

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEETING
June 23, 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: 2467 584 8774

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 June 23, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Agenda be approved as presented.

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.

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

5.2 Desert/Mountain Charter SELPA D/M 77 Notice of Procedural Safeguards (**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.

5.2.1 **BE IT RESOLVED** that the Desert/Mountain Charter SELPA D/M 77 Notice of Procedural Safeguards be approved as presented.

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 the following Consent Items be approved as presented:

6.1.1 Approve the April 21, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 State SELPA Administrators Update

Heidi Chavez will an update from State SELPA Administrators including legislative information.

7.2 Governor's Budget

Heidi Chavez will provide an update on the Governor's Budget.

7.3 2022-23 Desert/Mountain Charter SELPA Application for Membership

Heidi Chavez will provide an update on the 2022-23 D/M Charter SELPA Application for Membership.

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7.4 Professional Learning Summary

Heidi Chavez will present the D/M Charter SELPA’s Professional Learning Summary.

7.5 Resolution Support Services Summary

Kathleen Peters will present the D/M Charter SELPA’s Resolution Support Services Summary.

7.6 Compliance Updates

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

8.0 FINANCE COMMITTEE REPORTS

8.1 Dispute Prevention and Resolution Funds and Learning Recovery Funds-MOE Impact

Marina Gallegos will present information pertaining to Dispute Prevention and Resolution Funds and Learning Recovery Funds-Maintenance of Effort Impact and Strategies.

9.0 INFORMATION ITEMS

9.1 Upcoming Professional Learning Opportunities

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

11.0 CEO COMMENTS

12.0 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.

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13.0 ADJOURNMENT

The next regular meeting of the Desert/Mountain Charter SELPA Executive Council will be held on Thursday, October 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.



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

SHARE THIS:



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.

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

This information provides parents, legal guardians, and surrogate parents of children with disabilities from three years of age through age 21 an overview of their educational rights, sometimes called procedural safeguards. This information is your Notice of Procedural Safeguards as required under the Individuals with Disabilities Education Act (IDEA). This notice is also provided for students who are entitled to these rights at age 18. (NOTE: The term LEA (local education agency) is used throughout this document to describe any public education agency responsible for providing your child's special education program. The term assessment is used to mean evaluation or testing.)

Introduction:

The IDEA is a Federal law that requires LEAs to provide a free appropriate public education (FAPE) to eligible children with disabilities. "A free appropriate public education" means special education and related services provided as described in an individualized education program (IEP) and under public supervision, to your child at no cost to you. When you have a concern about your child's education, it is important that you call or contact your child's teacher or administrators to talk about your child and any problems you see. Staff in your LEA or special education local plan area (SELPA) can answer questions about your child's education, your rights and procedural safeguards. When you have a concern, it is this informal conversation that often solves the problem and helps maintain open communication. You may also want to contact one of the California parent organizations (Family Empowerment Centers and Parent Training Institutes), which were developed to increase collaboration between parents and educators to improve the educational system. Contact information for these organizations is found on the [California Department of Education Parent Organizations](http://www.cde.ca.gov/sp/se/aq/capnrtorg.asp) web page (<http://www.cde.ca.gov/sp/se/aq/capnrtorg.asp>).

Prior Written Notice:

The LEA must inform you about proposed evaluations of your child in a written notice or an assessment plan within 15 days of your written request for evaluation that is understandable and in your native language or other mode of communication unless it is clearly not feasible to do so. This notice must be given when the LEA proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child with special needs or the provision of a free appropriate public education. If you refuse consent for the initial or continued placement and receipt of special education and related services for your child, the LEA is not required to develop an IEP and is not considered to be in violation of the requirement to make available a free and appropriate public education. You may only revoke consent in writing and the LEA must then provide you written notice that services for your child will be discontinued. The LEA must also provide reasonable written prior notice that your child will be aging out (reaching age 22) or graduating from high school with a regular high school diploma because graduation from high school constitutes a change in placement.

The Prior Written Notice Must Include the Following:

A description of the actions proposed or refused by the LEA; an explanation of why the action is proposed or refused; a description of any other options considered and the reasons those options were rejected; a description of each assessment procedure, test, record or report used as a basis for the action proposed or refused; a description of any other factors relevant to the action proposed or refused; and a statement that you as a parent of a child with a disability are protected by the procedural safeguards. If the notice is not in regards to an initial referral for assessment, the notice must provide a statement that you have protections under procedural safeguards; information on how you can obtain a copy of described procedural safeguards; and sources of additional assistance in understanding the procedural safeguards.

The Notice of Procedural Safeguards must be given to you (Education Code section 56301(d)(2):

- Upon initial referral for special education
- Once each year
- When you request them
- Your request for an evaluation
- The first occurrence of mediation or a due process hearing
- Decision made to make a removal that constitutes a change of placement

NOTICE OF PROCEDURAL SAFEGUARDS
The Individuals with Disabilities Education Act (IDEA) Part B

Parent Participation:

You have the right to refer your child for special education services. You must be given opportunities to participate in any decision-making meeting regarding your child's special education program. You have the right to participate in IEP meetings about the identification (eligibility), assessment, and educational placement of your child and other matters relating to your child's free appropriate public education. You also have the right to participate in the development of the IEP and to be informed of the availability of free appropriate public education including all program options and of all available alternative programs, both public and nonpublic. You have the right to record electronically the proceedings of the IEP team on an audiotape recorder. The law requires that you notify the LEA at least 24 hours prior to meeting if you intend to record the proceedings. If the LEA initiates the notice of intent to audio record a meeting and you object or refuse to attend the meeting because it will be audio recorded, the meeting shall not be audio recorded.

Surrogate Parents:

LEAs must ensure that an individual is assigned to act as a surrogate parent for the parents of a child with a disability when a parent cannot be identified and the LEA cannot discover the whereabouts of a parent. A surrogate parent may be appointed if the child is an unaccompanied homeless youth, adjudicated dependent, or ward of the court under the State Welfare and Institution Code and the child is referred to special education or already has an IEP (34 CFR 300.519; EC 56050; GC 7579.5 and 7579.6).

Parent Consent:

You must give informed, written consent before your child's first special education assessment can proceed and before the LEA can provide your child's special education program. You have 15 days from the receipt of the proposed assessment plan to arrive at a decision. The assessment may begin immediately upon receipt of your consent and must be completed and an IEP developed within 60 days of your consent. In the case of reevaluations, the LEA must document reasonable attempts to obtain parental consent. If the parents do not respond to these attempts, the LEA may proceed with the reevaluation without consent (34 CFR 300.300; EC 56506(e) and (d), and 56346). If you do not provide consent for an initial assessment or fail to respond to a request to provide consent, the LEA may pursue the initial assessment by utilizing due process procedures. If you refuse to consent to the initiation of services, the LEA will not provide special education and related services and will not seek to provide services through due process. If you consent in writing to the special education and related services for your child but do not consent to all of the components of the IEP, those components of the program to which you have consented must be implemented without delay. If the LEA determines that the proposed special education program component to which you do not consent is necessary to provide a free appropriate public education to your child, a due process hearing must be initiated. If a due process hearing is held, the hearing decision shall be final and binding.

Consent to Bill California Medi-Cal:

Release/Exchange Information for Health Related Special Education and Related Services. LEAs may submit claims to California Medi-Cal for covered services provided to Medi-Cal eligible children enrolled in special education programs. The Medi-Cal program is a way for LEAs and/or County Offices of Education (COEs) to receive Federal funds to help pay for health related special education and related services.

Your consent is voluntary and can be revoked at any time. If you do revoke consent, the revocation is not retroactive. Consent will not result in denial or limitation of community-based services provided outside the school. If you refuse to consent for the LEA and/or COE to access California Medi-Cal to pay for health related special education and/or related services, the LEA and/or COE is still responsible to ensure that all required special education and related services are provided at no cost to you. As a parent, you need to know that:

- You may refuse to sign consent.
- Information about your family and child is strictly confidential.
- Your rights are protected under Title 34 of the Code of Federal Regulations 300.154; Family Education Rights Privacy Act of 1974 (FERPA); Title 20 of the United States Code Section 1232(g); and Title 34 of the Code of Federal Regulations Section 99.

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

- Your consent is good for one year unless you withdraw your consent before that time. Your consent can be renewed annually at the IEP team meeting.

Furthermore, as a public agency, the LEA may access your public benefits or insurance to pay for related services required under Part B of the IDEA for a free appropriate public education. For related services required to provide FAPE to an eligible student, the LEA:

- May not require you to sign up for or enroll in public benefits or insurance programs (Medi-Cal) in order for your child to receive FAPE under Part B of the IDEA (34 CFR 300.154(d)(2)(i)).
- May not require you to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services and reimbursement through Medi-Cal (34 CFR 300.154(d)(2)(ii)).
- May not use your child's benefits under Medi-Cal if that use would:
 - ❖ Decrease available lifetime coverage or any other insured benefit;
 - ❖ Result in the family paying for services that would otherwise be covered by the public benefits or insurance program (Medi-Cal) and are required for your child outside of the time your child is in school;
 - ❖ Increase premiums or lead to the discontinuation of public benefits or insurance (Medi-Cal); and/or
 - ❖ Risk loss of eligibility for home and community-based waivers, based on aggregate health related expenditures.

Parental Revocation of Consent after Consenting to Initial Provision of Services:

You may only revoke your consent in writing and this action cannot be retroactive. Once you revoke consent to the initial provision of services, the LEA will provide prior written notice before ceasing the services. If in the future you seek re-enrollment in special education for your child, the assessment will be treated as an initial evaluation. The LEA may not use the procedures in subpart E of Part 300, 34 CFR (including the mediation procedures under 34 CFR 300.506 or the due process procedures under 34 CFR 300.507 through 300.516) to obtain agreement or a ruling that the services may be provided to your child. The LEA will not be in violation of the requirement to make a free appropriate public education available to your child because of the failure to provide the child with further special education and related services. The LEA is not required to convene an IEP team meeting or develop an IEP under 34 CFR 300.320 and 300.324 for your child for further provision of special education and related services. In accordance with 34 CFR 300.9(c)(3), if you revoke consent in writing for your child's receipt of special education services after your child is initially provided special education and related services, the LEA is not required to amend your child's education records to remove any references to your child's receipt of special education and related services because of the revocation of consent.

Child Participation/Right:

As part of the participation of an individual with exceptional needs in the development of an individualized education program, as required by Federal law, your child has the right to meet with his/her IEP team at any time, to provide confidential input to any representative of his/her IEP team (EC 56341.5(d)).

Age of Majority:

When your child reaches the age of 18, all rights under Part B of the IDEA will transfer to your child. The only exception will be if your child is determined to be incompetent under State law.

Nondiscriminatory Evaluations:

You have the right to have your child assessed in all areas of suspected disability. Evaluations are conducted prior to an initial placement, triennially, but not more frequently than once per year unless the parent and the school agree otherwise. Materials and procedures used for evaluations and placement must not be racially, culturally, or sexually discriminatory. Tests must be administered in your child's native language or mode of communication and in the form, most likely to yield accurate information on what the child knows and can do academically,

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

developmentally, and functionally, unless it is clearly not feasible to do so. No single procedure can be the sole criteria for determining **eligibility and developing a free appropriate public education for your child.** (20 USC sections 1414 (b)(1-3), 1412(a)(6)(B); 34 CFR section 300.304; EC sections 56001(j) and 56320).

Access to Educational Records and Other Rights Related to Records:

You have a right to inspect and review all of your child's education records without unnecessary delay before any meeting about your child's IEP or before any due process hearing. The LEA must provide you access to records and copies if requested, within five **business** days after the request has been made orally or in writing (Education Code sections 49060, 56043(n), 56501(b)(3), and 56504).

Independent Educational Evaluation:

If you disagree with the results of the evaluation conducted by the LEA, you have the right to ask for and obtain an independent educational evaluation (IEE) for your child from a person qualified to conduct the evaluation at public expense. You are entitled to only one independent educational evaluation at public expense each time the LEA conducts an evaluation with which you disagree. The LEA must respond to your request for an independent educational evaluation and provide you information upon request about where to obtain an independent educational evaluation. If the LEA disagrees that an independent evaluation is necessary, the LEA must request a due process hearing to prove that its evaluation was appropriate. If the LEA prevails, you still have the right to an independent evaluation but not at public expense. The IEP team must consider the results and recommendations of independent evaluations. LEA evaluation procedures allow in-class observation of students. If the LEA observes your child in his or her classroom during an evaluation or if the LEA would have been allowed to observe your child, an individual conducting an independent educational evaluation must also be allowed to observe your child in the classroom. If the LEA proposes a new school setting for your child and an independent educational evaluation is being conducted, the independent evaluator must be allowed to first observe the proposed new setting (20 USC sections 1415(b)(1) and (d)(2)(A); Title 34 of the Code of Federal Regulations section 300.502; Education Code section 56329(b) and (c)).

Local Mediation/Alternative Dispute Resolution:

LEAs have the opportunity to resolve parent concerns and complaints at the local level through individual Uniform Complaint Process/Procedures which are described in the LEA's board policy or charter petition. Alternate Dispute Resolution (ADR) is another voluntary method of resolving a dispute at the local level and is requested by the parent or LEA. It provides the opportunity for both the parent and LEA to meet at a convenient location and time to resolve concerns. It is facilitated by a trained ADR Coordinator. A request to schedule an ADR session is made to the Desert/Mountain Special Education Local Plan Area (SELPA), office of the Program Manager for Due Process. A request for Mediation Only is made by the parent or LEA to the Office of Administrative Hearings (OAH) before a due process complaint is filed. Mediation Only is a voluntary process and all discussion during a mediation session is confidential. Attorneys or advocates are not in attendance during a Mediation Only session. An Administrative Law Judge (ALJ) from OAH is assigned to facilitate this confidential process. The Uniform Complaint Process, ADR, and Mediation Only are voluntary methods of resolving a dispute and may not delay a parent's right to a due process hearing. All three methods are less adversarial and allow all parties to resolve the concerns in a timely manner. The mandatory early resolution session (ERS) and mediation are the first two steps in the three-step process initiated when a parent files a due process complaint with OAH. Attorneys and advocates are invited to attend both the ERS and Mediation session when a due process complaint has been filed.

Due Process Hearing:

You have the right to request an impartial due process hearing regarding the identification, evaluation, educational placement, or the provision of a free appropriate public education for your child. The request for a due process hearing must be filed within two years from the date you knew, or had reason to know of the facts that are the basis for the hearing request (Title 34 of the Code of Federal Regulations section 300.507; Education Code sections 56501 and 56505(l)). There is an exception to this timeline if you were prevented from requesting a hearing earlier because the LEA misrepresented that it had resolved the problem or withheld information that should have been provided to you. Requests for a hearing are to be sent to the Special Education Headquarters, Office of Administrative Hearings, 2349 Gateway Drive, Suite 200, Sacramento,

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

CA 95833-4231. Requests must include the student's name; residential address; the name of the student's school; in the case of a homeless child, available contact information and the name of the school the child is attending; and a description of the problem, facts about the problem, and a proposed resolution. A due process hearing may not take place until the party or the attorney representing the party files a notice that meets these requirements.

Due Process Rights:

You have a right to:

- A fair and impartial administrative hearing at the State level before a person who is knowledgeable of the laws governing special education and administrative hearings;
- Be accompanied and advised by an attorney and/or individuals who have knowledge about children with disabilities;
- Present evidence, written arguments, and oral arguments;
- Confront, cross-examine, and require witnesses to be present;
- Receive a written or electronic verbatim record of the hearing, including findings of fact and decisions;
- Have your child present at the hearing;
- Have the hearing open or closed to the public;
- Be informed by the other parties of the issues and their proposed resolution of the issues at least 10 calendar days prior to the hearing;
- Within five business days before a hearing, receive a copy of all documents, including assessments completed by that date and recommendations, and a list of witnesses and their general area of testimony;
- Have an interpreter provided;
- Request an extension of the hearing timeline;
- Have a mediation conference at any point during the hearing; and
- Receive notice from the other party at least 10 days prior to the hearing that it intends to be represented by an attorney.

Filing a Written Due Process Complaint:

In order to file a request for due process hearing, you or your representative must submit the following information in your request:

1. Name of the child;
2. Address of the residence of the child;
3. Name of school the child is attending;
4. In the case of a homeless child, available contact information for the child and the name of the school the child is attending, and
5. A description of the nature of the problem, including facts relating to the problem(s) and a proposed resolution of the problem(s).

Whenever a request for a due process hearing has been filed, you and the LEA have the opportunity for an impartial due process hearing which is conducted by officials of the State. Within 15 days of receiving the notice of the complaint and prior to the opportunity for an impartial due process hearing, the LEA shall convene a Resolution Meeting with you and the other relevant members of the IEP team who have specific knowledge of the facts contained in the complaint. This meeting includes a representative of the LEA who has decision-making authority on behalf of the LEA. The LEA will not have an attorney present at this meeting unless an attorney accompanies you. During the Resolution Meeting, you discuss the complaint and the LEA is provided the opportunity to resolve the complaint. You and the LEA can agree to waive the Resolution Meeting or agree to the mediation process. If a resolution is reached at the meeting, the parties will execute a written agreement that is signed by both you and the LEA. Either party may void the agreement within three business days. If the complaint is not resolved within 30 days of receiving the complaint, the due process hearing may take place and all applicable timelines will commence. Mediation is a voluntary method of resolving a dispute and may not be used to delay your right to a due process hearing. Parents and the LEA must agree to try mediation before mediation is attempted. A mediator is a person who is trained in strategies that help people come to agreement over difficult issues.

The child involved in any administrative or judicial proceeding must remain in the current educational placement pending the decision of the hearing officer or 45 school days whichever comes first, unless you and the LEA agree on another

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

arrangement. If you are applying for initial admission to a public school, your child may be placed in a public school program with parental consent until all proceedings are completed. The hearing decision is final and binding on both parties. Either party can appeal the hearing decision by filing a civil action in State or Federal court within 90 days of the final decision. Federal and State laws require that either party filing for a due process hearing must provide a copy of the written request to the other party.

To obtain more information or to file for mediation or a due process hearing, contact:

Office of Administrative Hearings
Attention: Special Education Division
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833-4231
Phone: 916-263-0880
Fax: 916-263-0890

The OAH can also be contacted by email using the Secure e-File Transmission (SFT) system. The SFT may be found on [OAH's website](#).

Attorney Fees:

In any action or proceeding regarding a due process hearing, a court, in its discretion, may award reasonable attorney's fees as part of the costs to you as parent of a child with a disability if you are the prevailing party in the hearing. Reasonable attorney fees may also be awarded following the conclusion of the administrative hearing with the agreement of the parties. The court may also award attorney fees to the State or LEA if the attorney of the parent files a claim or subsequent cause of action that is frivolous, unreasonable, and without foundation, or is presented for any improper use such as harassment, delay or needlessly increasing the cost of litigation.

Fees may be reduced if any of the following conditions prevail: (1) the court finds that you unreasonably delayed the final resolution of the controversy; (2) the hourly attorney fees exceed the prevailing rate in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience; (3) the time spent and legal services provided were excessive; or (4) your attorney did not provide to the LEA the appropriate information in the due process complaint. Attorney fees will not be reduced, however, if the court finds that the State or the LEA unreasonably delayed the final resolution of the action or proceeding, or there was a violation of this section of law.

Attorney fees may not be awarded relating to any meeting of the IEP team unless an IEP meeting is convened as a result of a due process hearing proceeding or judicial action. Attorney fees may also be denied if you reject a reasonable settlement offer made by the LEA/public agency at least 10 days before the hearing begins and the hearing decision is not more favorable than the settlement offer.

Complaint Regarding Violation of a State or Federal Law:

You may file a compliance complaint with the California Department of Education (CDE) if you believe the LEA has, or is, violating a State or Federal law. You may send a written complaint to the California Department of Education, Special Education Division, Procedural Safeguards Referral Service, 1430 N Street, Suite 2401, Sacramento, CA 95814. This is NOT the same thing as filing for due process. Your written complaint must specify at least one alleged violation of Federal and State special education laws, and the violation must have occurred not more than one year prior to the date the complaint is received by the California Department of Education. **When filing a complaint, you must forward a copy of the complaint to the LEA at the same time you file a state compliance complaint with the CDE. (34 CFR section 300.151-153; 5 CCR section 4600)** Within 60 days after a complaint is filed, the California Department of Education will carry out an independent investigation, give the complainant an opportunity to provide additional information, and make a determination as to whether the LEA has violated laws or regulations and issue a written decision that addresses the allegations. Complaints not involving **the Individuals with Disabilities Education Act** generally fall under the Uniform Complaint Procedures in each LEA. To obtain more information about dispute resolution, including how to file a complaint, contact the California Department of Education, Special Education Division, Complaint Support Unit, by telephone at (800) 926-0648; by fax at (916) 327-3704; or by visiting the [California Department of Education, Special Education](http://www.cde.ca.gov/sp/se) website (<http://www.cde.ca.gov/sp/se>).

NOTICE OF PROCEDURAL SAFEGUARDS
The Individuals with Disabilities Education Act (IDEA) Part B

School Discipline and Placement Procedures for Students with Disabilities:

Children with disabilities may be suspended or placed in other alternative interim settings or other settings to the same extent these options would be used for children without disabilities. If a child exceeds 10 consecutive days in such a placement, or more than 10 cumulative days in certain circumstances, an IEP meeting must be held to determine whether the child's misconduct was a manifestation of his/her disability. This IEP meeting must take place immediately, if possible, or within 10 days of the LEA's decision to take this type of disciplinary action.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct from his or her setting to:

- An appropriate interim alternative education setting, another setting, or suspension for not more than 10 consecutive school days;
- Additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct.

After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the public agency must provide services to enable the child to continue to participate in the general education curriculum and progress toward meeting the goals set out in the child's IEP. Also, the child will receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur.

As a parent, you will be invited to participate as a member of this IEP team to help determine if your child's behavior was a manifestation of their disability. If the team determines that this is the case, the LEA may be required to develop an assessment plan to address the misconduct, or if your child has a behavior intervention plan, review and modify the plan, as necessary. If the IEP team concludes that the misconduct was not a manifestation of your child's disability, the LEA might take disciplinary action, such as expulsion, in the same manner as it would for a child without disabilities. If you disagree with the IEP team's decision, you may request an expedited due process hearing, which must occur within 20 school days of the date on which you requested the hearing (Title 34 of the Code of Federal Regulations section 300.531(c)) from the Office of Administrative Hearings, Special Education Unit.) **Regardless of the setting the LEA must continue to provide a free appropriate public education for your child. Alternative educational settings must allow the child to continue to participate in the general curriculum and ensure continuation of services and modifications detailed in the IEP. (34 CFR section 300.530; EC section 48915.5(b))**

Alternative Interim Educational Settings:

Federal and State laws allow the use of alternative educational placements for up to 45 school days if a child with a disability carries a weapon, knowingly possesses or uses illegal drugs, inflicts serious bodily injury or sells or solicits the sale of a controlled substance while at school or at a school function. An alternative educational setting must be determined by an IEP team that allows the child to: continue to participate in the general curriculum, although in another setting; and ensure continuation of services and modifications detailed in the IEP.

Unilateral Placement by Parents in Private School:

Children who are enrolled **by their parents** in private schools may participate in publicly funded special education programs. The LEA must consult with private schools and with parents to determine the services that will be offered to private school students. Although LEAs have a clear responsibility to offer FAPE to children with disabilities, those children, when placed by their parent in private schools, do not have the right to receive some or all of the special education and related services necessary to provide FAPE. (20 USC section 1415(a)(10)(A); 34 CFR sections 300.137 and 300.138; EC section 56173.) **If a parent of an individual with exceptional needs who previously received special education and related services under the authority of the LEA enrolls the child in a private elementary school or secondary school without the consent of or referral by the local educational agency, the school district is not required to provide special education if the LEA has made a free appropriate public education available. A court or due process hearing officer may require the LEA to reimburse the parent or guardian for the cost of special education and the private school only if the court or due process hearing officer finds that**

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

the school district had not made FAPE available to the child in a timely manner prior to that enrollment in the private elementary or secondary school and that the private placement is appropriate. (20 USC section 1412(a)(1)(C); 34 CFR section 300.148; EC section 56175.)

When reimbursement may be reduced or denied. The court or hearing officer may reduce or deny reimbursement for private school costs if you did not make your child available for an assessment upon notice from the LEA before removing your child from public school. If you have not complied with these requirements, a court may find that you acted unreasonably in unilaterally removing your child from the public school and placing your child in a private school. Your request for reimbursement may also be reduced or denied if you did not inform the LEA that you were rejecting the special education placement proposed by the LEA and/or you failed to give the LEA notice of your concerns and your intent to enroll your child at a private school at public expense. Your notice to the LEA must be given either:

- At the most recent IEP meeting you attended before removing your child from the public school; or
- In writing, to the LEA at least 10 business days (including holidays) before removing your child from the public school. (20 USC section 1412(a)(10)(C); 34 CFR section 300.148; EC section 56176)

When reimbursement may not be reduced or denied. A court or hearing officer may not reduce or deny reimbursement to you if you failed to provide written notice to the LEA for any of the following reasons: illiteracy and inability to write in English; giving notice would likely result in physical or serious emotional harm to the child; the school prevented you from giving notice; or you had not received a copy of this Notice of Procedural Safeguards or otherwise been informed of this notice requirement; or the LEA prevented you from providing notice.

Observation of Your Child at a Nonpublic School:

If you unilaterally place your child in a nonpublic school and you propose the placement in the nonpublic school to be publicly financed, the LEA must be given the opportunity to observe the proposed placement and your child in the proposed placement. The LEA may not observe or assess any other child at the nonpublic school without permission from the other child's parent or guardian.

State Special Schools:

The State Special Schools provide services to students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind at each of its three facilities: the California Schools for the Deaf in Fremont and Riverside and at the California School for the Blind in Fremont. Residential and day school programs are offered to students from infancy to age 21 at both State Schools for the Deaf and from ages 5 through 21 at the California School for the Blind. The State Special Schools also offer assessment services and technical assistance. Referrals for State Special Schools are part of the IEP process and parents must be referred by their LEA when considering such placements. For more information about the State Special Schools, please visit the [California Department of Education State Special Schools](http://www.cde.ca.gov/sp/ss/) website (http://www.cde.ca.gov/sp/ss/) or ask for more information from the members of your child's IEP team.

NOTICE OF PROCEDURAL SAFEGUARDS
The Individuals with Disabilities Education Act (IDEA) Part B

Glossary of Abbreviations Used in this Notification:

ADR: Alternative Dispute Resolution

CCR: California Code of Regulations

CFR: Code of Federal Regulations

EC: California Education Code

FAPE: Free Appropriate Public Education

IDEA: Individuals with Disabilities Education Act

IEP: Individualized Education Program

LEA: Local Education Agency

OAH: Office of Administrative Hearings

SELPA: Special Education Local Plan Area

USC: United States Code

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

This information provides parents, legal guardians, and surrogate parents of children with disabilities from three years of age through age 21 an overview of their educational rights, sometimes called procedural safeguards. This information is your Notice of Procedural Safeguards as required under the Individuals with Disabilities Education Act (IDEA). This notice is also provided for students who are entitled to these rights at age 18. (NOTE: The term LEA (local education agency) is used throughout this document to describe any public education agency responsible for providing your child's special education program. The term assessment is used to mean evaluation or testing.)

Introduction:

The IDEA is a Federal law that requires LEAs to provide a free appropriate public education (FAPE) to eligible children with disabilities. "A free appropriate public education" means special education and related services provided as described in an individualized education program (IEP) and under public supervision, to your child at no cost to you. When you have a concern about your child's education, it is important that you call or contact your child's teacher or administrators to talk about your child and any problems you see. Staff in your LEA or special education local plan area (SELPA) can answer questions about your child's education, your rights and procedural safeguards. When you have a concern, it is this informal conversation that often solves the problem and helps maintain open communication. You may also want to contact one of the California parent organizations (Family Empowerment Centers and Parent Training Institutes), which were developed to increase collaboration between parents and educators to improve the educational system. Contact information for these organizations is found on the [California Department of Education Parent Organizations](http://www.cde.ca.gov/sp/se/aq/capnrtorg.asp) web page (<http://www.cde.ca.gov/sp/se/aq/capnrtorg.asp>).

Prior Written Notice:

The LEA must inform you about proposed evaluations of your child in a written notice or an assessment plan within 15 days of your written request for evaluation that is understandable and in your native language or other mode of communication unless it is clearly not feasible to do so. This notice must be given when the LEA proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child with special needs or the provision of a free appropriate public education. If you refuse consent for the initial or continued placement and receipt of special education and related services for your child, the LEA is not required to develop an IEP and is not considered to be in violation of the requirement to make available a free and appropriate public education. You may only revoke consent in writing and the LEA must then provide you written notice that services for your child will be discontinued. The LEA must also provide reasonable written prior notice that your child will be aging out (reaching age 22) or graduating from high school with a regular high school diploma because graduation from high school constitutes a change in placement.

The Prior Written Notice Must Include the Following:

A description of the actions proposed or refused by the LEA; an explanation of why the action is proposed or refused; a description of any other options considered and the reasons those options were rejected; a description of each assessment procedure, test, record or report used as a basis for the action proposed or refused; a description of any other factors relevant to the action proposed or refused; and a statement that you as a parent of a child with a disability are protected by the procedural safeguards. If the notice is not in regards to an initial referral for assessment, the notice must provide a statement that you have protections under procedural safeguards; information on how you can obtain a copy of described procedural safeguards; and sources of additional assistance in understanding the procedural safeguards.

The Notice of Procedural Safeguards must be given to you (Education Code section 56301(d)(2):

- Upon initial referral for special education
- Once each year
- When you request them
- Your request for an evaluation
- The first occurrence of mediation or a due process hearing
- Decision made to make a removal that constitutes a change of placement

NOTICE OF PROCEDURAL SAFEGUARDS
The Individuals with Disabilities Education Act (IDEA) Part B

Parent Participation:

You have the right to refer your child for special education services. You must be given opportunities to participate in any decision-making meeting regarding your child's special education program. You have the right to participate in IEP meetings about the identification (eligibility), assessment, and educational placement of your child and other matters relating to your child's free appropriate public education. You also have the right to participate in the development of the IEP and to be informed of the availability of free appropriate public education including all program options and of all available alternative programs, both public and nonpublic. You have the right to record electronically the proceedings of the IEP team on an audiotape recorder. The law requires that you notify the LEA at least 24 hours prior to meeting if you intend to record the proceedings. If the LEA initiates the notice of intent to audio record a meeting and you object or refuse to attend the meeting because it will be audio recorded, the meeting shall not be audio recorded.

Surrogate Parents:

LEAs must ensure that an individual is assigned to act as a surrogate parent for the parents of a child with a disability when a parent cannot be identified and the LEA cannot discover the whereabouts of a parent. A surrogate parent may be appointed if the child is an unaccompanied homeless youth, adjudicated dependent, or ward of the court under the State Welfare and Institution Code and the child is referred to special education or already has an IEP (34 CFR 300.519; EC 56050; GC 7579.5 and 7579.6).

Parent Consent:

You must give informed, written consent before your child's first special education assessment can proceed and before the LEA can provide your child's special education program. You have 15 days from the receipt of the proposed assessment plan to arrive at a decision. The assessment may begin immediately upon receipt of your consent and must be completed and an IEP developed within 60 days of your consent. In the case of reevaluations, the LEA must document reasonable attempts to obtain parental consent. If the parents do not respond to these attempts, the LEA may proceed with the reevaluation without consent (34 CFR 300.300; EC 56506(e) and (d), and 56346). If you do not provide consent for an initial assessment or fail to respond to a request to provide consent, the LEA may pursue the initial assessment by utilizing due process procedures. If you refuse to consent to the initiation of services, the LEA will not provide special education and related services and will not seek to provide services through due process. If you consent in writing to the special education and related services for your child but do not consent to all of the components of the IEP, those components of the program to which you have consented must be implemented without delay. If the LEA determines that the proposed special education program component to which you do not consent is necessary to provide a free appropriate public education to your child, a due process hearing must be initiated. If a due process hearing is held, the hearing decision shall be final and binding.

Consent to Bill California Medi-Cal:

Release/Exchange Information for Health Related Special Education and Related Services. LEAs may submit claims to California Medi-Cal for covered services provided to Medi-Cal eligible children enrolled in special education programs. The Medi-Cal program is a way for LEAs and/or County Offices of Education (COEs) to receive Federal funds to help pay for health related special education and related services.

Your consent is voluntary and can be revoked at any time. If you do revoke consent, the revocation is not retroactive. Consent will not result in denial or limitation of community-based services provided outside the school. If you refuse to consent for the LEA and/or COE to access California Medi-Cal to pay for health related special education and/or related services, the LEA and/or COE is still responsible to ensure that all required special education and related services are provided at no cost to you. As a parent, you need to know that:

- You may refuse to sign consent.
- Information about your family and child is strictly confidential.
- Your rights are protected under Title 34 of the Code of Federal Regulations 300.154; Family Education Rights Privacy Act of 1974 (FERPA); Title 20 of the United States Code Section 1232(g); and Title 34 of the Code of Federal Regulations Section 99.

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

- Your consent is good for one year unless you withdraw your consent before that time. Your consent can be renewed annually at the IEP team meeting.

Furthermore, as a public agency, the LEA may access your public benefits or insurance to pay for related services required under Part B of the IDEA for a free appropriate public education. For related services required to provide FAPE to an eligible student, the LEA:

- May not require you to sign up for or enroll in public benefits or insurance programs (Medi-Cal) in order for your child to receive FAPE under Part B of the IDEA (34 CFR 300.154(d)(2)(i)).
- May not require you to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services and reimbursement through Medi-Cal (34 CFR 300.154(d)(2)(ii)).
- May not use your child's benefits under Medi-Cal if that use would:
 - ❖ Decrease available lifetime coverage or any other insured benefit;
 - ❖ Result in the family paying for services that would otherwise be covered by the public benefits or insurance program (Medi-Cal) and are required for your child outside of the time your child is in school;
 - ❖ Increase premiums or lead to the discontinuation of public benefits or insurance (Medi-Cal); and/or
 - ❖ Risk loss of eligibility for home and community-based waivers, based on aggregate health related expenditures.

Parental Revocation of Consent after Consenting to Initial Provision of Services:

You may only revoke your consent in writing and this action cannot be retroactive. Once you revoke consent to the initial provision of services, the LEA will provide prior written notice before ceasing the services. If in the future you seek re-enrollment in special education for your child, the assessment will be treated as an initial evaluation. The LEA may not use the procedures in subpart E of Part 300, 34 CFR (including the mediation procedures under 34 CFR 300.506 or the due process procedures under 34 CFR 300.507 through 300.516) to obtain agreement or a ruling that the services may be provided to your child. The LEA will not be in violation of the requirement to make a free appropriate public education available to your child because of the failure to provide the child with further special education and related services. The LEA is not required to convene an IEP team meeting or develop an IEP under 34 CFR 300.320 and 300.324 for your child for further provision of special education and related services. In accordance with 34 CFR 300.9(c)(3), if you revoke consent in writing for your child's receipt of special education services after your child is initially provided special education and related services, the LEA is not required to amend your child's education records to remove any references to your child's receipt of special education and related services because of the revocation of consent.

Child Participation/Right:

As part of the participation of an individual with exceptional needs in the development of an individualized education program, as required by Federal law, your child has the right to meet with his/her IEP team at any time, to provide confidential input to any representative of his/her IEP team (EC 56341.5(d)).

Age of Majority:

When your child reaches the age of 18, all rights under Part B of the IDEA will transfer to your child. The only exception will be if your child is determined to be incompetent under State law.

Nondiscriminatory Evaluations:

You have the right to have your child assessed in all areas of suspected disability. Evaluations are conducted prior to an initial placement, triennially, but not more frequently than once per year unless the parent and the school agree otherwise. Materials and procedures used for evaluations and placement must not be racially, culturally, or sexually discriminatory. Tests must be administered in your child's native language or mode of communication and in the form, most likely to yield accurate information on what the child knows and can do academically,

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

developmentally, and functionally, unless it is clearly not feasible to do so. No single procedure can be the sole criteria for determining **eligibility and developing a free appropriate public education for your child.** (20 USC sections 1414 (b)(1-3), 1412(a)(6)(B); 34 CFR section 300.304; EC sections 56001(j) and 56320). ~~an appropriate educational program for your child.~~

Access to Educational Records and Other Rights Related to Records:

You have a right to inspect and review all of your child's education records without unnecessary delay before any meeting about your child's IEP or before any due process hearing. The LEA must provide you access to records and copies if requested, within five **business** days after the request has been made orally or in writing (Education Code sections 49060, 56043(n), 56501(b)(3), and 56504).

Independent Educational Evaluation:

If you disagree with the results of the evaluation conducted by the LEA, you have the right to ask for and obtain an independent educational evaluation (IEE) for your child from a person qualified to conduct the evaluation at public expense. You are entitled to only one independent educational evaluation at public expense each time the LEA conducts an evaluation with which you disagree. The LEA must respond to your request for an independent educational evaluation and provide you information upon request about where to obtain an independent educational evaluation. If the LEA disagrees that an independent evaluation is necessary, the LEA must request a due process hearing to prove that its evaluation was appropriate. If the LEA prevails, you still have the right to an independent evaluation but not at public expense. The IEP team must consider the results and recommendations of independent evaluations. LEA evaluation procedures allow in-class observation of students. If the LEA observes your child in his or her classroom during an evaluation or if the LEA would have been allowed to observe your child, an individual conducting an independent educational evaluation must also be allowed to observe your child in the classroom. If the LEA proposes a new school setting for your child and an independent educational evaluation is being conducted, the independent evaluator must be allowed to first observe the proposed new setting (20 USC sections 1415(b)(1) and (d)(2)(A); Title 34 of the Code of Federal Regulations section 300.502; Education Code section 56329(b) and (c)).

Local Mediation/Alternative Dispute Resolution:

LEAs have the opportunity to resolve parent concerns and complaints at the local level through individual Uniform Complaint Process/Procedures which are described in the LEA's board policy or charter petition. Alternate Dispute Resolution (ADR) is another voluntary method of resolving a dispute at the local level and is requested by the parent or LEA. It provides the opportunity for both the parent and LEA to meet at a convenient location and time to resolve concerns. It is facilitated by a trained ADR Coordinator. A request to schedule an ADR session is made to the Desert/Mountain Special Education Local Plan Area (SELPA), office of the Program Manager for Due Process. A request for Mediation Only is made by the parent or LEA to the Office of Administrative Hearings (OAH) before a due process complaint is filed. Mediation Only is a voluntary process and all discussion during a mediation session is confidential. Attorneys or advocates are not in attendance during a Mediation Only session. An Administrative Law Judge (ALJ) from OAH is assigned to facilitate this confidential process. The Uniform Complaint Process, ADR, and Mediation Only are voluntary methods of resolving a dispute and may not delay a parent's right to a due process hearing. All three methods are less adversarial and allow all parties to resolve the concerns in a timely manner. The mandatory early resolution session (ERS) and mediation are the first two steps in the three-step process initiated when a parent files a due process complaint with OAH. Attorneys and advocates are invited to attend both the ERS and Mediation session when a due process complaint has been filed.

Due Process Hearing:

You have the right to request an impartial due process hearing regarding the identification, evaluation, educational placement, or the provision of a free appropriate public education for your child. The request for a due process hearing must be filed within two years from the date you knew, or had reason to know of the facts that are the basis for the hearing request (Title 34 of the Code of Federal Regulations section 300.507; Education Code sections 56501 and 56505(l)). There is an exception to this timeline if you were prevented from requesting a hearing earlier because the LEA misrepresented that it had resolved the problem or withheld information that should have been provided to you. Requests for a hearing are to be

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

sent to the Special Education Headquarters, Office of Administrative Hearings, 2349 Gateway Drive, Suite 200, Sacramento, CA 95833-4231. Requests must include the student's name; residential address; the name of the student's school; in the case of a homeless child, available contact information and the name of the school the child is attending; and a description of the problem, facts about the problem, and a proposed resolution. A due process hearing may not take place until the party or the attorney representing the party files a notice that meets these requirements.

Due Process Rights:

You have a right to:

- A fair and impartial administrative hearing at the State level before a person who is knowledgeable of the laws governing special education and administrative hearings;
- Be accompanied and advised by an attorney and/or individuals who have knowledge about children with disabilities;
- Present evidence, written arguments, and oral arguments;
- Confront, cross-examine, and require witnesses to be present;
- Receive a written or electronic verbatim record of the hearing, including findings of fact and decisions;
- Have your child present at the hearing;
- Have the hearing open or closed to the public;
- Be informed by the other parties of the issues and their proposed resolution of the issues at least 10 calendar days prior to the hearing;
- Within five business days before a hearing, receive a copy of all documents, including assessments completed by that date and recommendations, and a list of witnesses and their general area of testimony;
- Have an interpreter provided;
- Request an extension of the hearing timeline;
- Have a mediation conference at any point during the hearing; and
- Receive notice from the other party at least 10 days prior to the hearing that it intends to be represented by an attorney.

Filing a Written Due Process Complaint:

In order to file a request for due process hearing, you or your representative must submit the following information in your request:

1. Name of the child;
2. Address of the residence of the child;
3. Name of school the child is attending;
4. In the case of a homeless child, available contact information for the child and the name of the school the child is attending, and
5. A description of the nature of the problem, including facts relating to the problem(s) and a proposed resolution of the problem(s).

Whenever a request for a due process hearing has been filed, you and the LEA have the opportunity for an impartial due process hearing which is conducted by officials of the State. Within 15 days of receiving the notice of the complaint and prior to the opportunity for an impartial due process hearing, the LEA shall convene a Resolution Meeting with you and the other relevant members of the IEP team who have specific knowledge of the facts contained in the complaint. This meeting includes a representative of the LEA who has decision-making authority on behalf of the LEA. The LEA will not have an attorney present at this meeting unless an attorney accompanies you. During the Resolution Meeting, you discuss the complaint and the LEA is provided the opportunity to resolve the complaint. You and the LEA can agree to waive the Resolution Meeting or agree to the mediation process. If a resolution is reached at the meeting, the parties will execute a written agreement that is signed by both you and the LEA. Either party may void the agreement within three business days. If the complaint is not resolved within 30 days of receiving the complaint, the due process hearing may take place and all applicable timelines will commence. Mediation is a voluntary method of resolving a dispute and may not be used to delay your right to a due process hearing. Parents and the LEA must agree to try mediation before mediation is attempted. A mediator is a person who is trained in strategies that help people come to agreement over difficult issues.

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

The child involved in any administrative or judicial proceeding must remain in the current educational placement pending the decision of the hearing officer or 45 school days whichever comes first, unless you and the LEA agree on another arrangement. If you are applying for initial admission to a public school, your child may be placed in a public school program with parental consent until all proceedings are completed. The hearing decision is final and binding on both parties. Either party can appeal the hearing decision by filing a civil action in State or Federal court within 90 days of the final decision. Federal and State laws require that either party filing for a due process hearing must provide a copy of the written request to the other party.

To obtain more information or to file for mediation or a due process hearing, contact:

Office of Administrative Hearings
Attention: Special Education Division
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833-4231
Phone: 916-263-0880
Fax: 916-263-0890

The OAH can also be contacted by email using the Secure e-File Transmission (SFT) system. The SFT may be found on [OAH's website](#).

Attorney Fees:

In any action or proceeding regarding a due process hearing, a court, in its discretion, may award reasonable attorney's fees as part of the costs to you as parent of a child with a disability if you are the prevailing party in the hearing. Reasonable attorney fees may also be awarded following the conclusion of the administrative hearing with the agreement of the parties. The court may also award attorney fees to the State or LEA if the attorney of the parent files a claim or subsequent cause of action that is frivolous, unreasonable, and without foundation, or is presented for any improper use such as harassment, delay or needlessly increasing the cost of litigation.

Fees may be reduced if any of the following conditions prevail: (1) the court finds that you unreasonably delayed the final resolution of the controversy; (2) the hourly attorney fees exceed the prevailing rate in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience; (3) the time spent and legal services provided were excessive; or (4) your attorney did not provide to the LEA the appropriate information in the due process complaint. Attorney fees will not be reduced, however, if the court finds that the State or the LEA unreasonably delayed the final resolution of the action or proceeding, or there was a violation of this section of law.

Attorney fees may not be awarded relating to any meeting of the IEP team unless an IEP meeting is convened as a result of a due process hearing proceeding or judicial action. Attorney fees may also be denied if you reject a reasonable settlement offer made by the LEA/public agency at least 10 days before the hearing begins and the hearing decision is not more favorable than the settlement offer.

Complaint Regarding Violation of a State or Federal Law:

You may file a compliance complaint with the California Department of Education (CDE) if you believe the LEA has, or is, violating a State or Federal law. You may send a written complaint to the California Department of Education, Special Education Division, Procedural Safeguards Referral Service, 1430 N Street, Suite 2401, Sacramento, CA 95814. This is NOT the same thing as filing for due process. Your written complaint must specify at least one alleged violation of Federal and State special education laws, and the violation must have occurred not more than one year prior to the date the complaint is received by the California Department of Education. **When filing a complaint, you must forward a copy of the complaint to the LEA at the same time you file a state compliance complaint with the CDE. (34 CFR section 300.151-153; 5 CCR section 4600)** Within 60 days after a complaint is filed, the California Department of Education will carry out an independent investigation, give the complainant an opportunity to provide additional information, and make a determination as to whether the LEA has violated laws or regulations and issue a written decision that addresses the allegations. Complaints not involving **the Individuals with Disabilities Education Act** generally fall under the Uniform Complaint Procedures in each LEA. To obtain more information about dispute resolution, including how to file a complaint, contact the California Department of Education, Special Education Division, Complaint Support Unit **Procedural Safeguards Referral**

NOTICE OF PROCEDURAL SAFEGUARDS The Individuals with Disabilities Education Act (IDEA) Part B

Services, by telephone at (800) 926-0648; by fax at (916) 327-3704; or by visiting the [California Department of Education, Special Education](http://www.cde.ca.gov/sp/se) website (<http://www.cde.ca.gov/sp/se>).

School Discipline and Placement Procedures for Students with Disabilities:

Children with disabilities may be suspended or placed in other alternative interim settings or other settings to the same extent these options would be used for children without disabilities. If a child exceeds 10 consecutive days in such a placement, or more than 10 cumulative days in certain circumstances, an IEP meeting must be held to determine whether the child's misconduct was a manifestation of his/her disability. This IEP meeting must take place immediately, if possible, or within 10 days of the LEA's decision to take this type of disciplinary action.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct from his or her setting to:

- An appropriate interim alternative education setting, another setting, or suspension for not more than 10 consecutive school days;
- Additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct.

After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the public agency must provide services to enable the child to continue to participate in the general education curriculum and progress toward meeting the goals set out in the child's IEP. Also, the child will receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur.

As a parent, you will be invited to participate as a member of this IEP team to help determine if your child's behavior was a manifestation of their disability. If the team determines that this is the case, the LEA may be required to develop an assessment plan to address the misconduct, or if your child has a behavior intervention plan, review and modify the plan, as necessary. If the IEP team concludes that the misconduct was not a manifestation of your child's disability, the LEA might take disciplinary action, such as expulsion, in the same manner as it would for a child without disabilities. If you disagree with the IEP team's decision, you may request an expedited due process hearing, which must occur within 20 school days of the date on which you requested the hearing (Title 34 of the Code of Federal Regulations section 300.531(c)) from the Office of Administrative Hearings, Special Education Unit.) **Regardless of the setting the LEA must continue to provide a free appropriate public education for your child. Alternative educational settings must allow the child to continue to participate in the general curriculum and ensure continuation of services and modifications detailed in the IEP. (34 CFR section 300.530; EC section 48915.5(b))**

Alternative Interim Educational Settings:

Federal and State laws allow the use of alternative educational placements for up to 45 school days if a child with a disability carries a weapon, knowingly possesses or uses illegal drugs, inflicts serious bodily injury or sells or solicits the sale of a controlled substance while at school or at a school function. An alternative educational setting must be determined by an IEP team that allows the child to: continue to participate in the general curriculum, although in another setting; and ensure continuation of services and modifications detailed in the IEP.

Unilateral Placement by Parents in Private School:

Children who are enrolled **by their parents** in private schools may participate in publicly funded special education programs. The LEA must consult with private schools and with parents to determine the services that will be offered to private school students. Although LEAs have a clear responsibility to offer FAPE to children with disabilities, those children, when placed by their parent in private schools, do not have the right to receive some or all of the special education and related services necessary to provide FAPE. (20 USC section 1415(a)(10)(A); 34 CFR sections 300.137 and 300.138; EC section 56173.) ~~If you enroll your child in a private school, you may be entitled to reimbursement for the cost of a private school from the LEA, including special education and related services, if the court or hearing officer determines that the LEA has not made~~

NOTICE OF PROCEDURAL SAFEGUARDS

The Individuals with Disabilities Education Act (IDEA) Part B

~~a free and appropriate public education available to your child. You must first attempt to obtain consent of the LEA, and you must also establish that the LEA does not have an appropriate program for your child.~~ If a parent of an individual with exceptional needs who previously received special education and related services under the authority of the LEA enrolls the child in a private elementary school or secondary school without the consent of or referral by the local educational agency, the school district is not required to provide special education if the LEA has made a free appropriate public education available. A court or due process hearing officer may require the LEA to reimburse the parent or guardian for the cost of special education and the private school only if the court or due process hearing officer finds that the school district had not made FAPE available to the child in a timely manner prior to that enrollment in the private elementary or secondary school and that the private placement is appropriate. (20 USC section 1412(a)(1)(C); 34 CFR section 300.148; EC section 56175.)

When reimbursement may be reduced, or denied. The court or hearing officer may reduce or deny reimbursement for private school costs if you did not make your child available for an assessment upon notice from the LEA before removing your child from public school. If you have not complied with these requirements, a court may find that you acted unreasonably in unilaterally removing your child from the public school and placing your child in a private school. Your request for reimbursement may also be reduced or denied if you did not inform the LEA that you were rejecting the special education placement proposed by the LEA and/or you failed to give the LEA notice of your concerns and your intent to enroll your child at a private school at public expense. Your notice to the LEA must be given either:

- At the most recent IEP meeting you attended before removing your child from the public school; or
- In writing, to the LEA at least 10 business days (including holidays) before removing your child from the public school. (20 USC section 1412(a)(10)(C); 34 CFR section 300.148; EC section 56176)

When reimbursement may not be reduced or denied. A court or hearing officer may not reduce or deny reimbursement to you if you failed to ~~give this~~ provide written notice **to the LEA** for any of the following reasons: illiteracy and inability to write in English; giving notice would likely result in physical or serious emotional harm to the child; the school prevented you from giving notice; or you had not received a copy of this Notice of Procedural Safeguards or otherwise been informed of this notice requirement; or the LEA prevented you from providing notice.

Observation of Your Child at a Nonpublic School:

If you unilaterally place your child in a nonpublic school and you propose the placement in the nonpublic school to be publicly financed, the LEA must be given the opportunity to observe the proposed placement and your child in the proposed placement. The LEA may not observe or assess any other child at the nonpublic school without permission from the other child's parent or guardian.

State Special Schools:

The State Special Schools provide services to students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind at each of its three facilities: the California Schools for the Deaf in Fremont and Riverside and at the California School for the Blind in Fremont. Residential and day school programs are offered to students from infancy to age 21 at both State Schools for the Deaf and from ages 5 through 21 at the California School for the Blind. The State Special Schools also offer assessment services and technical assistance. Referrals for State Special Schools are part of the IEP process and parents must be referred by their LEA when considering such placements. For more information about the State Special Schools, please visit the California Department of Education State Special Schools website (<http://www.cde.ca.gov/sp/ss/>) or ask for more information from the members of your child's IEP team.

NOTICE OF PROCEDURAL SAFEGUARDS
The Individuals with Disabilities Education Act (IDEA) Part B

Glossary of Abbreviations Used in this Notification:

ADR: Alternative Dispute Resolution

CCR: California Code of Regulations

CFR: Code of Federal Regulations

EC: California Education Code

FAPE: Free Appropriate Public Education

IDEA: Individuals with Disabilities Education Act

IEP: Individualized Education Program

LEA: Local Education Agency

OAH: Office of Administrative Hearings

SELPA: Special Education Local Plan Area

USC: United States Code

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

MINUTES

COUNCIL MEMBERS PRESENT:

Allegiance STEAM Academy – Sebastian Cогnetta, ASA Charter School – Anthony Lucey, Susan Lucey, Aveson Global & Aveson School of Leaders – Jessica Rios, Ballington Academy – Doreen Mulz, Desert Trails Preparatory Academy (DTPA) & La Verne Elementary Preparatory Academy (LEPA) – Debbie Tarver, Tiffany Sutton, Elite Academic Academy – Meghan Freeman, Encore Jr/Sr High – Esther Haskins, Julia Lee Performing Arts - Thalia Mays, Leonardo da Vince Health Sciences – Courtney Cox, Odyssey Charter Schools – Lauren O’Neill, Pasadena Rosebud Academy – Shawn Brumfield, Pathways to College – Craig Merrill, Taylion High Desert Academy – Brenda Congo, and Virtual Prep Academy at Lucerne – Michelle Romaine.

CAHELP STAFF PRESENT:

Jamie Adkins, Pam Bender, Heidi Chavez, Kathleen Peters, Marina Gallegos, Kathleen Peters, 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 a motion was made by Sebastian Cогnetta, seconded by Meghan Freeman, to approve the April 21, 2022 Desert/Mountain Charter SELPA Executive Council Meeting Agenda as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cогnetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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.

5.1.1 **BE IT RESOLVED** that a motion was made by Susan Lucey, seconded by Courtney

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

MINUTES

Cox, to approve the Desert/Mountain Charter SELPA 2022-23 Annual Service Plan as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Coggnetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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 a motion was made by Courtney Cox, seconded by Susan Lucey, to approve the Desert/Mountain Charter SELPA 2022-23 Annual Budget Plan as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Coggnetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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 a motion was made by Meghan Freeman, seconded by Lauren O’Neill, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Coggnetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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.

Marina Gallegos reviewed the 2021-22 Second Interim Budget as well as the 2022-23 Preliminary

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

MINUTES

budget. She explained that the Risk Pool costs were higher in 2021-22 causing deficit spending and that the Set-Aside Pool continues to have a growing balance. Marina pointed out that there have not been requests for reimbursement of low incidence equipment that is causing those funds to also continue to grow.

Marina reported there are options with the Set-Aside Pool which is an emergency type fund with a high balance at this time. She said beginning to use it will increase the maintenance of effort (MOE) on the SELPA side when funds are paid out. Marina continued that moving the funds outside of special education and making it an off the top adjustment would increase MOE for the LEAs. There was discussion about the possibility of temporarily pausing the contribution for the Set-Aside Pool which would maintain the balance of the fund and allow extra revenue for the LEAs. Marina reported that historically, the Set-Aside Pool is not regularly used.

6.2.1 **BE IT RESOLVED** that a motion was made by Lauren O’Neill, seconded by Debbie Tarver, to approve the Proposed 2022-23 Desert/Mountain Charter SELPA Budget with additional discussion regarding the Risk Pool and Set-Aside Pool at a later date. The motion passed on the following vote 14:0 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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

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

6.3.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Sebastian Cognetta, to approve the 2022-23 Desert/Mountain Charter SELPA Proposed Fee-For-Service Rates as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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.

Pam Bender said that LEA staff that are Independent Educational Evaluation (IEE) providers are not to be paid twice when providing evaluations. She continued that on days when an evaluation is being completed, it should be a day off from the LEA with no sick leave or personal necessity time

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

MINUTES

being used.

6.4.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Doreen Mulz, to approve the Desert/Mountain Charter SELPA Policy & Procedures Chapter 14 as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O'Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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 a motion was made by Susan Lucey, seconded by Lauren O'Neill, to approve the Desert/Mountain SELPA D/M 68A IEP Demographics Page as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O'Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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 a motion was made by Meghan Freeman, seconded by Sebastian Cognetta, to approve the Desert/Mountain SELPA D/M 68E Supplementary Aids and Supports as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O'Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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.

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

MINUTES

- 6.7.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Susan Lucey, to approve the Desert/Mountain SELPA D/M 68F Physical Fitness Test as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O'Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.
- 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 a motion was made by Shawn Brown-Brumfield, seconded by Lauren O'Neill, to approve the Desert/Mountain SELPA D/M 68F English Language Proficiency Assessment Participation Consideration Alternative Assessment as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O'Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.
- 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 occurred regarding the application. A recommendation for membership was offered from the CAHELP administrative team and the Charter SELPA CEOs.
- 6.9.1 **BE IT RESOLVED** a motion was made by Lauren O'Neill, seconded by Debbie Tarver, to approve the Allegiance STEAM Academy-Fontana application for membership as presented. The motion passed on the following vote 13:0:1 Ayes: Brumfield, Cognetta, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O'Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: Cognetta.
- 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.

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

MINUTES

After a brief discussion, a motion was made for Sebastian Cogna and Debbie Tarver to be the representatives for fiscal year 2022-23.

- 6.10.1 **BE IT RESOLVED** that a motion was made by Lauren O’Neill, seconded by Shawn Brown-Brumfield, for Sebastian Cogna and Debbie Tarver to be the two representatives for the CAHELP JPA Governance Council. The motion passed on the following vote 14:0 Ayes: Brumfield, Cogna, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.
- 6.11 Desert/Mountain Charter SELPA Executive Council 2022-23 Meeting Dates and Times (**ACTION**)
- Pamela Bender presented the dates and times of the 2022-23 Desert/Mountain Charter SELPA Executive Council Meetings for approval.
- 6.11.1 **BE IT RESOLVED** that a motion was made by Debbie Tarver, seconded by Shawn Brown-Brumfield, to approve the Desert/Mountain Charter SELPA Executive Council approves the dates and times of the 2022-23 Desert/Mountain Charter SELPA Executive Council Meetings as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cogna, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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 a motion was made by Courtney Cox, seconded by Lauren O’Neill, to approve the following Consent Items as presented. The motion passed on the following vote 14:0 Ayes: Brumfield, Cogna, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O’Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.
- 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

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

MINUTES

Pam Bender provided an update from State SELPA Administrators including legislative information. She reported on the following bills:

- Senate Bill (SB) 871 regarding the Covid-19 vaccine being a required immunization for school admission has been withdrawn.
- SB 866 pertaining to minors 12 years of age and older being able to consent to medical care without the consent of their parent or guardian is being watched.
- SB 237 is moving forward providing program guidelines for assessing students in grades kindergarten through 3rd with dyslexia assessments.
- SB 1113 supports inclusive education and universal design for learning. State SELPA strongly supports this bill and will be submitting letters of support.
- Assembly Bill (AB) 2121 pertains to school accountability, trainings, and collaboratives. It would also create a resource for Alternative Dispute Resolution lead across the state to provide technical assistance for families and advocates.
- SB 291 is building an advisory commission on special education that would include 15 students ranging from 16 to 24 years of age from across the state. The students would currently or previously been in a special education program and be able to provide advice and input.

Pam continued that there is legislation to increase the special education base rate from \$820 per ADA. State SELPA has sent a letter to the governor requesting an increase to \$850 per ADA.

Pam said that LEAs should be developing their Local Control and Accountability Plans (LCAP) and reminded the council members that as per California Education Code 52062(a)(5), SELPA input is needed. Pam asked to be notified of the meeting dates so she can ensure a D/M SELPA representative is present. She continued that D/M SELPA will provide a certificate confirming the SELPA participated in the LCAP planning that can be submitted with the LCAP.

8.2 2022-23 Desert/Mountain Charter SELPA Risk Pool Levels

Pam Bender provided notification on 2022-23 D/M Charter SELPA Risk Pool levels. Pam reported that she and Marina Gallegos will continue to review and update the risk pool flowchart and the redefining the language and criteria in each of the risk pool areas. She stated depending on current level, the LEAs will remain at the level they are currently at for 2022-23. After the changes have been made, the flowchart will be brought back for review.

Marina Gallegos added that it has been a tough year with legal for many LEAs so it is a good time to review the process.

Pam agreed and said that attorney fees are rising along with findings and requests for due process because of Covid-19.

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

MINUTES

8.3 Educationally Related Mental Health Services (ERMHS) Funding Changes

Pam Bender provided information regarding changes in State Special Education Mental Health Services. The current amount received for Educationally Related Mental Health Services (ERMHS) Funding is \$7.1 million which supports residential mental health services with Kathleen Lewis and Derek Hale doing residential assessments and monitoring facilities. The remaining funds go to Desert/Mountain Children's Center (DMCC) through a Memorandum of Understanding (MOU) to serve students with ERMHS services and used to match the Department of Behavioral Health (DBH) contract. She said the proposed change beginning 2022-23 would have the funding dispersed directly to the LEAs. Pam continued the change would mean LEAs would need to hire their own employees or contract for services which could be done with DMCC. Another large impact on small districts and charters would occur if they receive a student in residential placement or with high needs. Pam said if the LEAs decide to retain the funding, it could mean program transfers which will affect D/M SELPA staff that are providing the services who would have first right to the positions moved to LEAs and would have needed to be completed by March 15, 2022 for layoff purposes. Pam reported the allocation plan and MOU would need to be updated to reflect the any changes. She added if an LEA does contract for outside services, it will have to be with a CDE approved nonpublic agency (NPA) to use the ERMHS funding.

Marina Gallegos added that the D/M Charter LEAs are different when it comes to the mental health funds. Up until 2021, ERMHS funding was only for special education students so only LEAs that had hired clinical staff were able to receive the funding. Marina continued that with the funding being changed to include general education students, ERMHS funding can be passed on to charter LEAs with Desert/Mountain Children's Center (DMCC) providing services to remote LEAs virtually, which would allow greater services. She shared the D/M Charter SELPA portion of ERMHS funding is approximately \$526,000 which would be divided amongst the charter LEAs based on pupil count.

Pam concluded there will be more information after the May revise is released.

8.4 Professional Learning Summary

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

Heidi shared there will be a Directors' Training scheduled for April 22, 2022, at approximately 11:00 am following the business portion of D/M SELPA Steering and Finance Committee meeting. Jack Clarke will be presenting in person on *OAH Legal Updates*.

8.5 Resolution Support Services Summary

Kathleen Peters presented the D/M Charter SELPA's Resolution Support Services Summary. She pointed out a column has been added to the Summary to document cases filed against parents.

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

MINUTES

8.6 Alternative Dispute Resolution (ADR) Request Form and Brochure

Kathleen Peters presented the Alternative Dispute Resolution (ADR) Request Form and brochure as well as the electronic submission link (<https://forms.office.com/r/2LJe9iXrpq>). She said the form can be completed by school staff, by parents, or by parents with the assistance of school staff. Kathleen shared her team has begun formally tracking the use of ADR at the request of California Department of Education (CDE). CDE wants data on which cases end at the local level and which ones move forward to Office of Administrative Hearings (OAH) filings.

8.7 Compliance Updates

On behalf of Peggy Dunn, Heidi Chavez presented an update on compliance items from the California Department of Education (CDE). Heidi shared the flowchart explaining the recently released Annual Determination Letters.

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

Pam Bender expressed her appreciation of the council members being in attendance and the discussion on budgets. She then reminded the council members that the CAHELP staff are responsible for supporting the LEAs and providing customer service. She asked to be contacted with any needs the LEAs might have.

13.0 MATTERS BROUGHT BY CITIZENS

None.

14.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Debbie Tarver, seconded by Sebastian Cogna, to adjourn the meeting. The motion passed on the following vote 14:0 Ayes: Brumfield, Cogna, Congo, Cox, Freeman, Haskins, Lucey, Mays, Merrill, Mulz, O'Neill, Rios, Romaine, and Sutton. Nays: none, Abstentions: none.

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

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.
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MINUTES

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.

SCHOOL SERVICES OF CALIFORNIA INC.
Legislative Report Prepared by Kyle Hyland for:
Coalition for Adequate Funding for Special Education
May 25, 2022

Bill No./ Author	Title	Position	Current Status	Page
Funding				
*AB 1607 Muratsuchi	Education Finance: Local Control Funding Formula		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	1
*AB 1609 Muratsuchi	Education Finance: Local Control Funding Formula: Attendance Yields		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	1
*AB 1614 Muratsuchi	Education Finance: Local Control Funding Formula: Base Grants: Aspirational Funding Level: Reports		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	2
AB 1624 Ting	Budget Act of 2022		Assembly Budget Committee	2
*AB 1948 Ting	Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness		Senate Desk	2
*AB 2541 Quirk-Silva	Special Education: Funding: Deaf and Hard of Hearing Children	Watch	Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	3
*AB 2827 Quirk-Silva	Child Daycare Facilities	Support	Senate Rules Committee	3
SB 579 Allen	Education Finance: Local Control Funding Formula		Assembly Education Committee	3
*SB 830 Portantino	Education Finance: Additional Education Funding		Assembly Desk	4
SB 840 Skinner	Budget Act of 2022		Senate Budget and Fiscal Review Committee	4
SB 878 Skinner	School Transportation		Assembly Desk	4
*SB 1113 Ochoa Bogh	Special Education: Inclusive Education: Universal Design for Learning	Support	Senate Floor—Consent Calendar	5

Bill No./ Author	Title	Position	Current Status	Page
*SB 1229 McGuire	Mental Health Workforce Grant Program	Watch	Assembly Desk	5
Other				
AB 408 Quirk-Silva	Homeless Children and Youths: Reporting		Senate Education Committee	6
AB 552 Quirk-Silva	Integrated School-based Behavioral Health Partnership Program		Senate Education Committee	6
AB 563 Berman	School-Based Health Programs		Senate Education Committee	6
AB 586 O'Donnell	Pupil Health: Health and Mental Health Services: School Health Demonstration Project		Senate Education Committee	7
*AB 1810 Levine	Pupil Health: Seizure Disorders		Senate Desk	7
AB 1838 Bauer-Kahan	Parental Notices: Primary Language Translations		Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active	7
*AB 1868 Rivas, Luz	School Accountability: English Language Acquisition Status: Data		Senate Desk	8
AB 1877 Fong	State Teachers' Retirement: Retirees		Assembly Public Employees and Retirement Committee—Bill Did Not Meet Deadline—No Longer Active	8
*AB 2034 O'Donnell	Local Education Agency: Medi-Cal Billing Option	Support	Assembly Floor—Third Reading	8
AB 2072 Gabriel	Mental Health Professionals: Natural Disasters: County Offices of Education: Personnel Sharing Agreements		Senate Desk	9
AB 2121 Garcia, Eduardo	School Accountability: California Collaborative for Educational Excellence: Special Education Resource Leads	Support	Senate Desk	9
*AB 2281 Lackey	Early Childhood Mental Health Services Act		Senate Desk	9
*AB 2373 Garcia, Eduardo	Pupils With Exceptional Needs: Adaptive Sports Hubs Pilot Program		Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	10

Bill No./ Author	Title	Position	Current Status	Page
*AB 2427 Rubio, Blanca	Pupils with Exceptional Needs: Individualized Education Programs: Postsecondary Goals and Transition Services	Watch	Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	10
*AB 2475 Quirk-Silva	Pupil Placement: Special Education: Foster Children: Nonpublic, Nonsectarian Schools or Agencies: School of Origin	Watch	Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active	10
SB 237 Portantino	Special Education: Dyslexia Risk Screening		Assembly Education Committee	11
SB 291 Stern	Advisory Commission on Special Education: Pupil Advisory Council	Support	Assembly Education Committee	11
SB 293 Limón	Medi-Cal Specialty Mental Health Services		Assembly Appropriations Committee	12
*SB 387 Portantino	Pupil Health: School Employee and Pupil Training: Youth Mental and Behavioral Health		Assembly Education Committee	12
SB 692 Cortese	Local Control and Accountability Plans: State Priorities: Least Restrictive Environment		Assembly Appropriations Committee Suspense File	12
SB 866 Wiener	Minors: Vaccine Consent		Assembly Judiciary Committee	13
SB 870 Portantino	Developmental Services		Assembly Desk	13
SB 871 Pan	Public Health: Immunizations		Senate Judiciary Committee— Bill Did Not Meet Deadline—No Longer Active	13
*SB 882 Eggman	Advisory Council on Improving Interactions Between People with Intellectual and Development Disabilities and Law Enforcement		Senate Floor—Consent Calendar	13
SB 1016 Portantino	Special Education: Eligibility: Fetal Alcohol Spectrum Disorder	Watch	Assembly Desk	14
*SB 1397 Borgeas	Substitute Teachers: Days of Service		Assembly Education Committee	14

SCHOOL SERVICES OF CALIFORNIA INC.
Legislative Report Prepared by Kyle Hyland for:
Coalition for Adequate Funding for Special Education
May 25, 2022

Funding

***[AB 1607](#) (Muratsuchi)**

Amended: 4/18/2022

Title: Education Finance: Local Control Funding Formula

Status: Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This is an urgency bill that would shift to using a three-year rolling average of average daily attendance (ADA) or the ADA for the current fiscal year, whichever is higher, for the Local Control Funding Formula, in place of the current methodology, which relies on current- or prior-year ADA.

SSC Comment:

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

***[AB 1609](#) (Muratsuchi)**

Amended: 4/18/2022

Title: Education Finance: Local Control Funding Formula: Attendance Yields

Status: Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This is an urgency bill that would shift to using a three-year rolling average of average daily attendance (ADA) or the ADA for the current fiscal year, whichever is higher, for the Local Control Funding Formula, in place of the current methodology, which relies on current- or prior-year ADA.

SSC Comment:

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

***AB 1614 (Muratsuchi)**

Amended: 4/18/2022

Title: Education Finance: Local Control Funding Formula: Base Grants: Aspirational Funding Level: Reports

Status: Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This bill would set aspirational targets to increase the Local Control Funding Formula by \$4.2 billion above the 2022-23 cost-of-living adjustment.

SSC Comment:

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

AB 1624 (Ting)

Title: Budget Act of 2022

Status: Assembly Budget Committee

Position:

Summary:

This is the main 2022-23 State Budget bill for the Assembly.

***AB 1948 (Ting)**

Amended: 5/3/2022

Title: Education Finance: Local Control Funding Formula: Low-Income Pupils: Pupils Experiencing Homelessness

Status: Senate Desk

Position:

Summary:

This bill would make the following significant changes to the Local Control Funding Formula statute:

- Deem the statutory cost-of-living adjustment in 2022-23 to be 15%
- Increase, from 185% to 250% of the federal poverty limit, the qualifying threshold for a student to be considered low income (which would replace free or reduced-price meals eligibility to be considered an unduplicated pupil)
- Add students experiencing homelessness as an unduplicated pupil type (which is a change in name only since these students already qualify as low income)
- Add language that the fiscal year average daily attendance (ADA) for a school district be computed based on the greatest of current-year ADA, prior-year ADA, or the average of the three most recent prior fiscal years, which aligns with the proposal Governor Gavin Newsom presented in his January 2022-23 State Budget proposal

[AB 2541](#) (Quirk-Silva)*Amended:** 4/19/2022**Title:** Special Education: Funding: Deaf and Hard of Hearing Children**Status:** Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active**Position:** Watch**Summary:**

This bill would require the State Superintendent of Public Instruction to add to the existing special education early intervention preschool grant calculation an unspecified dollar amount, based on the total number of children from birth to five years of age who are deaf and hard of hearing to the amount to be apportioned to each school district in order to contract with the California Schools for the Deaf or nonprofit organizations for purposes of providing specified services to those children.

SSC Comment:

This bill was held in the Assembly Appropriations Committee and will not be moving forward.

[AB 2827](#) (Quirk-Silva)*Amended:** 4/7/2022**Title:** Child Daycare Facilities**Status:** Senate Rules Committee**Position:** Support**Summary:**

This bill would require the State Department of Social Services to revise its regulations to permit children with exceptional needs, who are enrolled in separate programs or classrooms from nondisabled children, to use outdoor play spaces simultaneously with nondisabled children without first seeking a waiver. The bill would authorize the department to implement these provisions by means of an all-county letter or similar instruction on or before January 1, 2024.

[SB 579](#) (Allen)**Amended:** 1/20/2022**Title:** Education Finance: Local Control Funding Formula**Status:** Assembly Education Committee**Position:****Summary:**

This bill would require apportionments under the Local Control Funding Formula to be calculated based on the greater of a local educational agency's (LEA's) 2019-20 or 2021-22 average daily attendance (ADA) for the 2021-22 fiscal year and the greater of an LEA's 2019-20, 2021-22, or 2022-23 ADA for the 2022-23 fiscal year.

SB 830 (Portantino)*Amended:** 5/19/2022**Title:** Education Finance: Additional Education Funding**Status:** Assembly Desk**Position:****Summary:**

This bill provides additional Local Control Funding Formula (LCFF) funding to local educational agencies (LEAs) based on a calculation of how much additional funding the LEA would receive if the student count methodology of the LCFF were based on enrollment instead of attendance.

SSC Comment:

Senate Bill 830 would not make any changes to the existing LCFF formula or statute, but rather would create a categorical program to provide supplemental funding to LEAs based on the difference between their average daily attendance and enrollment.

SB 840 (Skinner)**Title:** Budget Act of 2022**Status:** Senate Budget and Fiscal Review Committee**Position:****Summary:**

This is the main 2022-23 State Budget bill for the Senate.

SB 878 (Skinner)*Amended:** 4/18/2022**Title:** School Transportation**Status:** Assembly Desk**Position:****Summary:**

This bill would require local educational agencies (LEAs), by 2027-28, to offer free transportation to students in transitional kindergarten through grade 6 who live more than half a mile from their neighborhood school, and more than one mile for students in grades 7-12. As significantly amended at the request of the Senate Education Committee, the bill no longer establishes a per-mile reimbursement rate. The bill would instead require the State Superintendent of Public Instruction to allocate to an LEA either 100% of their approved home-to-school transportation costs or their existing Local Control Funding Formula home-to-school transportation add-on amount, whichever is greater. This amount would receive a cost-of-living adjustment annually.

SB 1113 (Ochoa Bogh)*Amended:** 5/19/2022**Title:** Special Education: Inclusive Education: Universal Design for Learning**Status:** Senate Floor—Consent Calendar**Position:** Support**Summary:**

This bill requires the Commission on Teacher Credentialing (CTC) to revise its administrative services credential standards and performance expectations to strengthen preparation for inclusion. This bill would also require the California Department of Education to:

- Develop guidance on staffing inclusive classrooms and make recommendations for changes necessary to eliminate barriers to staffing inclusive placements in consultation with the CTC
- Produce a comprehensive guidebook and video modules related to inclusive practices and promotion of equity between schools
- Establish and provide grants to the system improvement leads of the Special Education Local Plan Areas and the Supporting Inclusive Practices project
- Train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning

SB 1229 (McGuire)*Amended:** 4/28/2022**Title:** Mental Health Workforce Grant Program**Status:** Assembly Desk**Position:** Watch**Summary:**

This bill would, subject to an appropriation, require the Student Aid Commission to administer the Mental Health Workforce Grant Program to increase the number of mental health professionals serving children and youth. The bill would require the commission to award up to 10,000 grants to postgraduate students over a three-year period in amounts of up to \$25,000 each. The bill would prescribe eligibility requirements for the grants, including that a grant recipient be enrolled on or after January 1, 2022, in an eligible postgraduate or credential program at a University of California or California State University campus, or an independent institution of higher education, or department of social work. The bill would require the recipient to make specified commitments, including a commitment to work with an eligible California-based nonprofit entity or a local educational agency for specified required supervised experience hours and a commitment that, upon completion of the postgraduate program, the recipient satisfies the requirements in a specified profession.

Other

[AB 408](#) (Quirk-Silva)

Amended: 1/3/2022

Title: Homeless Children and Youths: Reporting

Status: Senate Education Committee

Position:

Summary:

This bill would require local educational agencies (LEAs), including Special Education Local Plan Areas, to establish homeless education program policies that are consistent with specified state laws, and would further require LEAs to update these policies at intervals not exceeding three years. The bill would require LEAs to provide training at least annually on designated subjects to its classified and certificated employees who work with pupils.

[AB 552](#) (Quirk-Silva)

Amended: 1/27/2022

Title: Integrated School-based Behavioral Health Partnership Program

Status: Senate Education Committee

Position:

Summary:

This bill would establish the Integrated School-Based Behavioral Health Partnership Program to provide prevention and early intervention for, and access to, behavioral health services for pupils. The bill would authorize a county behavioral health agency and a local educational agency to agree to collaborate on conducting a needs assessment on the need for school-based mental health and substance use disorder services and implement an integrated school-based behavioral health partnership program, to develop a memorandum of understanding outlining the requirements for the partnership program, and to enter into a contract for mental health or substance use disorder services.

[AB 563](#) (Berman)

Amended: 4/5/2021

Title: School-Based Health Programs

Status: Senate Education Committee

Position:

Summary:

This bill would require the California Department of Education (CDE) to establish an Office of School-Based Health Programs (Office) for the purpose of improving the operation of, and participation in, school-based health programs, including the Medi-Cal Administrative Activities claiming process (and the Local Educational Agency Medi-Cal billing option program). The bill would also require that \$500,000 in federal reimbursements be made available for transfer through an interagency agreement to the CDE for the support of the Office.

AB 586 (O'Donnell)**Amended:** 6/23/2021**Title:** Pupil Health: Health and Mental Health Services: School Health Demonstration Project**Status:** Senate Education Committee**Position:****Summary:**

This bill would establish the School Health Demonstration Project, a pilot project, to be administered by the California Department of Education, in consultation with the California Department of Health Care Services, to expand comprehensive health and mental health services to public school pupils by providing training and support services to selected local educational agencies to secure ongoing Medi-Cal funding for those health and mental health services.

AB 1810 (Levine)*Amended:** 3/30/2022**Title:** Pupil Health: Seizure Disorders**Status:** Senate Desk**Position:****Summary:**

This bill would authorize a school or a local educational agency (LEA) to train an employee who has volunteered to administer emergency anti-seizure medication to a pupil upon the request of the parent, require the development of state standards for the training, and require the parent to provide specified information to the LEA, including a seizure action plan.

AB 1838 (Bauer-Kahan)**Title:** Parental Notices: Primary Language Translations**Status:** Assembly Education Committee—Bill Did Not Meet Deadline—No Longer Active**Position:****Summary:**

Under current law, if 15% or more of the pupils enrolled in a public school speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of any such pupil must be written in English and the primary language and authorizes the parent or guardian to respond either in English or the primary language.

Assembly Bill 1838 expands on current law by requiring public schools, charter schools, and school districts to provide these documents in the parent/guardian's primary language other than English, if it is:

- One of the two most commonly spoken languages other than English at that pupil's school
- Is a language that is spoken by 15% or more at a pupil's individual school
- Is a language spoken by 15% or more of the residents of any county that the school/school district resides in

SSC Comment:

This bill was not heard in policy committee by the deadline and thus will not be moving forward in the legislative process.

***[AB 1868](#) (Rivas, Luz)**

Amended: 4/18/2022

Title: School Accountability: English Language Acquisition Status: Data

Status: Senate Desk

Position:

Summary:

This bill would require the California Department of Education to annually report on its website specified data on English learners, including enrollment data by English language acquisition status and disability and specified student performance and outcome data by English language acquisition status.

[AB 1877](#) (Fong)

Title: State Teachers' Retirement: Retirees

Status: Assembly Public Employees and Retirement Committee—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This bill would exempt from the California State Teachers' Retirement System postretirement compensation limit, the compensation of a retired member who has returned to work to fulfill a critical need in special education.

***[AB 2034](#) (O'Donnell)**

Amended: 4/7/2022

Title: Local Education Agency: Medi-Cal Billing Option

Status: Assembly Floor—Third Reading

Position: Support

Summary:

This bill would require the Department of Health Care Services (DHCS) to establish a revised audit process for local educational agency (LEA) Agency Medi-Cal Billing Option claims submitted for dates of service on or after January 1, 2024. The bill would require the DHCS' audit plan to include a risk assessment of LEAs using paid claim data to determine the appropriate level of oversight, including the percentage of LEA claims to be audited in a given year to ensure that audits conducted are primarily focused on potential instances of fraud, waste, or abuse of LEA services and Medi-Cal funds, and require the DHCS' audit plan to make reimbursement for fraud, waste, and abuse the primary focus of recoupment. The bill would require the DHCS to complete an audit and notify an LEA of the audit findings within 12 months of the date that the Cost and Reimbursement Comparison Schedule (CRCS) is due and require the DHCS to perform final settlement on a claim, including completion of the appeals process within three years from the date the CRCS is submitted. The bill would prohibit an auditor from disallowing a claim for LEA services meeting the requirements of a specified Medi-Cal regulation unless the claim is out of compliance with the standards of the LEA program guide or the state plan in effect at the time of submission.

[AB 2072](#) (Gabriel)

Title: Mental Health Professionals: Natural Disasters: County Offices of Education: Personnel Sharing Agreements

Status: Senate Desk

Position:

Summary:

This bill would require, by November 1, 2024, county offices of education (COEs) to coordinate agreements between school districts and charter schools within their county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel throughout the county to areas of the county that experienced a natural disaster or other traumatic event. The bill would require COEs to consider cost, criteria for a local educational agency (LEA) to request the use of mental health professionals/other key personnel, and reimbursements between LEAs when developing these agreements. The bill would require single school district COEs to enter into agreements with at least one other COE that they share a border with. The bill would require COEs that share a county border with a single school district COE to consult with and enter into agreements with at least one single school district COE.

[AB 2121](#) (Garcia, Eduardo)

Amended: 3/7/2022

Title: School Accountability: California Collaborative for Educational Excellence: Special Education Resource Leads

Status: Senate Desk

Position: Support

Summary:

This bill would require the establishment of a new special education resource lead to provide training and technical assistance on family support and alternative dispute resolution (ADR) in special education. The bill would require the California Collaborative for Educational Excellence and the California Department of Education to select a partnership consisting of Special Education Local Plan Areas, county offices of education, and a family support organization to serve as a special education resource lead to work on capacity building, training, and technical assistance on family support for families of pupils with disabilities and conflict prevention and ADR in special education.

***[AB 2281](#) (Lackey)**

Amended: 4/21/2022

Title: Early Childhood Mental Health Services Act

Status: Senate Desk

Position:

Summary:

This bill would, contingent upon an appropriation, establish the Mental Health Services Act, administered by the Mental Health Services Oversight and Accountability Commission, to award grants to eligible entities or partnerships to improve access to, and quality of care, services, and supports for, children from birth to five years of age, inclusive, and their parents, families, and caregivers, with emphasis on prevention and early intervention and disparities.

***[AB 2373](#) (Garcia, Eduardo)**

Amended: 4/19/2022

Title: Pupils with Exceptional Needs: Adaptive Sports Hubs Pilot Program

Status: Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This bill would establish the Adaptive Sports Hubs Pilot Program in the Counties of Imperial and Riverside and appropriate \$600,000 from the General Fund to the California Department of Education for this purpose. This bill would require the funds to be allocated for use at centralized public schools for pupils in grades K-8 in order to increase access to extracurricular sports programs for pupils with exceptional needs by providing adaptive sports equipment, staff, athletic training, and related services.

SSC Comment:

This bill was held by the Assembly Appropriations Committee and will not be moving forward in the legislative process.

***[AB 2427](#) (Rubio, Blanca)**

Amended: 3/28/2022

Title: Pupils with Exceptional Needs: Individualized Education Programs: Postsecondary Goals and Transition Services

Status: Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active

Position: Watch

Summary:

This bill would, beginning July 1, 2024, reduce the minimum age that an Individualized Education Program needs to include appropriate measurable postsecondary goals and transition services needed to attain those goals from 16 to 14 years old.

SSC Comment:

This bill was held by the Assembly Appropriations Committee and will not be moving forward in the legislative process.

***[AB 2475](#) (Quirk-Silva)**

Amended: 3/28/2022

Title: Pupil Placement: Special Education: Foster Children: Nonpublic, Nonsectarian Schools or Agencies: School of Origin

Status: Assembly Appropriations Committee Suspense File—Bill Did Not Meet Deadline—No Longer Active

Position: Watch

Summary:

This bill would, for a foster child who is an individual with exceptional needs, define “school of origin” as also including a certified nonpublic, nonsectarian school. The bill would require, commencing with the 2023-24 school year, a nonpublic, nonsectarian school or agency seeking certification or already certified to agree in writing, for any foster child it serves, to be designated as the school of origin of the foster child and to allow the foster child to continue their education in the school.

SSC Comment:

This bill was held by the Assembly Appropriations Committee and will not be moving forward in the legislative process.

SB 237 (Portantino)

Amended: 6/28/2021

Title: Special Education: Dyslexia Risk Screening

Status: Assembly Education Committee

Position:

Summary:

This bill would require the State Board of Education to establish, by June 30, 2022, an approved list of evidence-based culturally, linguistically, and developmentally appropriate screening instruments to be used by local educational agencies (LEAs) to screen pupils for risk of dyslexia. The bill would then require LEAs, beginning with the 2022–23 school year, and annually thereafter, to screen students in grades K–2 for risk of dyslexia. During the 2022–23 school year, an LEA serving students in grade 3 shall conduct the screening described above on each third grader, in order to identify and provide support to students at risk of dyslexia and experiencing significant learning loss due to the COVID-19 pandemic. Results from the screening shall be made available to the student’s parent or guardian in a timely manner, but no more than 45 calendar days from administering the screening, and must include information as to how the parent or guardian can access information about the Multi-Tiered System of Supports and the California Dyslexia Guidelines developed by the California Department of Education.

SSC Comment:

Senator Portantino introduced a nearly identical bill last year on dyslexia screening, but did not pursue it once COVID-19 forced members to whittle down their bill lists. Portantino said that this bill is personal for him, as he has struggled with dyslexia, ADHD, and cross dominance.

SB 291 (Stern)

Amended: 5/20/2021

Title: Advisory Commission on Special Education: Pupil Advisory Council

Status: Assembly Education Committee

Position: Support

Summary:

Current law establishes the Advisory Commission on Special Education (ACSE) as an entity consisting of 17 members to study and provide assistance and advice to the State Board of Education (SBE), State Superintendent of Public Instruction (SSPI), the Legislature, and the Governor in new or continuing areas of research, program development, and evaluation in special education.

This bill would establish an advisory council, composed of ten pupils with exceptional needs from 16 to 24 years old who represent all geographic regions of the state, to provide ACSE with advice and input from current pupils with exceptional needs. The bill would require the SBE to nominate a pool of qualified candidates for appointment to the council and would require the SSPI to appoint the members of the council from the pool of candidates nominated by the SBE. The bill would authorize the council to develop and enter into a public-private partnership to fund the council’s operations. The bill would increase the number of members on ACSE to 18 and would require the council to appoint one of its members to serve as a member of the commission for each calendar year.

SB 293 (Limón)**Amended:** 5/20/2021**Title:** Medi-Cal Specialty Mental Health Services**Status:** Assembly Appropriations Committee**Position:****Summary:**

With respect to specialty mental health services provided under the Early and Periodic Screening, Diagnostic, and Treatment Program, by January 1, 2022, this bill would require the Department of Health Care Services (DHCS) to develop standard forms, including intake and assessment forms, relating to medical necessity criteria, mandatory screening and transition of care tools, and documentation requirements pursuant to specified terms and conditions, and, for purposes of implementing these provisions, would require DHCS to consult with representatives of identified organizations, including the County Behavioral Health Directors Association of California.

The bill would authorize DHCS to develop and maintain a list of department-approved nonstandard forms, and would require the department to conduct, by July 1, 2023, regional trainings for county mental health plan personnel and their provider networks on proper completion of the standard forms. The bill would require each county mental health plan contractor to distribute the training material and standard forms to their provider networks, and to commence, by July 1, 2023, exclusively using the standard forms, unless they use department-approved nonstandard forms.

SB 387 (Portantino)*Amended:** 5/16/2022**Title:** Pupil Health: School Employee and Pupil Training: Youth Mental and Behavioral Health**Status:** Assembly Education Committee**Position:****Summary:**

Existing law, contingent on an appropriation, requires the California Department of Education (CDE), by before January 1, 2023, to recommend best practices and identify training programs for use by local educational agencies (LEAs) to address youth behavioral health. Existing law requires the department to ensure that each identified training program, among other requirements, provides instruction on how school staff can best provide referrals to youth behavioral health services or other support to individuals in the early stages of developing a youth behavioral health disorder.

This bill would include referrals to special education services in that instruction requirement for identified training programs. The bill would require, by January 1, 2025, those LEAs to certify to the CDE that 75% of both its classified and certificated employees have received youth behavioral health training. The bill would prohibit training in youth behavioral health to be a condition of employment or hiring.

SB 692 (Cortese)**Amended:** 7/13/2021**Title:** Local Control and Accountability Plans: State Priorities: Least Restrictive Environment**Status:** Assembly Appropriations Committee Suspense File**Position:****Summary:**

This bill would add the least restrictive environment, as measured by the federal indicator, as another local measure of the state priority of school climate. The bill would require the standards for this local measure to be consistent with the state's targets for the federal indicators and other specified federal indicators for the federal fiscal year 2020. The bill would require, by January 31, 2023, the template for the Local Control

and Accountability Plan and standards for the evaluation rubrics adopted by the State Board of Education (SBE) to be updated to reflect this local measure. The bill would require, on the California School Dashboard, the narrative summary for an indicator for this local measure and the dashboard for each school district and charter school to display the enrollment percentage of pupils with mild to moderate disabilities and pupils with moderate to severe disabilities, as defined by the SBE, compared to the statewide average, and would require the California Department of Education to provide the indicator data for all school districts and charter schools.

[SB 866](#) (Wiener)

Amended: 3/9/2022

Title: Minors: Vaccine Consent

Status: Assembly Judiciary Committee

Position:

Summary:

This bill would permit minors 12 and older to get vaccinated without parental consent for all vaccines approved by the U.S. Food and Drug Administration that meet the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

[SB 870](#) (Portantino)

Title: Developmental Services

Status: Assembly Desk

Position:

Summary:

Existing law defines a “developmental disability” as a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for the individual. This bill would modify that definition to mean a disability that originates before an individual attains 22 years of age.

[SB 871](#) (Pan)

Title: Public Health: Immunizations

Status: Senate Judiciary Committee—Bill Did Not Meet Deadline—No Longer Active

Position:

Summary:

This bill would add the COVID-19 vaccine to the list of compulsory vaccines required for students to attend school. The bill would also repeal Health and Safety Code Section 120338, which is the statute that requires any vaccine mandate done via the regulatory process to include a personal belief exemption.

***[SB 882](#) (Eggman)**

Amended: 5/19/2022

Title: Advisory Council on Improving Interactions Between People with Intellectual and Development Disabilities and Law Enforcement

Status: Senate Floor—Consent Calendar

Position:

Summary:

This bill would create the Advisory Council on Improving Interactions between People with Intellectual and Development Disabilities and Law Enforcement to among other things, evaluate existing training for peace officers specific to interactions between law enforcement and individuals with intellectual and

developmental disabilities. The council would be under the Department of Justice and comprised of nine appointed members, which would include an individual with an intellectual or developmental disability and a representative from a law enforcement organization. The council would be tasked with making recommendations to the Legislature for improving outcomes of interactions with both individuals who have an intellectual or developmental disability and mental health conditions.

[SB 1016](#) (Portantino)

Title: Special Education: Eligibility: Fetal Alcohol Spectrum Disorder

Status: Assembly Desk

Position: Watch

Summary:

This bill would require the State Board of Education to include “fetal alcohol spectrum disorder” under the definition of “other health impairment,” entitling those children to special education and related services.

[*SB 1397](#) (Borgeas)

Amended: 5/19/2022

Title: Substitute Teachers: Days of Service

Status: Assembly Education Committee

Position:

Summary:

Existing law, until July 1, 2022, authorizes any holder of a credential or permit issued by the Commission on Teacher Credentialing that authorizes the holder to substitute teach in a general, special, or career technical education assignment to serve in a substitute teaching assignment aligned with their authorization, including for staff vacancies, for up to 60 cumulative days for any one assignment. This bill would extend the date of that authorization by one year to July 1, 2023.

SCHOOL SERVICES OF CALIFORNIA INC.
Federal Legislative Report
Prepared for: Coalition for Adequate Funding for Special Education
February 23, 2022

[H.R. 5984](#) and [S 3213](#)—IDEA Full Funding Act

Introduced: 11/16/21

Sponsor: Rep. Jared Huffman (D-CA-2); Senator Chris Van Hollen (D-MD)

Status: Referred to the House Committee on Education and Labor and Senate Committee on Health, Education, Labor, and Pensions

Position: Support

Summary:

This bill, the *IDEA Full Funding Act*, would make regular increases to the federal commitment of the Individuals with Disabilities Act (IDEA) until it reaches the 40% threshold in fiscal year (FY) 2031.

[H.R. 6532](#) and [S 3544](#)—Funding Early Childhood is the Right IDEA Act

Introduced: 2/1/22

Sponsor: Rep. Mark DeSaulnier (D-CA-11); Senator Margaret Wood Hassen (D-NH)

Status: Referred to the House Committee on Education and Labor and Senate Committee on Health, Education, Labor, and Pensions

Position: Support

Summary:

This bill, the *Funding Early Childhood is the Right IDEA Act*, would gradually increase funding for educational and early intervention services for children with disabilities, more than doubling both funding streams between FY 2023 and 2027.

7.2 Governor's Budget

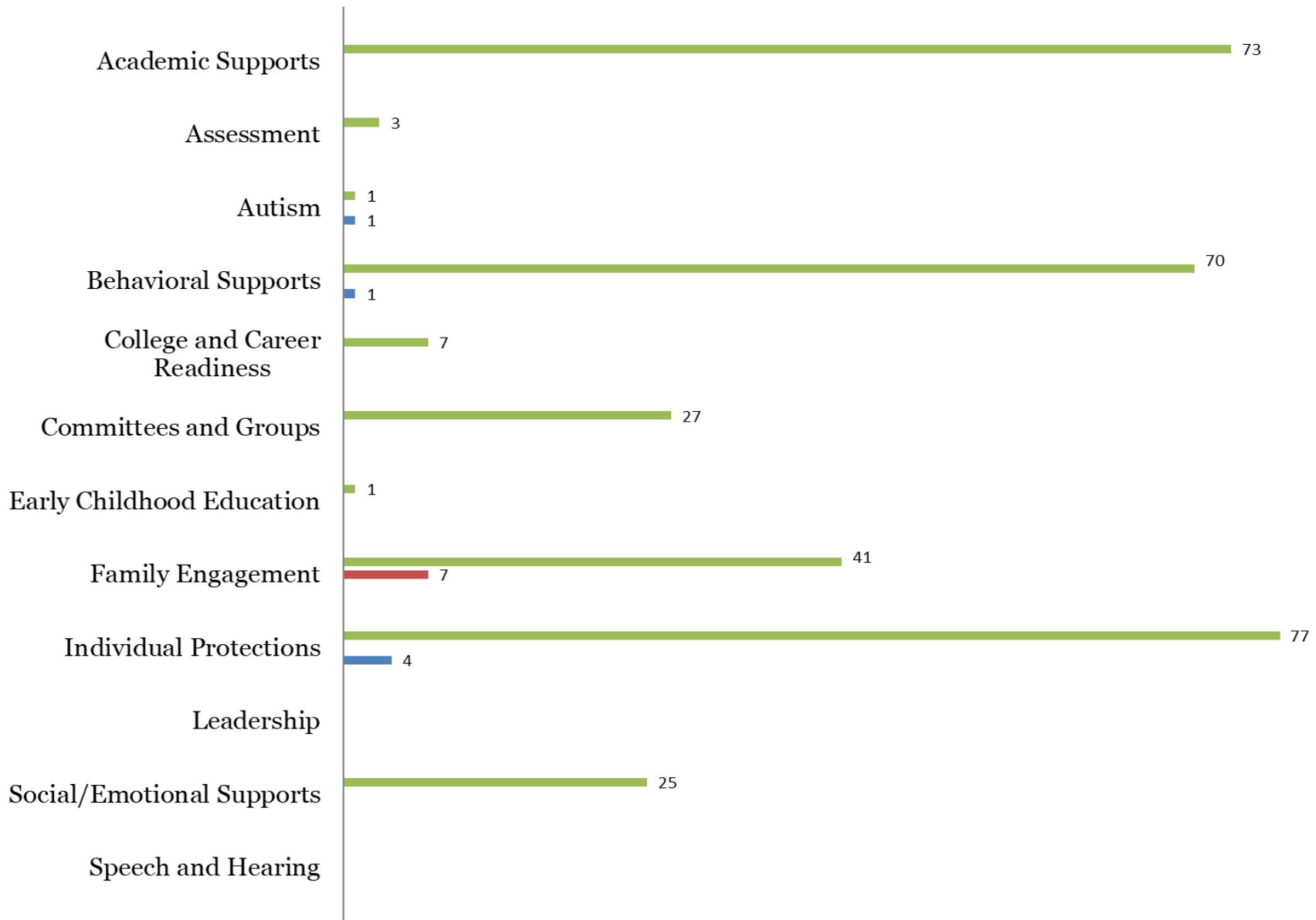
Verbal report, no materials

7.8 Update on 2022-23 D/M Charter SELPA Application for Membership
Verbal report, no materials

D/M CHARTER SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

MAY 2022- 13 PARTICIPANTS
325 YEAR-TO-DATE PARTICIPANTS

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



**Desert/Mountain Charter SELPA
Due Process Summary
July 1, 2021 - June 23, 2022**

D = Complaint Dismissed W = Complaint Withdrawn

DISTRICT										CASE ACTIVITY FOR CURRENT YEAR					
	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	Total	D/W	Resolution	Mediation	Settled	Hearing	Filed on Parent
Allegiance STEAM Acad - Thrive	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0
Aveson Global Leadership Acad	N/A	2	1	5	1.5	0	0	2	11.5	0	0	0	2	0	1
Aveson School of Leaders	N/A	0	3	1	1.5	0	0	4	9.5	0	0	0	4	0	0
Ballington Acad for Arts & Sci	N/A	N/A	N/A	0	2	0	0	0	2	0	0	0	0	0	0
Desert Trails Prep Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Elite Academic Acad - Lucerne	N/A	N/A	N/A	N/A	0	0	4	0	4	0	0	0	0	0	0
Encore Junior/Senior High School	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Julia Lee Performing Arts Acad	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0
LaVerne Elem Preparatory	0	0	0	0	0.5	0	0	0	0.5	0	0	0	0	0	0
Leonardo da Vinci Health Sci	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Odyssey Charter School (Altadena)	N/A	0	0	0	0	0	0	2	2	0	0	0	1	1	1
Odyssey Charter School -South (Pasadena)	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0
Pasadena Rosebud Academy	N/A	N/A	N/A	N/A	1	0	0	0	1	0	0	0	0	0	0
Pathways to College	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Taylion High Desert Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Virtual Prep Academy at Lucerne	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
SELPA-WIDE TOTALS	0	2	4	6	6.5	0	4	8	30.5	0	0	0	7	1	2

Desert/Mountain Charter SELPA
 Due Process Activity Summary
 July 1, 2021–June 23, 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–June 23, 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–June 23, 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 June 23, 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	174,030.32

Save THE Date!

2022-2023

Alternative Dispute Resolution Professional Development Series

Alternative Dispute Resolution (ADR) is an informal process for resolving conflicts early. It is a process that uses communication, collaboration, negotiation, and mediation to produce an agreement that meets the needs of the student. ADR encourages all parties to keep the student's needs first and foremost throughout the process. The goal of ADR is to establish mutually agreeable solutions resulting in written agreements. Please join us on the following training dates.

SELPA Legal Pathway

****Recommended for all IEP Teams****

Collaborative IEP: Aligning the Sun, the Moon, and the Stars

- October 4, 2022 12:00 p.m. - 4:00 p.m. (Virtual)

Art of Facilitating IEP Meetings

- November 3, 2022 2:00 p.m. - 4:00 p.m. (Virtual)

Meaningful Parent Participation

- December 1, 2022 2:00 p.m. - 4:00 pm (Virtual)

*Each training can be taken individually, or as a series.

Advanced ADR Trainings

****Recommended for LEA ADR Facilitation Teams****

KEY2ED Conflict Prevention and Resolution through IEP

- September 13-14, 2022 8:30 a.m. - 3:30 p.m. (in person)

David Dowling - Taking the "A" out of ADR

- November 4, 2022 9:00 a.m. - 12:00 p.m. (Virtual)

David Dowling - Core Communication Skills

- February 2, 2023 8:30 a.m. - 3:30 p.m. (in person)

*All in person trainings are subject to change based on health and safety orders.

Get in Touch

Address : 17800 Highway 18, Apple Valley, CA 92307
Phone : (760) 955-3551

Email : Patricia.Ochoa@cahelp.org
Website : www.cahelp.org

7.6 Compliance Update

Verbal report, no materials

Dispute Prevention and Resolution Funds and Learning Recovery Funds

Internal strategy that SELPAs can share with their LEAs.

LEAs will need to strategize in which year they will expend these funds – if they wait until the final year, it could have a substantial single year MOE (Maintenance of Effort) impact. LEAs should spread expenditures over the timeline of allowable use. There are a lot of LEAs struggling to spend these funds – staff are hard to find, extra activities are hard to fund, and it is combined with other funds sources. Thankfully, the wave of litigation has not been as substantial as feared, and settlement agreements have not been massively impactful. SELPAs are sharing two potential pathways for accounting for one-time revenue – and suggestions to manage these and other special education expenditures this year to meet MOE.

MOE tracks expenditures using GOAL codes. MOE does not track the *revenue source* of special education funds. For example, a revenue of \$100,000, and an expenditure of \$75,000, in a State Special Education fund creates an MOE of \$75,000. If the expenditures were \$0, the MOE would be \$0. For one-time DPR and LRS Funds –the only way expenditures will not impact MOE is to code in Object codes excluded from MOE such as 7140, 7141, 7142, 7143, which may not be feasible nor aligned with submitted plans.

MOE does, however, identify any revenue *contribution amounts*, and it reassigns them to the MOE Local Actual Expenditure area. For example, that same revenue of \$100,000, but an expenditure of \$125,000, may cause a local contribution of \$25,000. This \$25,000 would be *assigned* to the MOE Local Actual Expenditures area.

Any activity that has a Goal Code of 5xxx will be pulled into MOE calculations. With the influx of one-time funds, additional management of the MOE impact is wise. Good planning can help an LEA expend these one-time funds – in alignment with the purpose of the grant – and continue to meet its MOE requirement, while monitoring long-term impact on the MOE obligation. This is key for the DPR and LRS funds, as these one-time funds may be expended for activities completed in the 2021-22, 2022-23, and 2023-24 fiscal years.

These funds are to be used to support LEAs with learning recovery and dispute resolution/prevention activities as a result from school disruptions stemming from the COVID-19 public health emergency during the period of March 13, 2020, to September 1, 2021, inclusive. It is recognized that some of these activities occurred during the 2020-21 fiscal year.

Prior Year

There are two proposed methods to utilize funds (assigned to SACS {Standardized Account Code Structure} Resource codes 6536 and 6537) for **qualifying prior year** (2020-21) activities:

Method 1

1. Identify, document, and total qualifying prior year activities.
2. Post a contribution up to the amount identified (using SACS Object 8990) from Resource 6536 and/or 6537, as appropriate, to Resource 0000 (or an unrestricted equivalent) and/or Resource 6500. Also, use the appropriate Goal 5xxx code.
 - a. A contribution to Resource 6500 may be the most appropriate, depending on the activity. *This contribution may create an equivalent reduction to the LEA's overall general fund contribution to 6500.*

- b. Example:
 - i. XYZ LEA had an initial contribution of \$50,000 to Resource 6500.
 - ii. XYZ identified \$20,000 in qualifying costs to Resource 6537 from the prior year.
 - iii. XYZ posts a contribution of \$20,000 from Resource 6537 to 6500.
 - iv. XYZ's total revenue increases by \$20,000.
 - v. XYZ's initial contribution decreases from \$50,000 to \$30,000.
 - vi. XYZ's State & Local total for MOE remains the same. However, XYZ's Local Only total decreases by \$20,000

Method 2

1. If the LEA has documentation of qualifying costs that were used for actual goods and/or services from one department to another department within the organization, the LEA may consider a direct cost transfer. If no goods and/or services were received a direct cost transfer may not be permitted. If there are qualifying costs, then the LEA would complete a direct cost transfer (Object 5710) between 6500 and 6536/6537. All the costs in 6536 and 6537 will have a Goal 5xxx, so you cannot do this between 0000 and 6536/6537 unless the expenses coming out of 0000 also had Goal 5xxx.

Upon applying either of these two proposed methods, the funds would now reside in either Resource 0000 or Resource 6500 and no longer would be restricted under Resource 6536/6537, as their qualifying use was completed in the prior year of 2020-21.

Advice/Notes:

- Using one-time funds only as a replacement for the general fund contribution may not meet the purposes of the AB 130 grants.
- Do not wait until June 29, 2023, to encumber all the funds – this strategy could either inflate MOE or cause an LEA to lose access to the funds
 - Remember that funds cannot be encumbered for employee-staff salaries and costs into another fiscal year. This means an LEA cannot pay salaries of employees with these funds in Summer of 2023.
 - An LEA may be able to use to pay for costs associated with Contracted staff or services, materials or supplies for which a purchase order was received prior to June 30, 2022. Please refer to Procedure 675 in the SACS Guidelines.
- AU (Administrative Unit) only uses Fund 10. AU sends funds to LEAs, typically as Fund 01. Fund 01 is included in MOE.
- Contribution of funds from 6536/37 into another resource (6500, 0000) has no impact on the MOE for the State and Local tests, but it may have an impact on the Local Only tests if the contribution is from a State Resource to a Local Resource.

Q: What happens if an LEA used previous one-time funds to supplant or backfill existing obligations?

If an LEA made this choice, we encourage the SELPA and LEA to arrange for a verbal consultation with a finance committee member – if they used an ESSER (Elementary and Secondary School Emergency Relief) code or other federal funds to prevent a contribution into RES 6500 from general funds it could be challenging. They could consider 8990 to direct contribution from 3213 and 3214, but this would not be standardized practice nor very defensible.

Current Year

In addition to prior year uses, these funds should be used through the current year, and expended no later than September 30, 2023. The following method can assist SELPA AUs and member LEAs account for these expenditures:

1. Pass through the funds in either RES 6536 or 6537

2. LEA expends funds using RES 6536 or 6537, as appropriate and in accordance with their plan
3. Ensure appropriate documentation is retained

OR

1. SELPA collects documentation of expenditures in any RES Code with Goal 5xxx
2. Pass through funds to RES 6536/6537 to LEA
3. LEA contributes funds from RES 6536/6537 to the RES from which they funded the Goal 5xxx activities

This *will* impact MOE, but this is the ideal year to do this. The budget proposal for 2022-2023 includes revenue that should be sufficient to offset State and Local MOE and should also largely offset Local Only MOE implications. Spreading the expenditures over two years (21-22 & 22-23), with reimbursements to prior year (20-21), should be sufficient to demonstrate appropriate use and have negligible negative impact for MOE for those concerned about growing MOE obligation, leaving a small window for final expenditures to be paid in Summer of 2023.

For those who are struggling to meet MOE obligation, these funds could be a way to increase their expenditure on allowable activities, while having the revenue to cover those increases for 2021-22 and into 2022-23.

Upcoming Trainings

Date/Time	Event	Location
7/25/2022 9:00 AM - 10:00 A	STOP THE BLEED AM	DMESC
7/25/2022 1:00 PM - 2:00 PM	STOP THE BLEED PM	DMESC

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



Paraeducator Academy Collaborative

Facilitated by

Linda Rodriguez & Danielle Côté

Dates

09/27/22
11/17/22
03/14/23
05/16/23

Time

12:30 - 2:30 p.m.

Cost

Free

Description

This collaborative group, with a complementing on-line asynchronous course, is designed specifically for paraeducators supporting students with disabilities. Foundational skills in the area of academics, behavior, and collaboration, with an emphasis on core competencies, will be the focus. The course content will be self-paced on Canvas with live quarterly sessions. Participants will have the option to receive a certificate at the end of the school year. This certificate of completion for the Paraeducator Academy reflects 24 hours of content area and attendance of the four regional sessions.

Location

You have the option to attend this training in person or virtually. You can select your preferred method during registration.

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

Virtual: a link will be sent prior to the training date.

Registration

Please register online at:
<https://sbcss.k12oms.org/52-220006>

Special Accommodation

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.

Get in Touch

Address : 17800 Highway 18, Apple Valley, CA 92307
Phone : (760) 955-3573

Email : judith.loera@cahelp.org
Website : www.cahelp.org



Forms and Facts 101 ***Self-paced Course**

Presented By

Sheila Parisian,
Program Specialist

Date

Available until May 31, 2023

Time

Self-paced virtual course

Cost

Desert/Mountain SELPA and
Charter SELPA members \$0.00;
Non-member participants \$25.00

Description

In this self-paced virtual course, participants will gain knowledge of the procedural and substantive protections for parents and their children with qualifying disabilities. Participants will be guided through specific required forms and components of the IEP to ensure understanding of legal compliance when considering the unique circumstances of an individual child. All participants will have access to resources and links to the Desert/Mountain SELPA policies and flowcharts to help IEP teams conduct meaningful IEP meetings. Participants are encouraged to participate in discussions and questions.

Registration

Participants will receive access to the online training once registration is confirmed.

Please register online at
<https://sbcss.k12oms.org/52-219962>

Audience

Special education teachers, school psychologists, general education teachers, and site administrators.

Special Accommodation

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.



Present Levels of Performance (PLOPs), Goals, and Educational Benefit
****Self-Paced Course***

Presented By

Sheila Parisian,
Program Specialist

Date

Available until May 31, 2023

Time

Self-paced virtual course

Cost

Desert/Mountain SELPA and
Charter SELPA members \$0.00;
Non-member participants \$25.00

Description

This self-paced virtual course will focus on understanding the IEP process and ways to determine if a student is receiving educational benefit. Participants will explore how the IEP process guides the development of legally compliant present levels of performance (PLOPs) as baseline indicators so that IEP goals are written for each area of need and directly linked to the baseline (PLOP). Participants will learn how to establish a statement of measurable annual goals by identifying areas of educational need derived from the student's areas of strengths and concerns. Participants will have the opportunity to view examples of both PLOPs and goals while practicing writing from the case studies provided. A brief discussion on how to link goals to the Common Core State Standards and Essential Standards will be addressed. Participants will gain an understanding of how to use data to determine whether a student has shown progress on goals to enable a child to make progress appropriate in light of the child's circumstances.

Registration

Participants will receive access to the online training once they register.

Please register online at
[https://
sbcss.k12oms.org/52-220016](https://sbcss.k12oms.org/52-220016)

Audience

Special education teachers, general education teachers, site administrators, counselors, and school psychologists.

Special Accommodation

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.

Get in Touch

Address : 17800 Highway 18, Apple Valley, CA 92307

Phone : (760) 955-3573

Email : judith.loera@cahelp.org

Website : www.cahelp.org



CELEBRATING FAMILIES!™

Building Resilience

Help children and families be **healthy, responsible, and addiction free.** - **NO COST TO ATTEND!**

Who Can Attend

Parents, caregivers, guardians, and children ages 4 through 18.

Program Benefits

- 16 skill building educational sessions
- Healthy meals in family group setting
- Age-appropriate youth & adult skill building groups
- Structured related family activity

Presented By

CAHELP Team

Date

Tuesdays: August 16, 2022- December 6, 2022 (no meeting the week of Thanksgiving)

Time

4:30 - 7:00 p.m.

Location

17800 US Highway 18 Apple Valley, CA 92307

Cost

\$0.00

Registration

Please register online at:

<https://sbcsc.k12oms.org/52-216240>

Special Accommodations

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.

Get in Touch

Address : 17800 Highway 18, Apple Valley, CA 92307

Phone : (760) 955-3552

Email : Marysol.Hurtado@cahelp.org

Website : www.cahelp.org



CELEBRANDO A LAS FAMILIAS!™

ROMPER EL CICLO DE LA ADICCIÓN

Ayudar a los niños y a las familias a ser **saludables, responsables y libres de adicción.** - ¡SIN COSTO PARA ASISTIR!

Quién Puede Asistir

Padres, cuidadores, tutores y niños de 4 a 18 años.

Beneficios Del Programa

- 16 sesiones educativas para el desarrollo de habilidades
- Comidas saludables en grupo familiar
- Grupos de desarrollo de habilidades para jóvenes y adultos de acuerdo con su edad
- Actividad familiar estructurada

Presentado Por

Equipo CAHELP

Fecha

Martes: 16 de Agosto de 2022 - 6 de Diciembre de 2022(sin reunión la semana de Acción de Gracias)

Hora

4:30 - 7:00 p.m.

Lugar

17800 US Highway 18 Apple Valley, CA 92307

Costo

\$0.00

Inscripción

Por favor, inscribese en línea en:

<https://sbcss.k12oms.org/52-216240>

Adaptaciones Especiales

Le pedimos que envíe cualquier solicitud de adaptación especial al menos quince días laborables antes de la capacitación, indicando su solicitud al inscribirse.