

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEETING
October 19, 2023 – 11:00 a.m.

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

AGENDA

TELECONFERENCE LOCATIONS

Aveson Global Leadership Academy – 1919 E Pinecrest Dr, Altadena, CA 91001
Ballington Academy for the Arts & Sciences – 3530 Camino Del Rio N Ste 300, San Diego, CA 92108
Desert Trails Preparatory Academy – 14350 Bellflower St, Adelanto, CA 92301
Elite Academic Academy – 43414 Business Park Dr, Temecula, CA 92590
Leonardo Da Vinci Health Sciences Charter – 229 East Naples St, Chula Vista, CA 91911
Southern California Flex Academy – 2969 Tapo Canyon Rd, Simi Valley, CA 93063

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 October 19, 2023 Desert Mountain Charter SELPA Executive Council Meeting Agenda be approved as presented.

5.0 CONSENT ITEM

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.

5.1 **BE IT RESOLVED** that the following Consent Item be approved as presented:

5.1.1 Approve the May 18, 2023 Desert Mountain Charter SELPA Executive Council Meeting Minutes.

6.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

6.1 Legislative Update

Pam Bender will provide a legislative update.

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6.2 IDEA and Charter School Responsibilities

Pam Bender will provide information on IDEA and charter school responsibilities.

6.3 Elite Academic Academy – Lucerne Status with CAHELP JPA and Desert Mountain Charter SELPA

Pam Bender will provide information to the status of Elite Academic Academy – Lucerne with CAHELP JPA and Desert Mountain Charter SELPA.

6.4 SEIS Transition Update

Pam Bender will provide a SEIS Transition update.

6.5 Cyclical Monitoring for Small Schools Update

Peggy Dunn will provide the Cyclical Monitoring for Small Schools update.

7.0 INFORMATION ITEMS

7.1 Professional Learning Summary

7.2 Resolution Support Services Summary

7.3 Upcoming Professional Learning Opportunities

8.0 DESERT MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS COMMENTS / REPORTS

9.0 CEO COMMENTS

10.0 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.

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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.

11.0 ADJOURNMENT

The next regular meeting of the Desert Mountain Charter SELPA Executive Council will be held on Thursday, January 18, 2024, at 11:00 a.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

Individuals requiring special accommodations for disabilities are requested to contact Jamie Adkins at (760) 955-3555, at least seven days prior to the date of this meeting.

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DESERT MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS PRESENT:

Allegiance STEAM Academy – Callie Moreno, ASA Charter School – Kari Ramos, Desert Trails Prep/La Verne Elementary Prep – Chantal Mendoza, Elite Academic Academy – Susana Waisman via Web Ex, Leonardo da Vinci Health Sciences – Courtney Cox, Odyssey Charter Schools – Lauren O’Neill via Web Ex, Pathways to College – Heather Fracchiolla, and Virtual Prep Academy at Lucerne Valley – Michelle Romaine.

CAHELP STAFF PRESENT:

Jamie Adkins, Pam Bender, Heidi Chavez, Peggy Dunn, Marina Gallegos, Linda Llamas, Kathleen Peters, and Adrienne Shepherd Myles.

1.0 CALL TO ORDER

The regular meeting of the Desert Mountain Charter SELPA (DMCS) Executive Council Meeting was called to order by Chairperson Pam Bender, at 10:15 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 Lauren O’Neill, seconded by Michelle Romaine, to approve the May 18, 2023 Desert Mountain Charter SELPA Executive Council Meeting Agenda as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

5.0 PUBLIC HEARINGS

5.1 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 2023-24 Annual Budget Plan describes the revenues and expenditures for special education for all local education agencies in the Desert Mountain Charter SELPA.

5.1.1 **BE IT RESOLVED** that a motion was made by Michelle Romaine, seconded by Lauren O’Neill, to approve the Desert Mountain Charter SELPA 2023-24 Annual Budget Plan as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

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5.2 Desert Mountain Charter SELPA Annual Service Plan (**ACTION**)

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

5.2.1 **BE IT RESOLVED** that a motion was made by Kari Ramos, seconded by Michelle Romaine, to approve the Desert Mountain Charter SELPA 2023-24 Annual Service Plan as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

6.0 INFORMATION/ACTION

6.1 Use of Desert Mountain Charter SELPA Low Incidence Ending Balance (**ACTION**)

Pam Bender proposed the Desert Mountain Charter SELPA Low Incidence Ending Balance be used to reimburse charter LEAs for low incidence costs incurred in 2022-23.

Marina Gallegos reported the Low Incidence balance has been building due to CDE increasing the per pupil rate \$466 in 2019-20 to \$3407 in 2023-24. She continued the funds are to reimburse LEAs for LIE materials and equipment that have been purchased. There have not been many reimbursement requests submitted. Marina reported CAHELP Governance Council approved a proposal to return 90% of the of the balance to charter LEAs based on their LIE contribution and maintain 10% of the balance. She said the LEAs were emailed their portion of the allocation earlier in the week. Marina noted there is a section of the Annual Budget Plan for Low Incidence set aside but only a few of our LEA have that budgeted. She asked to be notified if an LEA does have LIE in their budget.

6.1.1 **BE IT RESOLVED** that a motion was made by Heather Fracchiolla, seconded by Susana Waisman, to approve the Desert Mountain Charter SELPA Low Incidence Ending Balance be used to reimburse charter LEAs for low incidence costs incurred in 2022-23 as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None

6.2 One-year Pause of the Set-Aside Fund Contribution for Desert Mountain Charter SELPA Member LEAs (**ACTION**)

Pam Bender proposed a one-year pause of the set-aside contribution for the Desert Mountain Charter SELPA member LEAs to maintain the balance of the fund.

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Marina Gallegos said the LEAs are contributing 3% of the allocation for the set-aside fund which has grown to beyond the \$250,000 or 5% required reserve. CAHELP JPA Governance approved an additional one-year pause. Marina reminded the council that the set-aside fund is used for emergencies, in instances of high legal expenses, to assist with nonpublic school placement, when ADA was not certified so advanced apportionment payments were made then reimbursed once certified. Marina stated all requests must be approved by DMCS Executive Council. She confirmed the charter member LEAs will receive money in their allocation since they are not adding 3% to the set-aside fund.

6.2.1 **BE IT RESOLVED** that a motion was made by Lauren O’Neill, seconded by Michelle Romaine, to approve a one-year pause of the set-aside fund contribution for the Desert Mountain Charter SELPA member LEAs as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

6.3 Proposed 2023-24 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 DMCS as designated in the Local Plans.

Marina Gallegos reviewed the budget including the funding sources. Marina shared that AB 602 Out-of-Home is new funding source of approximately \$150,000 included in the budget but it is not known if it will continue as a revenue source beyond 2023-24. The 2023-24 budget does include Allegiance STEAM – Fontana and the continuation of Out-of-Home funding. Marina continued the budget included expanding the OT/PT team based on referrals as well as establishing a program manager position and a couple of administrative team lead positions.

6.3.1 **BE IT RESOLVED** that a motion was made by Callie Moreno, seconded by Heather Fracchiolla, to approve the Proposed 2023-24 Desert Mountain Charter SELPA Budget as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

6.4 Proposed 2023-24 Desert Mountain Charter SELPA Fee-for-Service Rates (**ACTION**)

Pam Bender presented the Proposed 2023-24 Desert Mountain Charter SELPA Fee-for-Service (FFS) Rates.

Marina Gallegos stated the FFS rates will not apply to charter member LEA unless they are

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making referrals for occupational therapy (OT) or physical therapy (PT) services.

6.4.1 **BE IT RESOLVED** that a motion was made by Kari Ramos, seconded by Michelle Romaine, to approve the 2023-24 Desert Mountain Charter SELPA Proposed Fee-For-Service Rates as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

6.5 CAHELP JPA Governance Council Representative Fiscal Year 2023-24 (**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 centered on the selection of these two representatives. Pam Bender shared that Jesse Najera and Debra Tarver were selected as chair and vice chair respectively for CAHELP JPA Governance Council.

6.5.1 **BE IT RESOLVED** that a motion was made by Lauren O’Neill, seconded by Michelle Romaine, to select Debra Tarver and Sebastian Cогnetta as the two representatives for the CAHELP JPA Governance Council effective July 1, 2023. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

6.6 Desert Mountain Charter SELPA Executive Council 2023-24 Schedule of Meetings (**ACTION**)

Pam Bender presented 2023-24 Desert Mountain Charter SELPA Executive Council Schedule of Meetings. After discussion, it was decided to move the May 16, 2024 meeting to May 9, 2024 so that it is held prior to the last CAHELP JPA Governance Council meeting of the fiscal year.

6.6.1 **BE IT RESOLVED** that a motion was made by Callie Moreno, seconded by Kari Ramos, to approve the Desert Mountain Charter SELPA Executive Council 2023-24 Desert Mountain Charter SELPA Executive Council Schedule of Meetings. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

7.0 **CONSENT ITEM**

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.

Pam Bender reported the three earlier meetings this year did not have quorum which is a significant concern.

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She will be emailing and possibly calling the DMCS Executive Council members stressing the importance of attending the meetings or have a proxy if not able to attend personally. Pam said there has been significant discussion about budget and changes that should not be missed.

7.1 **BE IT RESOLVED** that a motion was made by Michelle Romaine, seconded by Heather Fracchiolla, to approve the following Consent Items as presented. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O’Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

7.1.1 Approve the October 20, 2022 Desert Mountain Charter SELPA Executive Council Meeting Minutes.

7.1.2 Approve the January 26, 2023 Desert Mountain Charter SELPA Executive Council Meeting Minutes.

7.1.3 Approve the March 23, 2023 Desert Mountain Charter SELPA Executive Council Meeting Minutes.

8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

8.1 Legislative Update

Pam Bender provided a legislative update, highlighting some of the bills that are currently active.

- AB 1340 (Garcia) School Accountability: pupils with exceptional needs - post statewide data based on disability on CDE website is moving forward,
- SB 323 (Portantino) Pupils with exceptional needs: IEPs: emergency safety procedures-include in the IEP accommodations needed to support comprehensive school safety plan is moving forward,
- SB 445 (Portantino) IEP Translations: requires translation of the IEP, assessments and progress reports used to determine IEP into the native language of the parent, or communication type; within 30 days of the meeting; top eight languages; amendments have been submitted so it could change,
- AB 611 (Weber) Nonpublic School (NPS) Certification: requires the LEA to notify parents within 14 days of a change in certification status. Pam said DMSELPA notifies LEAs of these changes but not parents,
- AB 723 (Quirk-Silva) Foster Youth: NPS: School of Origin - makes an NPS the school of origin for foster students,

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- AB 381 (Blanca Rubio) Teacher Credentialing: OT/PT: allows OT/PT as a services credential in health. California School Employees Association (CSEA) is opposed to the bill,
- AB 438 (Rubio) Pupils with exceptional needs: IEPs: postsecondary goals and transition services - change age to 14,
- SB 483 (Cortese) Pupil Rights: Prone Restraint: eliminates all prone restraint within the school system,
- AB 1466 (Weber) Pupil Discipline: Restraint and Seclusion: requires restraint and seclusion data to be posted on the LEA website and submitted to CDE,
- SB 691 (Portantino) Dyslexia Risk Screening: by June 2024, School Board of Education (SBE) provides list of screening instruments so that in 2024-25, all K-2nd graders are screened for dyslexia within first 90 days of school, new students screened within 30 days of enrollment. Within 45 days of screening, administration must notify parents of results and provide resources. LEAs are to provide evidence-based literacy instruction, progress monitoring, and interventions within general education programs. There are two agencies opposing the bill but 49 others that are supporting it,
- SB 88 (Skinner) Pupil Transportation: Driver Qualifications: drivers who operate a vehicle with a maximum of 10 students must undergo a criminal background check, fingerprinting, and mandated reporter. They must also test for tuberculosis, drugs, and alcohol testing, as well as training and classes,
- AB 447 (Arambula) Public postsecondary education: Students with Disabilities: inclusive college pilot programs: requires Cal State and University of California systems to create college pilot inclusive program for students with intellectual disabilities (ID) and developmental disabilities (DD),
- AB 248 (Mathis) Individuals with intellectual or developmental disabilities: removes obsolete terminology including “mentally retarded persons” “mentally retarded children” “retardation”.

8.2 Risk Pool Contributions and Obligations to Desert Mountain Charter SELPA (DMCS)

Pam Bender reviewed the member Risk Pool Contributions and the member obligations to DMCS. Pam reported she will be in contact with each of the DMCS Executive Council members to discuss their standing in the risk pool. She said the risk pool standings are about the cost of due process and attendance at DMCS committee and council meetings.

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8.3 Learning Recovery Support and Dispute Prevention/Resolution Funding Update

Pam Bender provided a Learning Recovery Support and Dispute Prevention/Resolution Funding update. She reminded the attendees that the funds must be spent by June 30, 2023 with services are items received by September 30, 2023. Pam asked Heidi Chavez or Kathleen Peters to be notified in an LEA will not be using their allocated funds so it can possibly be used by other charter LEAs. Pam advised council member that another option is to contact Heidi or Kathleen for ideas on how to use the funds.

Kathleen Peters added that she has been working with special education directors in reviewing expenditures to see if items can be moved to these budget categories, including hiring additional special education staff as the number of students enrolled in the program have increased. She said some compensatory education that was awarded pre-due process should also be considered.

8.4 Compliance Updates

Pam Bender called on Peggy Dunn to present an update on compliance items from the California Department of Education (CDE). Peggy reported that with small school cyclical monitoring, the due date for the last phase of Student Records Review is June 9, 2023. She continued that IEP Data Collection and Implementation is due June 30, 2023. It was requested that the data be entered in the system by June 28, 2023 so Pam can review and certify the information by June 30, 2023. Peggy said there are LEAs in targeted and intensive Compliance Improvement Monitoring (CIM) with those in intensive working with CDE consultants and DMCS program specialists.

Pam reminded council members that it is important to complete late IEPs and to have the IEPs that are due June, July, and August completed before the end of the school year if possible so they can be done before the SEIS transition on July 1, 2023. Pam said that Colette Garland has scheduled many onsite SEIS trainings to ensure that compliance staff are trained and comfortable using the platform. Pam shared that IEP Implementation documentation has been received from some LEAs. Pam will review it and will send an additional assurance for LEA CEO or designee to sign as additional documentation. She reiterated that the LEAs are to keep IEP Implementation documentation where it is accessible all times of the year and not lost with change of staff.

9.0 INFORMATION ITEMS

9.1 Professional Learning Summary

9.2 Resolution Support Services Summary

9.3 Upcoming Professional Learning Opportunities

10.0 DESERT MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL MEMBERS COMMENTS /

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Lauren O'Neill thanked the council members who attend the meetings. She expressed her frustration with not having quorum because it makes it extremely difficult to conduct business. Lauren asked for parameters to be placed on members that are not meeting their legal obligations to participate in the Desert Mountain Charter SELPA in 2023-24.

11.0 CEO COMMENTS

Pam Bender thanked the council members for attending the meetings. She stressed the importance of quorum as it is part of the agreement signed when LEAs join the Desert Mountain Charter SELPA.

Pam encouraged the council members as they handle compliance requirements, end of the year testing, celebrations, and activities, finishing with the poem, "Take a Moment to Appreciate All You Mean to the World" by Irina Vasilescu.

12.0 MATTERS BROUGHT BY CITIZENS

None.

13.0 ADJOURNMENT

Having no further business to discuss, a motion was made by Callie Moreno, seconded by Michelle Romaine, to adjourn the meeting at 11:22 a.m. The motion carried on the following vote 8:0:0, Ayes: Cox, Fracchiolla, Mendoza, Moreno, O'Neill, Ramos, Romaine, and Waisman, Nays: None, Abstentions: None.

The next regular meeting of the Desert Mountain Charter SELPA Executive Council will be held on Thursday, October 19, 2023, 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.

Legislative Updates – October 2023

Assembly Bills

- **AB 248 (Mathis) Individuals with intellectual or developmental disabilities:** removes obsolete terminology including “mentally retarded persons” “mentally retarded children” “retardation” – **To Governor 9/19/23 at 4:00 pm.**
- **AB 438 (Rubio) Pupils with exceptional needs:** IEPs: postsecondary goals and transition services- change age to 14; possible amendment to prior to 9th grade. **Two-Year Bill – Ordered to the inactive file.**
- **AB 447 (Arambula) Public postsecondary education:** SWD: inclusive college pilot programs- require CSU and request to U of CA to create pilot college inclusive program for students with ID and DD – **Approved.**
- **AB 1466 (Weber) Pupil Discipline:** Restraint and Seclusion- requires restraint and seclusion data to be posted on the LEA website concern from ACSA regarding confidentiality. – **Approved.**
- **AB 1517 (Gallagher):** SELPA Governance. Accountability and Transparency – support LEAs with Differentiated Assistance amongst other Compliance required data collection. – **Veto.**

Senate Bills

- **SB 88 (Skinner) Pupil Transportation: Driver Qualifications:** for drivers who operate a vehicle with a max of 10; criminal background check, fingerprinting, mandated reporter, TB, drug and alcohol testing, training and classes – **Approved.**
- **SB 323 (Portantino) Pupils with Exceptional Needs:** IEPs: emergency safety procedures- comprehensive school safety plan includes access and equity component to support all students – **Approved.**
- **SB 354 (Ochoa Bogh) Inclusive Practices:** Inclusive education using Universal Design for Learning – **Veto.**
- **SB 445 (Portantino) IEP Translations:** requires translation of the IEP, assessments and progress used to determine IEP into the native language of the parent, or communication type; within 30 days of the meeting; top 8 languages; amendments submitted. – **Order to inactive file.**



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Know Your Rights: Students with Disabilities in Charter Schools

This document is designed to help parents, students, and the charter school community better understand the rights of students with disabilities under Federal disability-related laws.

Section 504 of the Rehabilitation Act of 1973 (Section 504), which the Office for Civil Rights enforces, prohibits disability-based discrimination.

The Individuals with Disabilities Education Act (IDEA), administered by the Office of Special Education and Rehabilitative Services, provides Federal funds to States, and through them, local educational agencies, to assist in providing special education and related services to children with disabilities.

Section 504

- Charter school students with disabilities (and those seeking to attend) have the same Section 504 rights as other public school students with disabilities. Among other things, these rights include:
 - a free appropriate public education (FAPE), which under Section 504 is regular or special education and related aids and services designed to meet the individual educational needs of a student with a disability as adequately as the needs of nondisabled students are met;
 - equal treatment and nondiscrimination in nonacademic and extracurricular activities such as counseling services and sports; and
 - accessibility (such as entrance ramps for people who use wheelchairs).
- Section 504 requires charter schools to conduct any recruitment activities and provide the opportunity to apply to a charter school on an equal basis.
- Section 504 FAPE requirements for placements are separate from requirements related to admission procedures. Section 504 provides that a charter school's admission criteria may not exclude or discriminate against individuals on the basis of disability, and that a school may not discriminate in its admissions process.
 - During the admissions process, a charter school generally may not ask a prospective student if he or she has a disability. Limited exceptions include that, if a school is chartered to serve students with a specific disability, the school may ask prospective students if they have that disability.
 - When a student with a disability is admitted to and enrolls in a charter school, the student is entitled to FAPE under Section 504. After enrollment, a charter school may ask if a student has a disability, which includes, e.g., whether a student has an individualized education program (IEP) or Section 504 plan.
- A charter school may not *counsel out*, i.e., try to convince a student (or parents) that the student should not attend (or continue to attend) the school because the student has a disability.



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IDEA

- The primary purpose of the IDEA Part B program is for States and school districts to make FAPE available to eligible children with disabilities and to ensure that IDEA's rights and protections are afforded to eligible children and their parents.
- Students with disabilities attending charter schools and their parents retain all rights and protections under Part B of IDEA that they would have if attending other public schools.
- Under IDEA, all students with disabilities, including charter school students with disabilities, must receive FAPE through the provision of special education and related services in conformity with a properly-developed IEP.
- A charter school may not unilaterally limit the services it will provide a particular student with a disability. The responsible charter school LEA, or the LEA that includes the charter school, must provide a program of FAPE for the student in the least restrictive environment (LRE) in which the student's IEP can be implemented.
- States must ensure that charter school LEAs and LEAs that include charter schools meet all their responsibilities under Part B of IDEA, including the LRE requirements. In this context, the LRE provisions require that, to the maximum extent appropriate to their needs, students with disabilities attending public charter schools be educated with nondisabled students.

Resources

The U.S. Department of Education has issued the following documents that address these rights in more detail.

- *Joint OCR-OSERS Dear Colleague Letter*, Dec. 28, 2016, <http://www.ed.gov/ocr/letters/colleague-201612-504-charter-school.pdf>;
- *Frequently Asked Questions about the Rights of Students with Disabilities in Public Charter Schools under Section 504 of the Rehabilitation Act of 1973*, Dec. 28, 2016, <http://www.ed.gov/ocr/docs/dcl-faq-201612-504-charter-school.pdf>;
- *Frequently Asked Questions about the Rights of Students with Disabilities in Public Charter Schools under the Individuals with Disabilities Education Act*, Dec. 28, 2016, <http://www.ed.gov/policy/speced/guid/idea/memosdcltrs/faq-idea-charter-school.pdf>.

If you want to learn more about your rights, or if you believe that your school is violating Federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at (800) 421-3481, (800) 877-8339 (TDD), or ocr@ed.gov. You may also file a complaint online at www.ed.gov/ocr/complaintintro.html. If you have questions regarding IDEA, please send them to the Office of Special Education and Rehabilitative Services by email at ideacharterschools@ed.gov or by phone at 202-245-7468, (800)-877-8339 (TDD).

6.3 Elite Academic Academy-Lucerne Status with CAHELP JPA and DMCS

No materials, verbal report only

6.4 SEIS Transition Update

No materials, verbal report only

6.5 Cyclical Monitoring for Small Schools Update

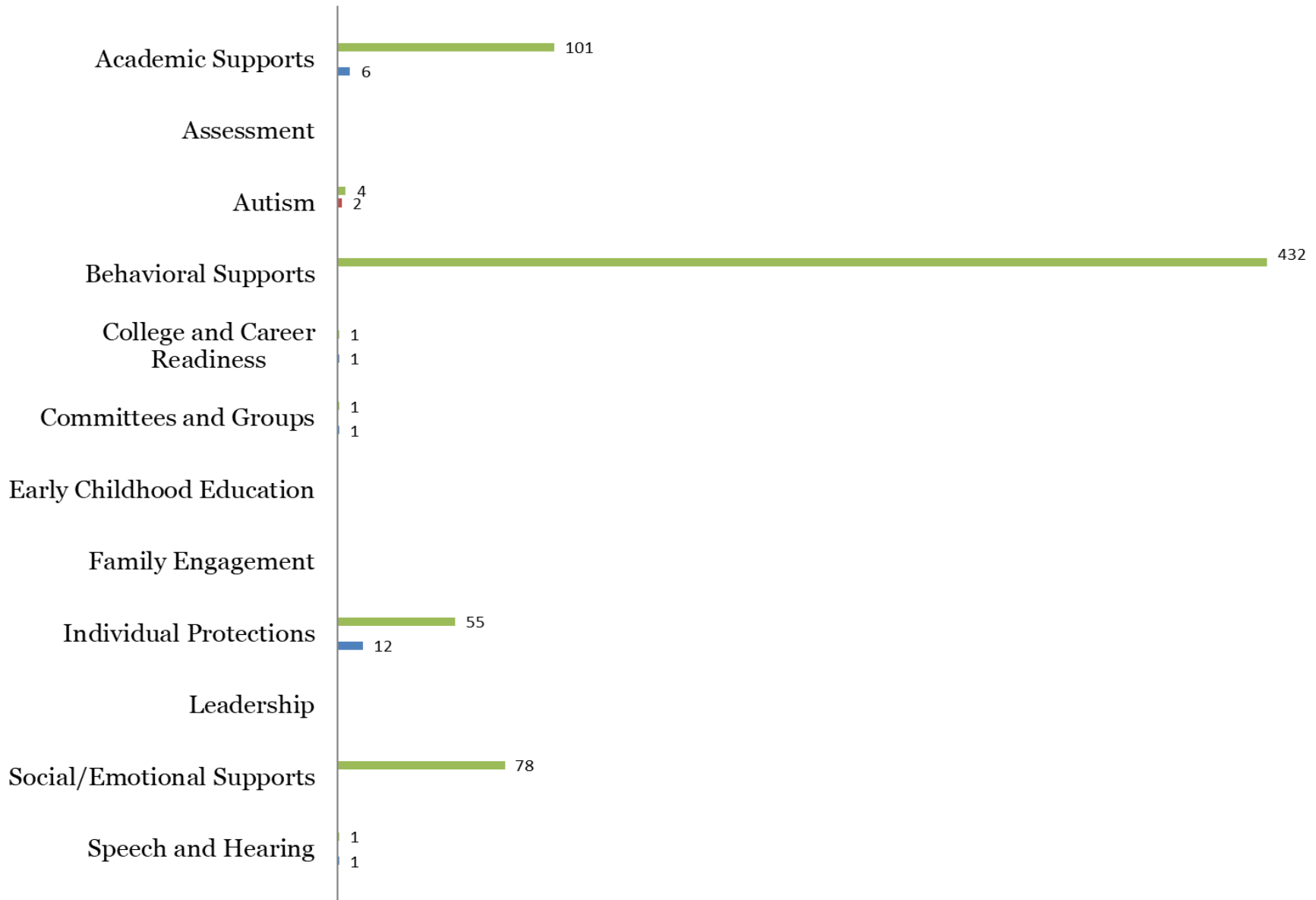
No materials, verbal report only

DMCS PROFESSIONAL LEARNING PARTICIPATION SUMMARY

SEPTEMBER 2023 PARTICIPANTS - 23

673 YEAR-TO-DATE PARTICIPANTS

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



San Bernardino County District Attorney's Office
Jacquelyn Rodriguez, Public Affairs Officer



#ActNow - Fentanyl Awareness

Learn about the new era of illicit drug sales and distribution, identify the signs of substance abuse, and the justice system's response in San Bernardino County.

Thursday, November 16, 2023

CAC Reps Business Meeting 4:30 - 5:00 p.m. | Presentation 5:00 - 6:00 p.m.

REGISTRATION

Register on OMS (URL: <https://sbcsc.k12oms.org/238478>) or scan a QR code for registration.



LOCATION

Virtual. A zoom link will be sent out prior to the meeting.

COST

Free to attend.

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

Email: Letitia.Macaraeg@cahelp.org

Phone: (760) 955-3573

Oficina del Abogado del Distrito del Condado de San Bernardino
Jacquelyn Rodriguez, Representante de Asuntos Públicos



#ActNow - Conciencia sobre el Fentanilo

Aprende acerca de la nueva era de venta y distribución de drogas ilícitas, Identifica las señales del abuso de sustancias y la respuesta del sistema del sistema de justicia en el Condado de San Bernardino.

Jueves, 16 de noviembre, 2023

CAC Reunión Comercial Reps 4:30 - 5:00 p.m. | Presentación 5:00 - 6:00 p.m.

REGISTRO

Register on OMS (URL: <https://sbcss.k12oms.org/238478>) o
escanée un código.



LUGAR

Se enviará un enlace de Zoom antes de la reunión.

PRECIO

Gratis

ACOMODACIONES ESPECIALES

Por favor envíe cualquier solicitud de acomodación especial por los
menos quince días laborales de la jornada de preparación, referenciando
su solicitud en el momento del registro.

GET IN TOUCH |

Email: Letitia.Macaraeg@cahelp.org

Phone: (760) 955-3573



CAHELP PRESENTS THE 2023-24 IMTSS SYMPOSIUM

RECONNECTING THE DOTS: EMPOWERING STUDENTS & EDUCATORS FOR SUCCESS

8:30 a.m. - 3:30 p.m. | February 21, 2024

A full day Symposium featuring

Dr. Rebecca Branstetter & Dr. Ron Powell and more!

Location:

DoubleTree by Hilton Hotel Ontario | 222 N Vineyard Ave, Ontario, CA 91764

Price:

\$250 - Includes Continental Breakfast and Lunch

Registration:

[Register Online on OMS](https://sbcsc.k12oms.org) or Scan the QR Code

(URL: <https://sbcsc.k12oms.org/52-242545>)



Dr. Rebecca Branstetter



Dr. Ron Powell

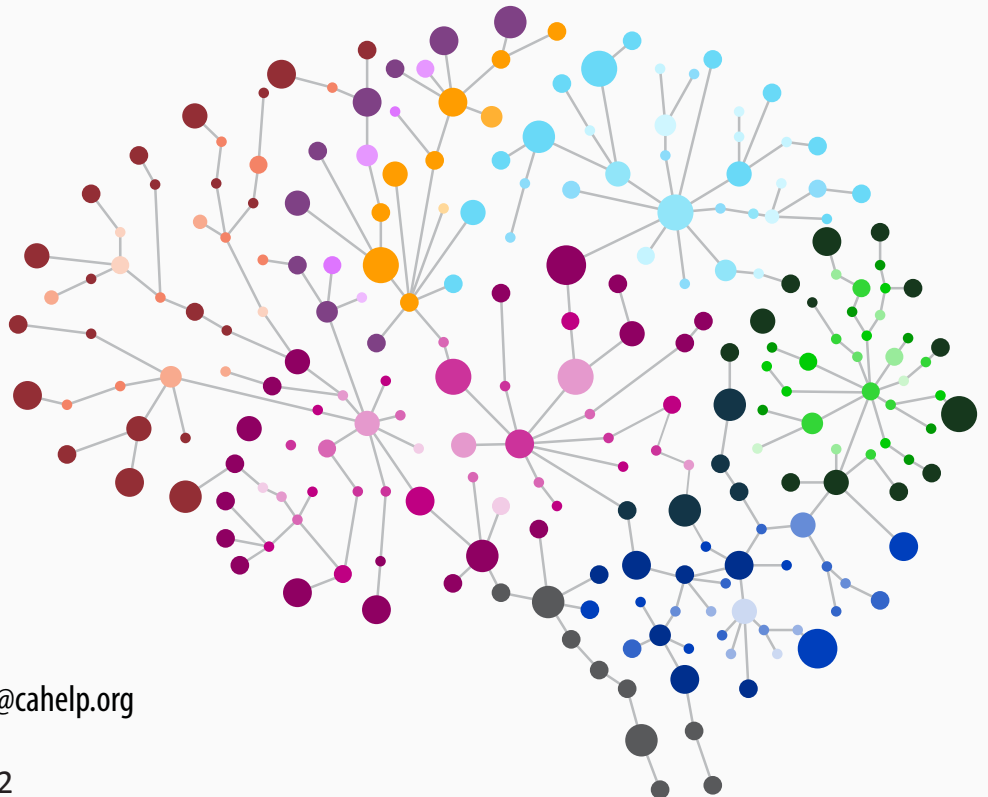
Get in **Touch** |

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Phone :

(760) 955-3552





RECONNECTING THE DOTS:
EMPOWERING STUDENTS &
EDUCATORS FOR **SUCCESS**



Dr. Rebecca Branstetter

Rebecca Branstetter, Ph.D., is a school psychologist, speaker, and author on a mission to help children be the best they can be in school and in life by supporting school psychologists, educators, and families. She is the founder of The Thriving Students Collective and Thrive Hive TV™ Network, online platforms for boosting the mental health and learning needs of children.

A sought-after speaker and national media expert, Rebecca's expertise has appeared in various publications, including Huffington Post, Washington Post, NPR, CNN, and Parents Magazine. Dr. Branstetter and her husband are proud parents to two daughters (and two seriously fluffy husky dogs) in the San Francisco Bay Area.



Dr. Ron Powell

Dr. Ron Powell has devoted his career to public education. For 49 years he has continued to explore ways to make the promise of education available to all children. As a teacher, administrator, researcher, adjunct faculty at the University of California, and consultant, Dr. Powell has distinguished himself as the developer of creative and innovative solutions to address the complex emotional and behavioral health needs of children. He is a published author, an accomplished public speaker, and a recognized expert in the emotional, mental, and behavioral health needs of children. In acknowledgment of these contributions, Dr. Powell has received statewide recognition and has been honored by numerous awards including the 2023 Distinguished Service Award for San Bernardino County and the Lifetime Achievement Award by the California Mental Health Advocates for Children and Youth.

Desert Mountain Charter SELPA
Due Process Summary
July 1, 2023 - September 30, 2023

DISTRICT								CASE ACTIVITY FOR CURRENT YEAR							Filed on Parent
	18/19	19/20	20/21	21/22	22/23	23/24	Total	D/W	Resolution Active	Resolution Settled	Mediation Active	Mediation Settled	Hearing Active	Hearing Decision	
Allegiance STEAM Thrive - Chino	0	0	0	0	1	1	2	0	0	0	1	0	0	0	1
Allegiance STEAM Thrive - Fontana	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aveson Global Leadership Acad	1.5	0	0	2	2	0	5.5	0	0	0	0	0	0	0	0
Aveson School of Leaders	1.5	0	0	4	3	0	8.5	0	0	0	0	0	0	0	0
Ballington Acad for Arts & Sci	2	0	0	0	0	0	2	0	0	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	0	0	4	0	0	0	4	0	0	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	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0
LaVerne Elem Preparatory	0.5	0	0	0	0	0	0.5	0	0	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)	0	0	0	2	2	1	5	0	0	0	0	1	0	0	0
Odyssey Charter School -South (Pasa)	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0
Pasadena Rosebud Academy	1	0	0	0	0	0	1	0	0	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	0	0	0	0	0	0	0	0	0	0	0	0	0
SELPA-WIDE TOTALS	6.5	0	4	8	10	2	30.5	0	0	0	1	1	0	0	1

Desert Mountain Charter SELPA
 Due Process Activity Summary
 July 1, 2023 - September 30, 2023

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status	IEE	Comp Ed.	Private Placement <hr/> NPS Placement
1. Odyssey Altadena Case no. 2023080236	Denial of FAPE 1. Failure to address bullying 2. Failure to address chronic absenteeism 3. Failure to address behavior in an IEP 4. Failure to implement IEP 5. Failure to address placement	8/7/2023	8/21/2023		9/26-28/2023	8/21/23 - Seeking full funding of NPS IEP.			
2. Allegiance - Chino Case no. 2023090255	Is parent entitled to an IEE when not disagreeing with an assessment?	9/11/2023	N/A		11/4-6/2023				

Desert Mountain Charter SELPA
Legal Expense Summary
As reported at steering September 21, 2023

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	\$174,116.17
2022-2023	\$74,861.83
2023-2024	\$13,546.98

Upcoming Trainings

Date/Time	Event	Location
10/23/2023 2:45 PM - 4:45 PM	PBIS TEAM TRAINING - SBCSS PRESCHOOLS	Q1 TRAINING - VIRTUAL
10/24/2023 2:00 PM - 4:00 PM	Occupational Therapy Tips and Tricks Training	DMESC
10/26/2023 8:30 AM - 12:30 PM	FUNDAMENTALS OF RESTORATIVE PRACTICES	DMESC
10/26/2023 2:00 PM - 4:00 PM	THE ART OF FACILITATING IEP MEETINGS	VIRTUAL
10/30/2023 8:00 AM - 2:30 PM	PBIS SITE TEAM TRAINING - YEAR 2 - DAY 2 - AESD	DMESC (EAGLE RANCH, EL MIRAGE, TED
10/30/2023 8:30 AM - 4:30 PM	RESPONDING TO SCHOOL CRISIS	DMESC
11/1/2023 3:00 PM - 5:30 PM	PUTTING EBPS INTO PRACTICE: PEER-BASED INSTRUCTION AND INTERVENTION	VIRTUAL
11/6/2023 8:00 AM - 2:30 PM	PBIS SITE TEAM TRAINING - YEAR 2 - DAY 2 - AESD	DMESC (MESA LINDA & MELVA DAVIS)
11/7/2023 12:00 PM - 2:00 PM	PBIS IN THE HOME - SBCSS PRESCHOOLS	VIRTUAL
11/13/2023 8:00 AM - 2:30 PM	PBIS SITE TEAM TRAINING - YEAR 2 - DAY 2 - AESD	DMESC (COLUMBIA & GEORGE

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

Upcoming Trainings

Date/Time	Event	Location
11/16/2023 4:30 PM - 6:00 PM	COMMUNITY ADVIORY COMMITTEE (CAC) VIRTUAL	VIRTUAL
11/16/2023 8:00 AM - 2:30 PM	PBIS SITE TEAM TRAINING - YEAR 2 - DAY 2 - AESD	DMESC (ADELANTO ELEM. &
11/16/2023 1:30 PM - 4:30 PM	UNDERSTANDING AND SUPPORTING STUDENTS WITH ADVERSE CHILDHOOD EXPERIENCES (ACES)	DMESC

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

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