membership in CAHELP JPA, provided that membership is contingent upon being a signatory to the Joint Powers Agreement and satisfaction of the requirements of Article III, Section C of these Bylaws.

B. Should any member agency reorganize in accordance with state statutes, the successor-in-interest or successors-in-interest to the obligation of any such reorganized member shall be substituted as a member, provided that the reorganized member continues to be a public educational agency under California law as defined in Article III, Section 1 of the Bylaws and a new signatory to the Joint Powers Agreement, and complies with Article III, Section C.

C. Public educational agencies applying for membership in CAHELP JPA shall be subject to the following conditions for review and approval:

1. Submission of a completed CAHELP JPA questionnaire and provision to CAHELP JPA, through its Governance Council or designee, of requested information on the agency;
2. Evaluation of the applicant public educational agency's experience by CAHELP JPA;
3. Determination of eligibility by CAHELP JPA and the conditions and terms under which the applicant may be admitted to membership, and applicant's acceptance of those terms and conditions;
4. Execution of the Joint Powers Agreement and such other program agreements and documents as requested by CAHELP JPA, and provision to CAHELP JPA of a Resolution formally adopted by the applicant's governing body authorizing execution of the Joint Powers Agreement;
5. Applicant's receipt, review and agreement to comply with the Bylaws of CAHELP JPA
6. The applicant shall become a member agency in CAHELP JPA upon formal approval of the Governance Council and signature to the Joint Powers Agreement

D. Upon admission to membership in CAHELP JPA, each member agency shall become eligible to participate in the programs and services of CAHELP JPA.

ARTICLE IV

FORMATION OF THE GOVERNANCE COUNCIL

A. The CAHELP JPA Governance Council shall consist of the Superintendent/CEO representing each of the LEA members of the Desert/Mountain Special Education Local Plan Area, and two (2) CEO representatives from the Desert/Mountain Charter Special Education Local Plan Area. A CEO representing multiple LEAs shall count as a single member of the Governance Council. Each member of the Governance Council shall have one vote. Each member of the Governance Council may designate in writing an alternate representative, including but not limited to another member of the Governance Council ("proxy"), if the Superintendent/CEO or CEO is unable to attend a meeting, which designated alternate representative or designee shall have the full authority of the designating Superintendent/CEO or CEO for the purpose of decision-making. Such a designation must be received by the Chief Executive Officer prior to the commencement of a scheduled meeting of the Governance Council, and shall be good only for that meeting. One-third of the members, represented in person or by proxy, shall constitute a quorum at a meeting of members.

Revised May 2016

B. Upon initial appointment, and annually thereafter in May, the Governance Council shall organize, elect officers, including a chair and vice-chair(s) from its members, with the secretary designated pursuant to Article VI. The elected officers will assume their roles and responsibilities as of July 1 of the next fiscal year. The Chairperson of the council shall preside at all meetings and shall be responsible for the Agenda, unless otherwise designated. He/she shall have the same rights as the other members of the Council in voting, introducing motions and resolutions and any discussion of questions that follow. In the absence of the Chairperson, the Vice Chairperson shall preside over all meetings of the Council. If the Chairperson and Vice Chairperson of the Council are both absent, the remaining members present shall select one of their group to act as temporary chairperson.

C. No one serving on the Governance Council shall receive any salary, compensation or other consideration from CAHELP JPA.

D. Membership on the Governance Council may cease for any of the reasons stated below, subject to the Governance Council taking formal action to terminate or ratify the termination of any Governance Council member.

1. Voluntary resignation.
2. If the member represented by the Governance Council member ceases to be a member of CAHELP JPA.
3. If the Governance Council member ceases to be a full time employee of the nominating member public educational agency.
4. For a violation of CAHELP JPA policies, procedures and codes of conduct.
5. By a two-thirds vote of the full Governance Council without cause or by a unanimous vote of the Governance Council if all elected members are not in attendance (and excluding the subject member being terminated).

ARTICLE V

DUTIES OF THE GOVERNANCE COUNCIL

The Governance Council shall have the authority to exercise the powers of CAHELP JPA as set forth in the Joint Powers Agreement and in these Bylaws, and in accordance with California law, including enforcement of CAHELP JPA policies, procedures, codes and program instruments. In addition, the Governance Council is specifically empowered to:

A. Establish and amend the Bylaws, and adopt and enforce policies, program instruments and agreements, codes of conduct, rules, and regulations not inconsistent with

applicable law or with the Joint Powers Agreement as may be necessary for CAHELP JPA and the functions of the Governance Council.

B. Provide for the management and administration of CAHELP JPA and CAHELP JPA-related programs and services in a manner that is in the best interests of CAHELP JPA and its member agencies. This power shall include (but not be limited to) the power to employ and terminate a management firm or third party, to employ staff, to acquire or contract for facilities and vendor support, and to engage in such activities and transactions as permitted under the Joint Powers Agreement, Bylaws, California law and such policies as adopted by the Governance Council.

C. Determine contributions or other formulas and the method or methods by which such contributions shall be paid by member agencies.

D. Provide for additional assessments during the year, if necessary.

E. Determine whether, and by what method, new member agencies shall be allowed into the program consistent with Article III of the Bylaws, including adoption of amendments to Article III requirements.

F. Appoint and dissolve working committees and/or by contracting for services with a third party.

G. Insure that a complete and accurate system of accounting for all funds is maintained at all times.

H. Determine the manner in which the establishment, governance, implementation, coordination, administration and operations of a Local Plan shall be undertaken.

I. Maintain, or cause to be maintained, accurate records for all risks insured against and accurate records of all claims paid.

J. Provide for ancillary and related services.

K. Enter into contracts consistent with the terms of the Joint Powers Agreement and Bylaws, and in accordance with California law.

L. Make appropriate periodic reports to the member agencies on the status of CAHELP JPA and its programs.

M. Adopt an annual budget for CAHELP JPA.

N. Oversee the activities of all other CAHELP JPA committees.

O. Annually evaluate, or cause to be evaluated the performance of the CAHELP JPA staff.

P. Perform any and all other functions necessary and appropriate to accomplish the purpose of CAHELP JPA in the discretion of the Governance Council.

ARTICLE VI

CHIEF EXECUTIVE OFFICER

The CAHELP JPA CEO shall act as Secretary of the CAHELP JPA Governance Council. As Secretary, he/she shall, in consultation with the Chairperson on the Governance Council, do the following:

1. Prepare and distribute the Council Agenda;
2. Prepare and distribute the Council Minutes;
3. Handle and care for all Council records and documents; and
4. Submit to the Chairperson of the Council all correspondence addressed to the Governance Council.

ARTICLE VII

MEETINGS

A. The Governance Council shall meet every quarter, unless otherwise determined by the Governance Council. All other committees, including Standing Committees and Ad Hoc Committees, shall meet on an as-needed basis.

B. The Governance Council shall, at its June meeting or prior to or at its last meeting of each fiscal year, approve the date and time for its regular meetings. All members and member agencies shall be notified of the meeting schedule.

C. Meetings of the Governance Council, or any other Standing Committee may be called as necessary provided that notice is given in compliance with the Brown Act, where required, and under California law.

D. One-third of the members, represented in person or by proxy, shall constitute a quorum for a meeting of the Governance Council. For any Standing Committee of CAHELP JPA, a majority shall constitute a quorum for the transaction of business. All non-voting alternates shall also be entitled to attend meetings of the Governance Council.

E. An Agenda of items to be discussed shall be prepared for all meetings and shall be made available at least three (3) working days prior to regularly scheduled Governance Council or other Standing Committee meetings, where required under the Brown Act and California law.

Agendas for Special Meetings and Emergency Meetings will be made available in accordance with the provisions of the Brown Act and California law.

F. Minutes shall be kept of all Open Sessions of meetings held by the Governance Council and other Standing Committees.

G. Items may be placed on the Agendas for meetings of the Governance Council and other Standing Committees, provided a written request is received by the Chief Executive Officer from a member of that Committee at least ten (10) business days prior to the regularly scheduled meeting, absent circumstances precluding earlier notice and request.

H. Any member of the public desiring to make a personal appearance before the Governance Council or any other Standing Committee of CAHELP JPA to discuss an item of interest shall be limited to a maximum of five (5) minutes, and all public comments shall be limited to fifteen (15) minutes and allocated equally to each member of the public making an appearance, unless otherwise allowed by the Governance Council in its discretion.

ARTICLE VIII

FINANCE

A. CAHELP JPA is strictly accountable for all funds received and disbursed by it, and to that end shall establish and maintain such funds and accounts as may be required by acceptable accounting practices, by any provision of law or any resolution or policy of CAHELP JPA, and as consistent with the Joint Powers Agreement, these Bylaws and California law.

B. The Treasurer of the County of San Bernardino, unless otherwise designated by the Governance Council, shall be the depository and custodian of CAHELP JPA funds, from whatever source, whether directly or pursuant to contract with the Office of the San Bernardino County Superintendent of Schools, provided that a separate trust fund may be established for the payment of claims as authorized under California law.

C. Each program year of CAHELP JPA shall operate separately from every other program year in regard to its assets and obligations. Those assets and obligations are pooled assets and obligations of the member agencies which participate in each distinct and separate program year.

D. Should the total obligations for a program year of CAHELP JPA exceed the total assets of that year, that year's members may be assessed a pro rata share of the additional contribution required as determined and approved by the Governance Council. This provision shall apply to both active member agencies and withdrawing/terminated member agencies.

E. To the extent necessary, all contributions, revenues, obligations, expenditures and disbursements of CAHELP JPA that can be separately and distinctly identified by program year shall be accounted for separately by each program year. All contributions, revenues, obligations, expenditures and disbursements of CAHELP JPA that cannot be separately and distinctly

identified by program year shall be allocated to each program year in a manner as determined by the Governance Council.

F. In the event of the dissolution of CAHELP JPA, the complete rescission or other final termination of CAHELP JPA by all member agencies then a party hereto, any property interest remaining in CAHELP JPA following a discharge of all of CAHELP JPA's existing obligations and establishment of reserves for anticipated expenses, shall be returned to the member agencies. The amounts returned to each member shall be in accordance with the member agency's portion of net assets (i.e., "equity") as determined by the Governance Council. Only member agencies in CAHELP JPA shall be entitled to an allocation of any remaining equity, unless otherwise determined by the Governance Council.

G. The Governance Council shall contract with a Certified Public Accountant for an annual audit of the accounts and records of CAHELP JPA whether directly or pursuant to a contract with the Office of the San Bernardino County Superintendent of Schools. The audit shall be conducted in full compliance with all requirements under the California Government Code applicable to joint power authorities, and shall conform to generally accepted auditing standards. On completion, the audit report shall be provided to or otherwise filed with each member agency within six (6) months of the end of the fiscal year under examination, unless otherwise extended by the Governance Council.

ARTICLE IX

WITHDRAWAL AND TERMINATION OF MEMBERSHIP

A. Any member agency may withdraw from CAHELP JPA and terminate its status as a signatory to the Joint Powers Agreement effective at the end of any fiscal year of CAHELP JPA by notifying the CAHELP JPA Governance Council in writing at least one year and one day prior to the close of CAHELP JPA's fiscal year unless the Governance Council by unanimous vote agrees to a shorter timeline. Written notice shall include an adopted Resolution by the Board or governing body of the member agency formally approving withdrawal and termination from membership in CAHELP JPA in order to be effective. Such termination as a member agency in CAHELP JPA shall also result in a termination of the member agency's participation in any CAHELP JPA, program or service as of the end of CAHELP JPA's fiscal year. In addition, such written notice shall, when given, result in any employee or representative of the withdrawing member agency being terminated from CAHELP JPA's Governance Council, or any other Standing Committee effective immediately, unless otherwise directed by the applicable committee.

B. Notwithstanding the foregoing, any member agency may rescind its withdrawal notice from CAHELP JPA, inclusive of its withdrawal from CAHELP JPA programs or services, by written notice with an accompanying resolution from the Board or governing body of the member to be received by CAHELP JPA no later than June 30 of the then existing fiscal year of CAHELP JPA and program participation.

C. Upon any withdrawal, or involuntary termination of a member agency, the withdrawing or terminated member agency shall continue to be responsible for the amount of any additional assessments or contingencies required because of costs, obligations or sums incurred while the withdrawing or terminating member agency was a member of CAHELP JPA and a participant in any program of CAHELP JPA. A withdrawing or terminated member agency shall not be entitled to participate in, or receive any distribution of assets of CAHELP JPA, which assets shall remain the assets of CAHELP JPA.

D. A member agency may be involuntarily terminated from CAHELP JPA by a two-thirds (2/3rds) vote of the Governance Council.

ARTICLE X

LIABILITY

Except as otherwise provided by individual contract, pursuant to the provisions of the Government Code of the State of California, each member agency of CAHELP JPA shall be liable for its pro rata share of all debts and liabilities of CAHELP JPA and its pro rata share of all debts and liabilities of all self-funded programs against members of CAHELP JPA while a member of CAHELP JPA. Notwithstanding the foregoing, all liabilities and equity shall be determined on a program by program basis, with all participants in a given program liable pro rata for all liabilities of a program. . To achieve such purpose, each member agency indemnifies and holds harmless the other members and CAHELP JPA, including all past and present CAHELP JPA staff, Governance Council and all members of other Standing Committees, including all past and present officers for any liability, loss, cost, or expense that may be imposed upon such other member in excess of such pro rata liability.

ARTICLE XI

ARBITRATION

A. In the event of a dispute between a member agency and CAHELP JPA, the dispute shall be subject to binding arbitration and all parties shall be bound by the findings and decision of the Arbitrator(s). All disputes shall be subject to binding arbitration including, but not limited to, any disputes arising between CAHELP JPA and any member agency concerning the Joint Powers Agreement, the Bylaws, any programs, or in any way involving or relating to the operations, management and activities of CAHELP JPA and/or the right, duties or obligations of the member agency.

B. The binding arbitration shall be conducted by JAMS, before a single arbitrator from JAMS, unless otherwise agreed between CAHELP JPA and the member agency, and shall be conducted by and under the operative rules and procedures of JAMS.

C. Regardless of the outcome of the arbitration, CAHELP JPA and the member agency shall share equally in the costs of the arbitration and in the compensation of the arbitrator, provided

that the arbitrator shall have discretion to award fees and costs to the extent the arbitrator finds any claim or defense to have been presented without an objective and reasonable basis, or to the extent the arbitrator determines that a party engaged in conduct which resulted in unnecessary legal fees and costs.

D. The arbitrator shall consider CAHELP JPA as a governmental agency and risk sharing organization, and the parties relationship as an honorable one and neither a contract of adhesion or otherwise as an agreement between parties with adverse interests. The arbitrator shall seek to enforce the terms of the parties' agreements and the intentions of the parties at the time of entering into those agreements, in a fair and objective manner.

E. A judgment based on the decision of the arbitrator may be entered in any court having jurisdiction upon the request of the member agency or CAHELP JPA.

ARTICLE XII

BYLAWS

A. These Bylaws shall be deemed the instrument by which this Authority is governed.

B. These Bylaws shall not be inconsistent with the Joint Powers Agreement or California law.

ARTICLE XIII

AMENDMENT

A. Amendment to these Bylaws may be proposed by any member agency or by any member of the Governance Council, and the Governance Council shall be empowered to revise and amend these Bylaws. Once amended, the revised Bylaws shall be distributed to all member agencies.

B. All amendments must be approved by two thirds (2/3) of a majority of the representatives of the Governance Council sufficient for quorum before the amendment shall become effective.

Effective: ___ 2014

**California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)**

**Desert / Mountain Charter SELPA Executive Council
2022-23 Meetings
Desert Mountain Educational Service Center
17800 Highway 18, Apple Valley, CA 92037
10:00 a.m.**

October 20, 2022

January 26, 2023

March 23, 2023

May 18, 2023

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEETING
October 21, 2021 – 10:00 a.m.

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

MINUTES

COUNCIL MEMBERS PRESENT:

Allegiance STEAM Academy – Sebastian Cогnetta, ASA Charter School – Susan Lucey, Desert Trails Preparatory Academy (DTPA) & La Verne Elementary Preparatory Academy (LEPA) – Debbie Tarver, Elite Academic Academy – Jen Edick, Julia Lee Performing Arts Academy – Tanya Taylor, Leonardo da Vince Health Sciences – Courtney Cox, Odyssey Charter Schools – Lauren O’Neill, and Virtual Prep Academy at Lucerne – Michelle Romaine.

CAHELP STAFF PRESENT:

Jamie Adkins, Pam Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, Jenae Holtz, Linda Llamas, Kathleen Peters, Daria Raines, Adrienne Shepherd-Myles, and Jennifer Sutton.

1.0 CALL TO ORDER

The regular meeting of the Desert/Mountain Charter SELPA Executive Council Meeting was called to order by Chairperson Jenae Holtz, at 10:00 a.m., at the Desert/Mountain Educational Service Center, Apple Valley, California.

2.0 PUBLIC PARTICIPATION

None.

3.0 ROLL CALL

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that a motion was made by Tanya Taylor, seconded by Lauren O’Neill, to approve the October 21, 2021, Desert/Mountain Charter SELPA Executive Council Meeting Agenda as presented. The motion passed on the following vote 8:0 Ayes: Cогnetta, Cox, Edick, Lucey, O’Neill, Romaine, Tarver, and Taylor. Nays: None, Abstentions: None.

5.0 INFORMATION/ACTION

5.1 Desert/Mountain Charter SELPA D/M 66 Assessment Plan (ACTION)

Forms used in the operations of special education programs within the Desert/Mountain Charter 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 Charter SELPA Steering Committee for consideration and approval.

5.1.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Sebastian Cогnetta, to approve the Desert/Mountain Charter SELPA D/M 66 Assessment Plan as

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presented. The motion passed on the following vote 8:0 Ayes: Cогnetta, Cox, Edick, Lucey, O’Neill, Romaine, Tarver, and Taylor. Nays: None, Abstentions: None.

5.2 Desert/Mountain Charter SELPA Policy and Procedures Chapter 1 (**ACTION**)

Policies and procedures governing the operation of special education programs within the Desert/Mountain Charter SELPA are developed, reviewed, and revised throughout the year upon the recommendation of the Program Team. Policies and Procedures are modified as necessary in order to ensure that special education programs are operated in an efficient, effective and legally compliant manner. Suggested revisions to Charter SELPA Policy and Procedures are submitted to the D/M Charter SELPA Steering Committee for consideration and approval.

5.2.1 **BE IT RESOLVED** that a motion was made by Lauren O’Neill, seconded by Sebastian Cогnetta, to approve the Desert/Mountain Charter SELPA Policy & Procedures Chapter 1 as presented. The motion passed on the following vote 8:0 Ayes: Cогnetta, Cox, Edick, Lucey, O’Neill, Romaine, Tarver, and Taylor. Nays: None, Abstentions: None.

5.3 Desert/Mountain Charter SELPA Interim Placement Form (**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.

Kathleen Peters clarified the Interim Placement Form does not require a parent signature because it is not an Individualized Education Plan (IEP). It shows the child’s IEP has been reviewed and what the LEA can offer that is comparable in placement and services until the IEP is held at 30 days. The IEP must be held immediately if the services that can be offered in the interim are not comparable to the current IEP. Kathleen continued the 30 days are for gathering data so it can be determined if the student can stay in the program or if another placement needs to be offered. She stated the Interim Placement form is for the administrative procedure as a place holder and is a document to guide the LEA to ensure the parent is clear on the differences in the charter LEA program.

Jenae Holtz said that if a charter LEA places a student in a nonpublic school or in a county program, the charter LEA remains the “LEA of Residence”.

5.3.1 **BE IT RESOLVED** that a motion was made by Lauren O’Neill, seconded by Debbie Tarver, to approve the Desert/Mountain Charter SELPA Interim Placement Form as presented. The motion passed on the following vote 8:0 Ayes: Cогnetta, Cox, Edick, Lucey, O’Neill, Romaine, Tarver, and Taylor. Nays: None, Abstentions: None.

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5.4 Desert/Mountain Children’s Center Electronic Health Record Policy (**ACTION**)

Policies and procedures governing the operation of special education programs within the Desert/Mountain SELPA are developed, reviewed, and revised throughout the year upon the recommendation of the Program Team. Policies and Procedures are modified as necessary in order to ensure that special education programs are operated in an efficient, effective and legally compliant manner. Suggested revisions to SELPA Policy and Procedures are submitted to the D/M Charter SELPA Steering Committee consideration and approval.

5.4.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Tanya Taylor, to approve the Desert/Mountain Children’s Center Electronic Health Record Policy as presented. The motion passed on the following vote 8:0 Ayes: Cогnetta, Cox, Edick, Lucey, O’Neill, Romaine, Tarver, and Taylor. Nays: None, Abstentions: None.

6.0 CONSENT ITEMS

It is recommended that the Desert/Mountain Charter SELPA Executive Council 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 Tanya Taylor, seconded by Debbie Tarver, to approve the following Consent Items as presented. The motion passed on the following vote 8:0 Ayes: Cогnetta, Cox, Edick, Lucey, O’Neill, Romaine, Tarver, and Taylor. Nays: None, Abstentions: None.

6.1.1 Approve the April 15, 2021, Desert/Mountain Charter SELPA Executive Council Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates

Jenae Holtz presented the Legislative Updates. Jenae reported the following:

- Assembly Bill (AB) 438 provides classified employees the same rights to layoff notice procedures as certificated staff effective January 1, 2022.
- AB 101 requires LEAs serving grades 9-12 to offer at least a one-semester course in ethnic studies, beginning in the 2025-26 school year.
- AB 599 updates the criteria used to identify schools for inspections by the county superintendent of schools for purposes of the Williams settlement.

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- Senate Bill (SB) 14 adds “for the benefit of the pupil’s mental or behavioral health” to the definition of an excused absence due to a pupil’s illness.
- SB 156 pertains to the digital divide and funding to ensure digital support for all.

7.2 2021-22 Risk Pool Levels

Jenae Holtz provided information on the 2021-22 Risk Pool Levels. She recalled the committee had a discussion approximately five years ago about how to use the risk pool and ensure it is equitable to all. At that time, the majority of the risk pool went to one LEA with a large number of lawsuits.

Marina Gallegos said that it was brought to her that LEAs were not formally notified when their risk pool levels changed and was asked for a process or timeframe for notifications. She confirmed that all LEAs are currently at Level 1 except for ASA Charter School because this is their first year with D/M Charter SELPA which places them in Level 2.

Jenae reiterated that LEA attendance is required at D/M Charter SELPA Executive Council meetings as well as the D/M Charter SELPA Steering and Finance Committee meetings. She said all are welcome to attend CAHELP Governance Council, but the two charter voting members are Sebastian Cognetta and Debbie Tarver. Jenae reminded the committee members that if a CEO or Executive Director is not able to attend a quarterly D/M Charter SELPA Executive Council Meeting, they can appoint a proxy to attend on their behalf.

After discussion, the committee members agreed to being notified of their risk pool standings at the time the budgets are released for the following fiscal year. It was also asked for a plan to be created on how the LEAs will share the risk pool dollars if the reserve is exceeded which will be worked on and presented at the January 2022 meeting. Jenae also suggested discussing risk pool and reserves to assess the current needs.

Marina Gallegos clarified the risk pool is separate from the set aside funds. The risk pool is the equivalent to the D/M SELPA XPOT.

7.3 Desert/Mountain Charter SELPA Policy and Procedure Chapter 14 Appendix B

Jenae Holtz presented the updated D/M Charter SELPA Policy and Procedure Chapter 14 Appendix B Non-Exclusive List of Qualified Examiners. The rate sheet will also be updated with an increase in rate allowance that will be presented at a later meeting.

7.4 Professional Learning Summary

Heidi Chavez presented an update on the SELPA’s professional development. Heidi reminded the committee members of the Directors’ Training scheduled for October 22, 2021, with a presentation by Atkinson, Andelson, Loya, Ruud, and Romo (AALRR).

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7.5 Resolution Support Services Summary

Kathleen Peters presented an update on the SELPA's resolution support services.

Kathleen reported that in Massachusetts, an advocate filed a retaliation claim because a school superintendent spoke against parents using the advocate. She said parents have the right to choose who speaks for them.

Kathleen also reported on a case in the 11th Circuit Court of Appeals regarding Right to Intervention (RTI) system and 504 Plans. She said a student was doing well in the pyramid of interventions and the school did not view the student as needing additional supports. The parent provided a doctor's verification of the student's attention deficit hyperactivity disorder (ADHD), but the school district did not move forward with assessment because they did not believe the student needed additional supports. Kathleen said the case decision was that the school district did violate Child Find by not assessing as soon as they suspected a disability.

7.6 Compliance Updates

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She said that at this time, there are no updates for Significant Disproportionality. Peggy continued that most LEAs have submitted for Disproportionality. She reported CDE sent a memo to Jenae Holtz regarding overdue assessments that provides two links providing the number of late initials and/or overdue annuals. The data in the links is from October but will be pulled again in early November. Peggy said CDE is looking for significant reduction for LEAs to avoid intensive monitoring and targeted monitoring. She reported that Colette Garland has sent the October Pupil Count Memo to the directors and asked for the timelines to be adhered to. Peggy said the Interim Placement form is active in Web IEP. Peggy concluded that Colette will be scheduling one-hour virtual one-on-one meetings with directors.

8.0 FINANCE COMMITTEE REPORTS

9.0 INFORMATION ITEMS

10.0 DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS COMMENTS / REPORTS

Debbie Tarver reported that Dr. Derek King from Excelsior Charter Schools has been appointed to a State Board of Education advisory committee for charter schools. She said there has not previously been anyone from the Inland Empire or Riverside on the committee. Debbie continued that he will represent charters very well.

Debbie said that Jenae Holtz is an awesome person who will be missed greatly.

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Jenae said that she has been incredibly blessed for the opportunity of working with the committee members. She continued that they have taught her so much about charters.

Jenae announced that Daria Raines will also be retiring.

Lauren O'Neill said that organizations and schools are not built around people but around community. She continued that the community Jenae built and the people she has surrounded the LEA members with will serve well. Lauren shared part of Jenae's legacy is the amazing group of people that remain at CAHELP.

11.0 CEO COMMENTS

Jenae Holtz reminded the committee members of her retirement party and asked all to attend.

12.0 MATTERS BROUGHT BY CITIZENS

None.

13.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Lauren O'Neill, seconded by Tanya Taylor, to adjourn the meeting. The motion passed on the following vote 8:0 Ayes: Cognetta, Cox, Edick, Lucey, O'Neill, Romaine, Tarver, and Taylor. Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain Charter SELPA Executive Council will be held on Thursday, January 20, 2022, at 10:00 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.

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COUNCIL MEMBERS PRESENT:

Allegiance STEAM Academy – Sebastian Cognetta, Desert Trails Preparatory Academy (DTPA) & La Verne Elementary Preparatory Academy (LEPA) – Debbie Tarver, Elite Academic Academy – Meghan Freeman, Leonardo da Vince Health Sciences – Courtney Cox, Odyssey Charter Schools – Lauren O’Neill, Pasadena Rosebud Academy – Shawn Brumfield, and Virtual Prep Academy at Lucerne – Michelle Romaine.

CAHELP STAFF PRESENT:

Jamie Adkins, Pam Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, Kami Murphy, Adrienne Shepherd-Myles, and Jennifer Sutton.

1.0 CALL TO ORDER

The regular meeting of the Desert/Mountain Charter SELPA Executive Council Meeting was called to order by Chairperson Pam Bender, at 10:04 a.m., at the Desert/Mountain Educational Service Center, Apple Valley, California.

2.0 ROLL CALL

3.0 PUBLIC PARTICIPATION

None.

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that the adoption of the January 20, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Agenda failed due to lack of quorum.

5.0 INFORMATION/ACTION

5.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

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 approval to continue meeting virtually based on the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements be tabled until the April 21, 2022 meeting due to lack of quorum.

5.2 Desert/Mountain Charter SELPA Policy and Procedures Chapter 14 (**ACTION**)
Policies and procedures governing the operation of special education programs within the Desert/Mountain Charter SELPA are developed, reviewed and revised throughout the year upon the

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recommendation of the Program Team. Policies and Procedures are modified as necessary in order to ensure that special education programs are operated in an efficient, effective and legally compliant manner. Suggested revisions to Charter SELPA Policy and Procedures are submitted to the D/M Charter SELPA Executive Council for consideration and approval.

5.2.1 **BE IT RESOLVED** that approval of the Desert/Mountain Charter SELPA Policy & Procedures Chapter 14 be tabled until the April 21, 2022 meeting due to lack of quorum.

5.3 Desert/Mountain SELPA D/M 68A IEP Demographics Page (**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 Charter SELPA Executive Council for consideration and approval.

5.3.1 **BE IT RESOLVED** that approval of Desert/Mountain SELPA D/M 68A IEP Demographics Page be tabled until the April 21, 2022 meeting due to lack of quorum.

5.4 Desert/Mountain SELPA D/M 68E Supplementary Aids and Supports (**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 Charter SELPA Executive Council for consideration and approval.

5.4.1 **BE IT RESOLVED** that approval of the Desert/Mountain SELPA D/M 68E Supplementary Aids and Supports be tabled until the April 21, 2022 meeting due to lack of quorum.

5.5 Desert/Mountain SELPA D/M 68F Physical Fitness Test (**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 Charter SELPA Executive Council for consideration and approval.

5.5.1 **BE IT RESOLVED** that approval of the Desert/Mountain SELPA D/M 68F Physical Fitness Test be tabled until the April 21, 2022 meeting due to lack of quorum.

5.6 Desert/Mountain SELPA D/M 68F English Language Proficiency Assessment Participation

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Consideration Alternative Assessment (**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 Charter SELPA Executive Council for consideration and approval.

- 5.6.1 **BE IT RESOLVED** that approval of the Desert/Mountain SELPA D/M 68F English Language Proficiency Assessment Participation Consideration Alternative Assessment be tabled until the April 21, 2022 meeting due to lack of quorum.

6.0 CONSENT ITEMS

It is recommended that the Desert/Mountain Charter SELPA Executive Council 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 approval of the following Consent Item be tabled until the April 21, 2022 meeting due to lack of quorum.

- 6.1.1 Approve the October 21, 2021 Desert/Mountain Charter SELPA Executive Council Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates

Pam Bender reported there has not been legislative movement due to the Governor's Budget being reviewed. She presented information from the California Special Education Governance and Accountability (SEGA) study by WestEd. The three major areas of the study were funding, governance, and alignment. Pam reported there is concern regarding having two funding models: Local Control and Accountability Plan (LCAP) for general education and SELPAs for special education. The study also found that county offices of education should be able to serve as the special education liability and that the oversight of funds should be given to the LEAs. Pam said the perspective of State SELPA is LEAs do have input with maintenance of effort (MOE) and review of annual performance.

Pam continued that the study has concern that there are two systems of governance for general education and special education funding. LEAs should be the sole decision makers in their programs and services. State SELPA's perspective again is that the LEAs do have the choice in working with SELPA, County Office of Education (COE), and other LEAs when looking at high-cost programs

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for students. Pam reported there was a suggestion in the study removing the requirement of an LEA belonging to a SELPA. She stated this would require a change to California Education Code 56026.3. Because CAHELP is a joint powers authority (JPA), D/M SELPA and D/M Charter SELPA could choose to continue working as they currently do.

Pam said that the alignment concerns would move the systems of support to COEs and away from SELPAs. The study encouraged including special education in LCAP as a special education addendum. The study also indicated that the LCAP advisory boards did not include adequate representation of parents of special education students.

Pam reported the initial SEGA Study was done in 2015 and the recommendations were not implemented at that time. State SELPA will review the Governor's Budget when it is released in January to see if any funds will go towards the current recommendations.

7.2 2021-22 Desert/Mountain Charter SELPA Risk Pool and Set-Aside Pool

Pam Bender called on Marina Gallegos to lead a discussion on D/M Charter SELPA Risk Pool and D/M Charter SELPA Set-Aside Pool. She stated the risk pool is used primarily for legal and compliance costs which includes attorneys and portions of staff full-time equivalent (FTE). Marina shared the beginning balance this year was \$455,337 with a projected ending balance after the second interim of \$421,674. There is deficit spending because of legal costs with some cases and payments outstanding. Marina stated the individual LEA contribution to this pool is based on their risk pool standing. She said the contribution is 5-8% according to the risk pool flow chart. Marina reported all LEAs are at 5% this year except for ASA Charter School because they are a new SELPA member. The risk pool is meant to help the LEAs assist one another when in legal situations.

Marina continued that there is also a set-aside pool with all LEAs contributing 3% of the annual base. It is used as an emergency fund in which the board votes on how it is to be used. She shared an example of the set-aside pool being used when a LEA's ADA was not certified at P1 because there was an issue and CDE did not certify until P2 so money was borrowed from that fund to continue making AB 602 payments. Marina cited another instance when the board voted to pay for a \$70,000 nonpublic school placement. Marina said the estimated ending balance after P2 is \$798,831. She shared that the set-aside pool is used at the board's discretion and the balance has been built up over time so distributing overages would not be a clear-cut process.

Marina reported that there could be potential issues in calculating Maintenance of Effort (MOE) for the Charter SELPA moving forward. She said both the risk pool and set-aside pool costs are included in the Charter SELPAs MOE calculation. Marina reported that based on the current distribution methodology, the risk pool and set-aside revenue are off-the-top adjustments to Charter members SPED revenue. Contrastingly, the D/M SELPA risk pool contribution is a SPED expense on the LEA side, so the expenditures are included in the LEA MOE calculation. Risk pool expenditures are unrestricted on the SELPA side. Marina said the Charter SELPA may not be able to meet the MOE requirement due to a fluctuation in legal costs.

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Marina shared the revenue distribution document that reflected what it would look like if the funds went to the LEAs with the LEAs then returning them back to D/M Charter SELPA for risk pool support. The contributions would be a SPED expense on the LEA for MOE but not a SPED expense on the part of D/M Charter SELPA. Marina said the risk pool and the set aside pool contributions will be based on the LEA revenue. There could be an impact to the Charter's MOE if there are any sharp decreases in ADA especially when charter schools are experiencing declining enrollment numbers. Marina said the LEA team could calculate their MOE at second interim to see what the impact would be on passing MOE based on comparison of previous years. The pupil count will also be finalized this month so LEAs will be able to use it to perform an MOE test. She concluded that if D/M SELPA does owe, the funds are likely to come from the set aside account as it is the emergency fund. Marina said she could also make the calculations if the worksheets were completed by the LEAs then returned to her.

7.3 Professional Learning Summary

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary. The next Community Advisory Committee meeting is scheduled for February 24, 2022. Heidi shared the flyer in English and Spanish with the topic of Supporting Your Child's Well-Being. She said participants will need to register to receive the virtual meeting link.

Heidi reported the CAHELP I-MTSS Symposium is now free for virtual and in-person attendance. In-person participants will receive lunch and all participants will receive a book from each presenter.

7.4 Resolution Support Services Summary

Pamela Bender presented the D/M Charter SELPA's Resolution Support Services Summary. There is an increase in cases which is predictable based on not being able to provide services to students because they were not in school or because of limited access to the students.

7.5 Compliance Updates

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE). She said regarding 2020-21 Disproportionality, she is waiting for final approval from CDE. Peggy said that for overdue initial eligibility determinations, LEAs are to continue closing IEP meetings and not leave them in open status. If an IEP is held virtually, it can be closed as "verbal" while waiting for the signatures via DocuSign.

8.0 FINANCE COMMITTEE REPORTS

Pam Bender said she and Marina will be available to review MOE with LEAs after 2nd interim.

Marina Gallegos provided a federal funding update. She said the grant award notification has not yet been received. The first reporting period is July 1 through December 31 but without the award letter or final

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pupil count, the information about the allocation cannot be disseminated. Marina said as soon as she receives the information, she will provide it to the appropriate committee members.

9.0 INFORMATION ITEMS

9.1 Upcoming Professional Learning Opportunities

10.0 DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS COMMENTS / REPORTS

Lauren O’Neill said thank you to everyone for working hard through the unreal covid surge and hope to get through it together.

11.0 CEO COMMENTS

Pam Bender shared that she feels fortunate to be part of CAHELP team along with the LEAs who are in tune with students and families in the community. She said there were approximately 180 families provided with Thanksgiving dinners and approximately 360 children provided with wrapped Christmas gifts along with a festival for the children to enjoy. Pam expressed the importance of continuing the culture that Ron Powell and Jenae Holtz built at CAHELP.

12.0 MATTERS BROUGHT BY CITIZENS

None.

13.0 ADJOURNMENT

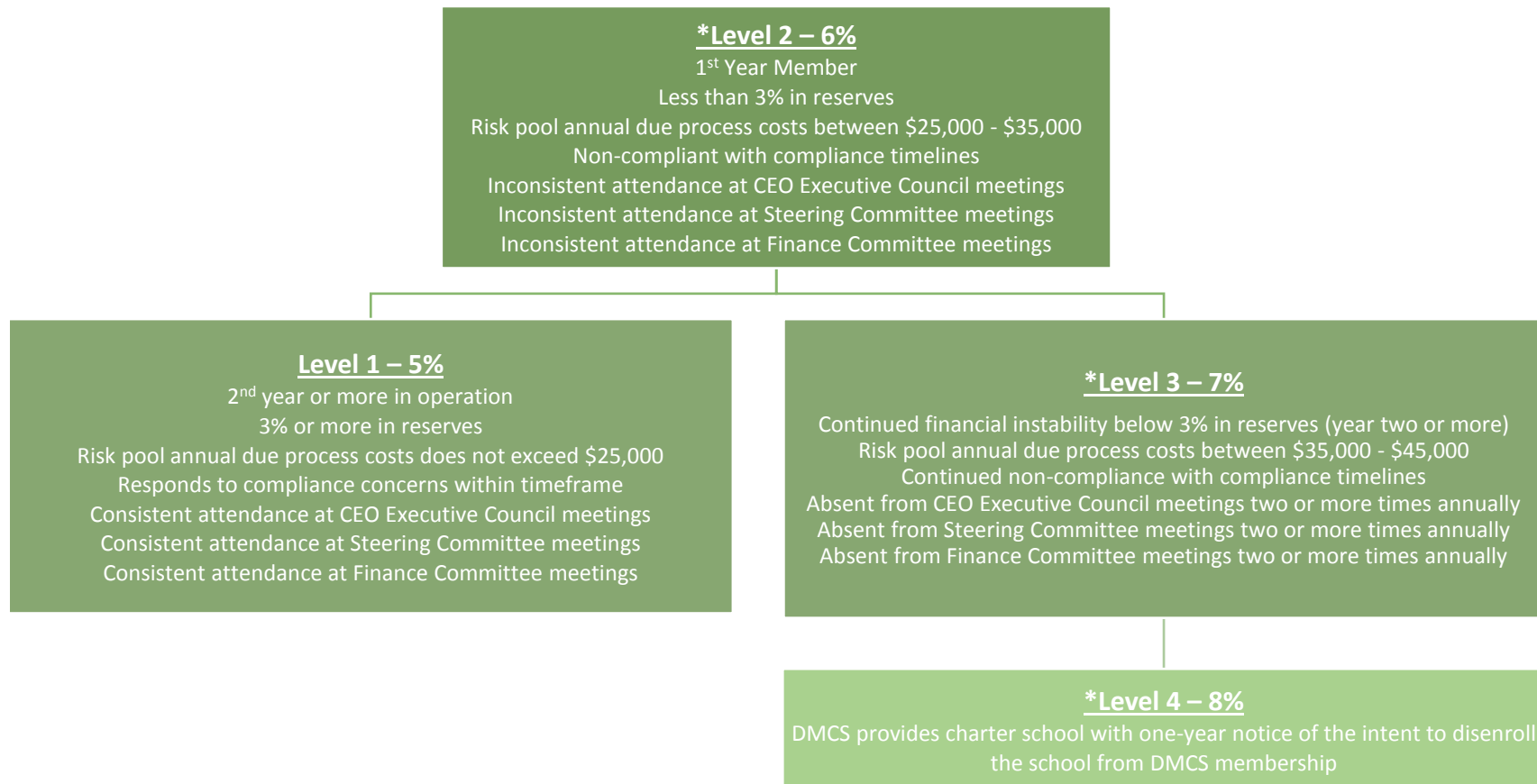
Having nothing further to discuss, Pam Bender closed the meeting at 10:54 am.

The next regular meeting of the Desert/Mountain Charter SELPA Executive Council will be held on Thursday, April 21, 2022, at 10:00 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.

8.2 State SELPA Administrators Update
Verbal presentation, no materials

Desert/Mountain Charter SELPA Risk Pool Flow Chart



**For levels 2-4, one item will place you at this level*

		Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	%	Oct	Jan	Apr	%
%	LEA Name	Steering												CEO			
63%	Allegiance STEAM Academy	X	X	X	X	X	X	X	X				73%	X	X		67%
13%	ASA Charter School				X								9%	X			33%
44%	Aveson Global Leadership	X	X	X	X		X	X	X				64%				0%
44%	Aveson School of Leaders	X	X	X	X		X	X	X				64%				0%
25%	Ballington Academy	X			X		X		X				36%				0%
63%	Desert Trails Prep Academy	X	X	X	X	X	X	X	X				73%	X	X		67%
63%	Elite Academic Academy (Lucerne)	X	X	X	X	X	X	X	X				73%	X	X		67%
31%	Encore Charters (Jr/Sr & Riverside)	X	X	X	X		X						45%				0%
50%	Julia Lee Performing Arts Academy	X	X	X		X	X	X	X				64%	X			33%
56%	LaVerne Elem Prep Academy	X	X	X	X	X	X	X	X				73%	X			33%
44%	Leonardo Da Vinci			X	X	X	X	X					45%	X	X		67%
50%	Odyssey & OCS-South	X	X			X	X	X	X				55%	X	X		67%
44%	Pasadena Rosebud	X	X		X		X	X	X				55%		X		33%
38%	Pathways to College		X	X	X	X	X	X					55%				0%
38%	Taylion High Desert Academy	X	X	X	X		X	X					55%				0%
63%	Virtual Prep Academy-Lucerne	X	X	X	X	X	X	X	X				73%	X	X		67%

X - LEA was present for meeting

4/13/2022 Year-to-Date Legal Costs

Sum of Invoice Amount	
District 2	Total
Aveson Global Leadership Academy	\$ 26,803.89
Aveson School of Leaders	\$ 29,229.42
D/M Charter SELPA	\$ 1,075.20
Elite Academic Academy	\$ 51,041.00
Odyssey Charter School	\$ 63,443.31
Grand Total	\$ 171,592.82

Special Education: Mental Health Services (State)

1 | Where we are now

Currently received \$7.1 Million

- Residential Mental Health Services
 - Derek Hale and Kathleen Lewis
 - Residential assessments, IEPs and Monitoring
- Remaining Funds - MOU
 - To DMCC - serving students with ERMHS services
 - Match DBH contract

2 | Beginning 2022-2023

Funding to go directly to LEAs July 1, 2022

- LEAs will need to hire their own employees or contract for services
- Impact to small districts will be significant if they get a residential student or have high needs student move in
- Could fall under Program Transfer and CAHELP will need to send out March 15 notifications to staff

3 | Moving Forward

Currently have allocation plan

- Will need to amend/update the plan

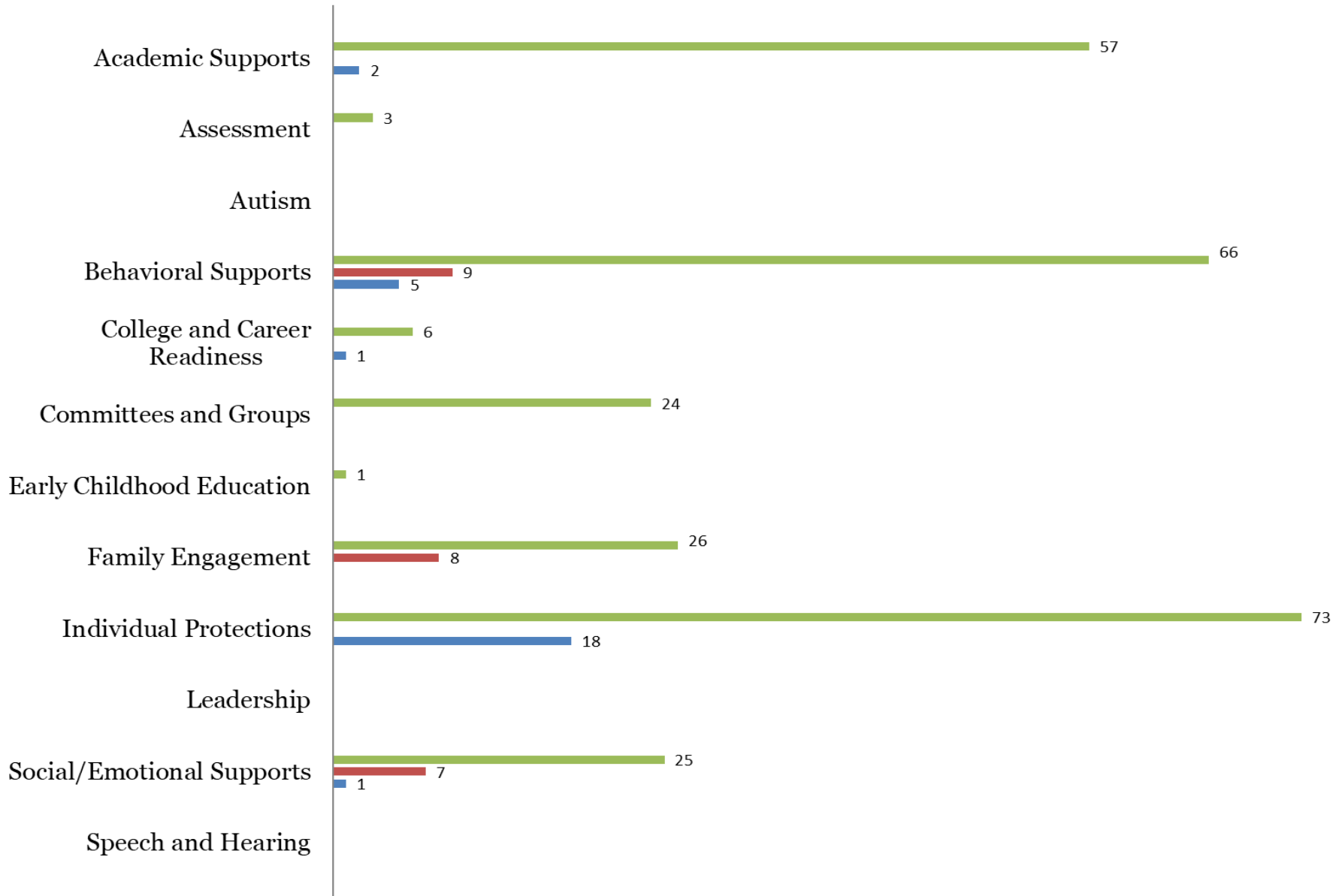
Options:

- Develop MOU for funding to pass through to SELPA with no changes in services
- LEAs can sub-contract with SELPA for services and LEA will be invoiced

D/M CHARTER SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

MARCH 2022- 51 PARTICIPANTS
281 YEAR-TO-DATE PARTICIPANTS

■ Total Participants YTD by Content Area ■ On-Site Trainings ■ Regional Trainings



Desert/Mountain Charter SELPA
Due Process Activity Summary
July 1, 2021–April 21, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
1. Odyssey Charter Case No. 2021070313	Child Find and Denial of FAPE: 1. Failed to appropriately assess in all areas of suspected need (AT, OT) 2. Failure to qualify for SPED 3. Lack of parental participation 4. Substantively deny FAPE	7/19/21	7/28/21		9/14 – 9/16/2021	Effective upon full execution of the settlement agreement on 8/23/2021: Reimburse Parents for educational and counseling expenses. Settlement Agreement CLOSED
2. Aveson Case No. 2021080796	Denial of FAPE: 1. Failure to provide appropriate program and adequate support. 2. Denial of parental participation. 3. Lack of educational benefit	8/25/2021	9/9/2021	11/19/2021	10/19 – 10/21/2021 1/25-27/2021	Parent unrepresented at Resolution. No settlement. 10/2021 - mediation scheduled 12/2021 - Statutory offer made and refused. 01/18/22 - Settlement agreement reached. CLOSED
3. Aveson Case No. 2021090088	Denial of FAPE: 1. Failure to assess in all areas of suspected need / TRI 2. Failure to provide appropriate program and adequate support 3. Inappropriate placement and services 4. Failure to offer a BIP	9/2/2021	9/14/2021 9/20/2021		10/26-27/2021	Parent seeking private school placement and reimbursement for unilateral placement. No settlement. 10/19/21 - settlement agreement, partial placement. CLOSED

Desert/Mountain Charter SELPA
 Due Process Activity Summary
 July 1, 2021–April 21, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
4. Aveson Case No. 2021090785 Aveson cross filed Case No. 2021100682	Child Find and Denial of FAPE: 1. Impeded participation 2. Assessment not thorough 3. Lack of Ed benefit 4. Discrimination 1. Defend assessment 2. Defend IEP of 4/12/2021	9/23/2021 10/25/2021	10/5/2021 Not required	12/2/2021 12/2/2021	11/16-18/2021 2/01-3/2022	No settlement, expecting to go to mediation. 10/25/21 - Aveson filed to defend. Mediation scheduled. 12/02/21 - Settled with greatly reduced provisions. CLOSED
5. Aveson Case No. 2021100051	Denial of FAPE: 1. Inadequate assessments, PLOPS/goals, services program and placement. 2. Failed to implement IEP during distance learning. 3. Failed to provide prior written notice 4. Unclear offer of FAPE. 5. Predetermination 4. Impede parent participation	10/1/2021	10/7/2021 10/28/21		11/23-24/2021	11/10/21 Settlement agreement Private school reimbursement. Charter withdrawal. CLOSED

Desert/Mountain Charter SELPA
 Due Process Activity Summary
 July 1, 2021–April 21, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
6. Odyssey 20220100223	Expedited: Odyssey filed on parent for change of placement for safety. Regular: To implement IEP in full	1/7/2022	Not Required	Expedited 1/20/22	Expedited 2/2-3/2022 Regular 3/29-31/2022	1/20/22 - Parent refused change of placement. Prefers to go to hearing. 02/23/22 - OAH decision on expedited - change of placement - 45 days; Parent agreement with IEP and placement; May drop the remainder of the case. 02/22/22 - OAH judge ordered placement in more restrictive environment LEA prevailed. 03/22 - Non-expedited complaint withdrawn. CLOSED

Desert /Mountain Charter SELPA
Legal Expense Summary
As Reported at Steering April 21, 2022

2000-2001	0.00
2001-2002	0.00
2002-2003	0.00
2003-2004	0.00
2004-2005	0.00
2005-2006	0.00
2006-2007	0.00
2007-2008	0.00
2008-2009	0.00
2009-2010	0.00
2010-2011	0.00
2011-2012	0.00
2012-2013	0.00
2013-2014	0.00
2014-2015	0.00
2015-2016	7,378.00
2016-2017	33,886.61
2017-2018	70,994.67
2018-2019	113,834.81
2019-2020	58,033.90
2020-2021	43,640.20
2021-2022	171,592.82

REASONS FOR USING THE ADR SERVICES OPTIONS?

- Confidential: Everyone involved in the ADR process is obligated to maintain confidentiality.
- Satisfaction: The process is more satisfying than legal action because ADR allows parties in conflict to control and shape their own agreement.
- No Cost: ADR options are provided at no cost.
- Fast: ADR options do not delay the 45-day timeline for due process.
- Voluntary: Parents and schools are free to withdraw from it at any time.



GET IN TOUCH WITH US

For ADR questions or to start the ADR process, contact your school's special education director or the Desert/Mountain SELPA & Charter SELPA

Phone: (760) 552-6700

Fax: (760) 242-5363

www.cahelp.org

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"The Relentless Pursuit of Whatever Works in the Life of a Child."



ALTERNATIVE DISPUTE RESOLUTION (ADR) SERVICES

INFORMAL ALTERNATIVES TO RESOLVE SPECIAL EDUCATION DISPUTES AVAILABLE TO FAMILIES



What is Alternative Dispute Resolution?

Alternative Dispute Resolution (ADR) is an informal method of settling disagreements that may arise during an IEP meeting. ADR has been adopted by the Desert/Mountain SELPA & Charter SELPA and is supported by the California Department of Education (CDE). The CDE encourages schools and families to explore early resolution options.

Alternative Dispute Resolution (ADR) uses specific processes to open communication, promote understanding, and reach agreements that support and strengthen relationships.

ADR is designed to meet the interests of the parties involved that result in a mutually agreeable outcome, rather than a decision solely made by a third party such as a hearing officer, or a judge.

It is through the ADR process that the D/M SELPA & Charter SELPA seeks to expedite resolutions to special education concerns after an IEP meeting, in a manner that meets the needs of the student at the earliest opportunity possible.

Alternative Dispute Resolution Services Available

Facilitated IEP Meeting

As part of the IEP meeting process, the facilitator clarifies the agenda and meeting outcomes, enforces working agreements, keeps the group focused on the IEP process, encourages problem solving, monitors time and encourages participation by all team members. The outcome of the facilitated IEP is a signed IEP, which has been developed collaboratively and with agreement between the school and parents/guardians.

Local Resolution Meeting

During a local resolution meeting, the facilitator assists to resolve the differences between the parent/guardian and the school. Through this process, each party has a chance to state their position, share concerns, and listen to the other party's position. If an agreement is reached, the specifics are put into writing and signed by all parties. An IEP meeting will be held following any local resolution meeting to make the agreements legally binding.

How Does Alternative Dispute Resolution Work?

ADR Intake

After a request for ADR services is made by a parent/guardian or a district representative, a D/M SELPA staff member listens to the concerns, helps the parties identify interests and identifies a process to help, coordinates meetings, and monitors ADR activities with the aim to arrive at student-centered outcomes.

Voluntary

Alternative Dispute Resolution is a voluntary process and it is based upon both parties wanting to reach a fair and equitable agreement. The ADR process seeks to resolve disagreements at the local school level. Parents/guardians and the school are free to withdraw from the process at any time.

¿POR QUÉ UTILIZAR LAS OPCIONES DE LOS SERVICIOS ADR?

- **Confidencialidad:** todas las personas que participan en el proceso ADR están obligadas a mantener la confidencialidad.
- **Satisfacción:** el proceso es más satisfactorio que la acción legal porque la ADR permite a las partes en conflicto controlar y dar forma a su propio acuerdo.
- **Gratuidad:** las opciones ADR se ofrecen sin ningún costo.
- **Rapidez:** las opciones ADR no retrasan el plazo de 45 días para el debido proceso.
- **Voluntariedad:** los padres y las escuelas pueden retirarse de ella en cualquier momento.



PÓNGASE EN CONTACTO CON NOSOTROS

Si usted tiene preguntas sobre ADR o para iniciar el proceso ADR, póngase en contacto con el Director de Educación Especial de su Escuela o con SELPA del Desert/Mountain y SELPA Charter

Teléfono: (760) 552-6700

Fax: (760) 242-5363

www.cahelp.org

SÍGUENOS EN LAS REDES SOCIALES

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“Búsqueda incesante de lo que funciona en la vida de un niño.”



SERVICIOS DE RESOLUCIÓN ALTERNATIVA DE CONFLICTOS (ADR)

ALTERNATIVAS INFORMALES PARA RESOLVER CONFLICTOS DE EDUCACIÓN ESPECIAL DISPONIBLES PARA LAS FAMILIAS



¿Qué es la Resolución Alternativa de Conflictos?

La Resolución Alternativa de Conflictos (ADR) es un método informal para resolver las diferencias que puedan surgir durante una reunión IEP. La ADR ha sido adoptada por el SELPA de Desert/Mountain y el SELPA Charter y es auspiciada por el Departamento de Educación de California (CDE). El CDE invita a las escuelas y a las familias a explorar las opciones de resolución temprana.

La Resolución Alternativa de Conflictos (ADR) utiliza procesos específicos para abrir la comunicación, promover el entendimiento y llegar a acuerdos que apoyen y fortalezcan las relaciones.

La ADR está diseñada para satisfacer los intereses de las partes involucradas que dan lugar a un resultado de mutuo acuerdo, en lugar de una decisión única de un tercero, como un representante de audiencia o un juez.

Es a través del proceso ADR que el D/M SELPA & Charter SELPA busca aligerar las resoluciones de las inquietudes de educación especial después de una reunión IEP, de tal manera que satisfaga las necesidades del estudiante en la primera oportunidad posible.

Servicios Disponibles de Resolución Alternativa de Conflictos

Disponibilidad de un Facilitador de Reunión IEP

Como parte del proceso de la reunión IEP, el facilitador aclara el orden del día y los resultados de la reunión, hace cumplir los acuerdos de trabajo, mantiene al grupo centrado en el proceso IEP, fomenta la resolución de problemas, controla el tiempo y fomenta la participación de todos los miembros del equipo. El resultado del proceso de facilitación de IEP es un IEP firmado, que se ha desarrollado en colaboración y con el acuerdo de la escuela y los padres/tutores.

Reunión de Resolución Local

Durante una reunión de resolución local, el facilitador ayuda a resolver las diferencias entre el padre/tutor y la escuela. A través de este proceso, cada parte tiene la oportunidad de exponer su posición, compartir sus inquietudes y escuchar la posición de la otra parte. Si se llega a un acuerdo, los detalles se ponen por escrito y son firmados por todas las partes. Se celebrará una reunión IEP después de cualquier reunión de resolución local para que los acuerdos sean legalmente vinculantes.

¿Cómo funciona la resolución alternativa de conflictos?

Servicios Disponibles Alternativos de Resolución de Conflictos

Después de que un padre/tutor o un representante del distrito solicita los servicios de ADR, un miembro del personal de D/M SELPA escucha las inquietudes, ayuda a las partes a identificar los intereses e identifica un proceso de apoyo, coordina las reuniones y supervisa las actividades de ADR con el objetivo de llegar a resultados centrados en el estudiante.

Voluntariedad

La Resolución Alternativa de Conflictos es un proceso voluntario, y se basa en que ambas partes quieran llegar a un acuerdo justo y equitativo. El proceso ADR busca resolver los conflictos a nivel de la escuela local. Los padres/tutores y la escuela pueden retirarse del proceso en cualquier momento.



ANNUAL DETERMINATION LETTERS

CDE released the Annual Determination Letters on March 14, 2022. Based on the Performance and/or Compliance determination for each LEA, there may be some next steps for the LEA to take. In the area of Performance Monitoring, an LEA can be identified as Targeted, Intensive or Significantly Disproportionate. An LEA can be identified for Compliance Monitoring as: Any Late IEPs/Initials, Late IEPs/Initials or No Improvement, or Late IEPs/Initials and No Improvement.

At this time, it is believed that an LEA identified in the area of Performance Monitoring would also need to address Compliance Monitoring, if they are identified for Compliance Monitoring. Some LEAs may only be identified in the area of Compliance, and would only need to conduct the Compliance activities with their associated level.

TARGETED 2 (DISPRO YR 1)

Targeted 2 LEAs will engage in the Compliance Improvement Monitoring (CIM) process. Some activities will be conducted independently, some with assistance and guidance of TA provider, and some with CDE support. The goal at the end of the monitoring period to have a fully developed improvement plan that seeks to implement a high leverage activity that will improve outcomes for students with disabilities in the area of disproportionality.

The required TA provider is the ED & D project.



TARGETED 3 (DISPRO YR 2)



These are required to independently complete the Policies, Practices and Procedures Review. LEA may choose to complete some additional activities to develop a plan with a TA provider, but the development of an improvement plan is not required. You may contact ED&D to discuss their support in developing and addressing equity and disproportionality in the LEA.

INTENSIVE 1-3

LEAs identified for level 1 intensive monitoring and support that are in the bottom 8-10 percent of LEAs for outcomes in Assessment, Placement and Student Engagement (Suspension and Attendance). LEAs identified for Intensive Level 2 are in the bottom 4-7.99 percent of LEAs. A CIM is required and the required TA provider is SIL.



SIGNIFICANT DISPROPORTIONALITY

Once identified as significantly disproportionate, the LEA is required to take mandatory actions including, but not limited to reserving, 15 percent of IDEA funds to provide CCEIS. The LEA is required to develop a CCEIS plan. The required technical assistance provider is SPP-TAP.

COMPLIANCE

An LEA can be identified in one of three levels for Compliance: Any Late IEPs/Initials, Late IEPs/Initials or No Improvement, or Late IEPs/Initials and No Improvement. Those that are in the Late IEPs/Initials and No Improvement are required to receive technical assistance to develop a plan and reduce the number of overdue IEPs and Initials Assessments.



CDE MONITORING INFORMATION:

Targeted 2 <https://www.cde.ca.gov/sp/se/qa/targetedlevel2.asp>
Targeted 3 <https://www.cde.ca.gov/sp/se/qa/targetedlevel3.asp>
Intensive 1: <https://www.cde.ca.gov/sp/se/qa/intensivelevel1.asp>
Intensive 2: <https://www.cde.ca.gov/sp/se/qa/intensivelevel2.asp>
Intensive 3 <https://www.cde.ca.gov/sp/se/qa/intensivelevel3.asp>

TECHNICAL ASSISTANCE RESOURCES:

Significant Disproportionality: <https://www.cde.ca.gov/sp/se/qa/sigdisp.asp>
Equity, Disproportionality & Design <https://equityanddesign.com/>
System Improvement Leads <https://systemimprovement.org/>
SPP TAP <http://www.spptap.org/>
CAL-TAN: www.caltan.info
East County ITSA: www.sdcoe.net/EastCountySELPA

Upcoming Trainings

Date/Time	Event	Location
4/27/2022 8:00 AM - 2:00 PM	YOUTH MENTAL HEALTH FIRST AID	VIRTUAL
4/28/2022 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
4/28/2022 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
5/1/2022 -	FORMS AND FACTS 101 (SELF-PACED COURSE)	VIRTUAL/SELF-PACED
5/1/2022 -	LEGALLY COMPLIANT IEP PRESENT LEVELS OF PERFORMANCE (PLOPS), GOALS, AND EDUCATIONAL BENEFIT (SELF-PACED COURSE)	VIRTUAL/SELF-PACED
5/1/2022 -	PRIOR WRITTEN NOTICE (SELF-PACED)	VIRTUAL/SELF-PACED
5/1/2022 -	STRUCTURED LITERACY - WHAT, WHY, WHO, AND HOW?	VIRTUAL
5/4/2022 2:30 PM - 4:30 PM	ORTON-GILLINGHAM APPLICATION CHECK-IN	VIRTUAL
5/4/2022 2:30 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE PEER-BASED INSTRUCTION AND INTERVENTION	VIRTUAL
5/5/2022 1:00 PM - 4:00 PM	UNDERSTANDING BEHAVIOR IN AUTISM AND MANAGING	VIRTUAL

For more information, visit the CAHELP Staff Development calendar (url: www.cahelp.org/calendar)
 17800 Highway 18, Apple Valley, California 92307
 (760) 552-6700 Office * (760) 242-5363 Fax

Upcoming Trainings

Date/Time	Event	Location
5/10/2022 9:00 AM - 10:30 A	WEBIEP AM QUESTION AND ANSWER SESSION	VIRTUAL
5/18/2022 2:30 PM - 4:30 PM	BRING IT ALL TOGETHER	VIRTUAL
5/18/2022 2:30 PM - 5:30 PM	BRING IT ALL TOGETHER: AUTISM AND EBPS IN PRACTICE	DMESC
5/19/2022 2:00 PM - 3:30 PM	LIFE AND WORK BALANCE: BUILD YOUR SUMMER TOOLBOX TO THRIVE	VIRTUAL
5/19/2022 2:00 PM - 3:30 PM	WEBIEP PM QUESTION AND ANSWER SESSION	VIRTUAL
6/10/2022 2:00 PM - 3:00 PM	FAMILY FUN DAYS	VIRTUAL/DMESC
6/15/2022 10:00 A - 11:30 A	REAL TALK...PARENT-TO-PARENT GROUP CHATS	VIRTUAL/DMESC
6/24/2022 2:00 PM - 3:00 PM	FAMILY FUN DAYS	VIRTUAL/DMESC

For more information, visit the CAHELP Staff Development calendar ([url: www.cahelp.org/calendar](http://www.cahelp.org/calendar))
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