

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
April 22, 2022 – 9:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

NOTICE: This meeting will be held as a hybrid committee meeting with some committee 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: 2452 230 5479

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 Steering and Finance Committee 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

The public is encouraged to participate in the deliberation of the Desert/Mountain SELPA Steering and Finance Committee. 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 SELPA Steering Committee” to the Recording Secretary and adhere to the provisions described therein.

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that the April 22, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Agenda be approved as presented.

5.0 PRESENTATIONS

5.1 Web IEP Service Logs

Doug Faucette with Faucette Micro Systems will provide a demonstration on Web IEP Service Logs.

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5.2 2022-23 County Operated Special Education Fee-For-Service Budget

The SBCSS Internal Business Program Manager will present the 2022-23 County Operated Special Education Fee-For-Service Budget.

6.0 PUBLIC HEARINGS

6.1 Desert/Mountain 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 SELPA broken down by type, location, and level of severity.

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

6.2 Desert/Mountain SELPA Annual Budget Plan (**ACTION**)

California Education Code requires that an Annual Budget Plan be approved by the CAHELP JPA Governance Council as part of the Local Plan. The 2022-23 Annual Budget Plan describes the revenues and expenditures for special education for all local education agencies in the Desert/Mountain SELPA.

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

7.0 INFORMATION/ACTION

7.1 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.

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

8.0 CONSENT ITEMS

It is recommended that the Steering and Finance Committee consider approving several Agenda items as a Consent list. Consent Items are routine in nature and can be enacted in one motion without further

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discussion. Consent items may be called up by any Committee Member at the meeting for clarification, discussion, or change.

8.1 **BE IT RESOLVED** that the following Consent Items be approved as presented:

8.1.1 Approve the March 25, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Minutes.

9.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

9.1 State SELPA Administrators Updates

Pam Bender will provide updates from State SELPA Administrators including legislative information.

9.2 Independent Educational Evaluation (IEE) Providers Within Districts

Pam Bender will share information about Independent Educational Evaluation providers within districts.

9.3 Local Control and Accountability Plan (LCAP) and SELPA Involvement

Pam Bender will lead a discussion about LCAP and D/M SELPA involvement.

9.4 2022-23 D/M SELPA Steering and Finance Committee Meeting Dates

Pam Bender will present the 2022-23 D/M SELPA Steering and Finance Committee meeting dates for feedback.

9.5 Desert Mountain Operations Update

Rich Frederick will present Desert Mountain Operations Update.

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

Linda Llamas will present the D/M Children's Center Client Services monthly reports and updates.

9.7 Professional Learning Summary and Update

Heidi Chavez will present the D/M SELPA's Professional Learning Summary and update.

9.8 Resolution Support Services Summary and Update

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Kathleen Peters will present the D/M SELPA's Resolution Support Services Summary and update.

9.9 Case Law Review

Kathleen Peters will provide case law review including a You Be the Judge scenario.

9.10 Transition Services Update

Adrienne Shepherd Myles will present a Transition Services Update.

9.11 Compliance Update

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

9.12 Nonpublic School/Nonpublic Agency Update

Peggy Dunn will provide a nonpublic school/nonpublic agency update.

10.0 FINANCE COMMITTEE REPORTS

10.1 Proposed 2022-23 Desert/Mountain SELPA Budget

Marina Gallegos will present the proposed 2022-23 Desert/Mountain SELPA Budget.

10.2 Proposed 2022-23 Desert/Mountain SELPA Fee-For-Service Rates

Marina Gallegos will present the proposed 2022-23 Desert/Mountain SELPA Fee-For-Service rates.

11.0 INFORMATION ITEMS

11.1 Desired Results Access Project (DRDP) Memo

11.2 June Pupil Count Memo

11.3 Monthly Audiological Services Reports

11.4 Monthly Occupational & Physical Therapy Services Reports

11.5 Monthly Nonpublic School Placement Report

11.6 Upcoming Professional Learning Opportunities

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12.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

13.0 CEO COMMENTS

14.0 MATTERS BROUGHT BY THE PUBLIC

This is the time during the agenda when the Desert/Mountain SELPA Steering and Finance Committee is again prepared to receive the comments of the public regarding items on this agenda or any school related special education issue. Speakers are requested to give their name and limit their remarks to five minutes.

Persons wishing to make complaints against Desert/Mountain SELPA Steering and Finance Committee personnel must have filed an appropriate complaint form prior to the meeting.

When the Desert/Mountain SELPA Steering and Finance Committee goes into Closed Session, there will be no further opportunity for general public to address the Council on items under consideration.

15.0 DIRECTORS TRAINING

16.0 ADJOURNMENT

The next regular meeting of the Desert/Mountain SELPA Steering and Finance Committee will be held on Friday, April 22, 2022, at 9:00 a.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

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

5.1 Web IEP Service Logs

Verbal presentation, no materials

San Bernardino County Superintendent of Schools
 Desert Mountain County Operated Special Education Program
 2022-23 FFS Budget Summary
 April 2022

2022-23 Budget Assumptions

- 3% COLA on salary
- Step and Column included in contracted salaries
- 5% increase on Medical, Dental, Vision and Life
- Employer paid statutory rates as follows (increase in PERS and STRS)
 - Medicare: 1.45%, SUI: .50%, Workers Comp: 2.92%
 - STRS: 19.10%, PERS: 26.10%, Alt. Retirement: 2.25%
- Indirect Cost Rate: 8.95%

Certificated FTE

1100 - Teacher	146.6
1200 - Pupil Support	14.8
1300 - Supervisor/Admin	10.92
Total	172.32

Classified FTE

2100 - Instructional Aides	294.85
2200 - Pupil Support	27
2400 - Clerical & Office Support	28.08
Total	349.93

Total FTE	522.25
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2022-23 Fee-For-Service Budget	
Total Budgeted Expenditures	\$ 59,339,147
Less Budgeted Offsetting Revenue	\$ 10,042,186
2022-23 Excess Cost	\$ (49,296,961)

2022-23 Proposed Fee-For-Service Rates

RATE	SAI Services >50% - SDC	Related Services DIS	Itinerant	1:1 Aide	Interpreter	Preschool Assessment	Preschool SDC	Early Start
22/23 Rate	\$ 29,478	\$ 5,198	\$ 5,825	\$ 53,077	\$ 82,394	\$ 4,126	\$ 23,022	\$ 1,484
21/22 Rate	\$ 27,221	\$ 5,093	\$ 4,783	\$ 52,456	\$ 75,895	\$ 4,448	\$ 22,752	\$ 5,909

Counts Used to Calculate Rate	SAI Services >50% - SDC	Related Services DIS	Itinerant	1:1 Aide	Interpreter	Preschool Assessment	Preschool SDC	Early Start
22/23	895	1810	300	106	7	75	224	60
21/22	877	1729	295	100	8	75	213	60

San Bernardino County Superintendent of Schools

DESERT MOUNTAIN COUNTY OPERATED SPECIAL EDUCATION PROGRAM
22-23 LCFF PROJECTED FUNDING PER DISTRICT
April 2022

	Col. A	Col. B	Col. C	Col. D	Col. E
District	2022-23 Estimated Funded ADA	2022-23 Estimated LCFF Entitlement (add-ons excluded)	AVERAGE REVENUE PER ADA (Col. B/ Col. A)	Estimated 2022-23 ADA	PROJECTED LCFF REVENUE (Col. C X Col. D)
Desert Mountain Region					
Adelanto Elementary	7,420.02	86,167,060	11,612.78	63.72	739,966.34
Apple Valley Unified	12,597.09	149,543,278	11,871.26	89.05	1,057,135.33
Baker Valley Unified	127.51	1,604,556	12,583.77	0	-
Barstow Unified	5,938.76	71,508,234	12,040.94	53.71	646,718.72
Bear Valley Unified	2,092.04	24,029,283	11,486.05	4.38	50,308.91
Helendale Elementary	623.03	6,376,818	10,235.17	7.86	80,448.44
Hesperia Unified	21,330.44	250,143,355	11,727.06	87.46	1,025,648.69
Lucerne Valley Unified	945.53	12,422,226	13,137.84	18.75	246,334.58
Needles	993.68	11,777,824	11,852.73	25.74	305,089.35
Oro Grande Elementary	88.88	1,106,746	12,452.14	1.44	17,931.08
Silver Valley Unified	1,959.52	20,952,169	10,692.50	2.6	27,800.50
Snowline Jt. Unified	7,255.36	86,459,932	11,916.70	76.06	906,384.03
Trona Jt. Unified	264.45	3,667,026	13,866.61	4.22	58,517.11
Victor Elementary	11,506.49	138,347,800	12,023.46	165.51	1,990,002.54
Victor Valley Union High	10,613.43	143,699,187	13,539.37	90.33	1,223,011.56
TOTAL/AVERAGE FOR REGION	83,756.23	\$ 1,007,805,494	\$ 12,069.23	690.83	\$ 8,375,297.19

*Data from the LCFF Calculator v22.2a

*Does not include additional 15% Concentration Grant in calculation

San Bernardino County Superintendent of Schools

Desert Mountain County Operated Special Education Program
2022-23 Proposed Budget
April 2022

			SAI SERVICES > 50% SDC	RELATED SERVICES DIS	ITINERANT	1 TO 1 AIDE SERVICES	INTERPRETER SERVICES	PRESCHOOL ASSESSMENTS	PRESCHOOL SDC	EARLY START	TOTAL	
		RATE	\$ 29,478	\$ 5,198	\$ 5,825	\$ 53,077	\$ 82,394	\$ 4,126	\$ 23,022	\$ 1,484		
1												
2	OBJECT	EXPENSE										
3	1000-1999	Certificated Salaries	9,942,499	3,665,443	1,045,555	-	-	193,814	1,798,885	464,002	17,110,198	
4	2000-2999	Classified Salaries	5,695,966	2,052,221	106,627	2,894,610	203,434	-	986,989	59,921	11,999,768	
5	3000-3999	Employee Benefits	9,103,619	2,481,207	530,045	2,588,119	134,190	74,495	1,679,846	253,343	16,844,864	
6	4000-4999	Books & Supplies	92,758	21,700	5,400	-	-	-	15,000	100	134,958	
7	5000-5999	Services & Other Operating Expenditures	931,316	967,320	18,955	11,872	225,644	961	6,708	7,032	2,169,808	
8	6000-6999	Capital Outlay	-	-	-	-	-	-	-	-	-	
9												
10		Sub total	25,766,158	9,187,891	1,706,582	5,494,601	563,268	269,270	4,487,428	784,398	48,259,596	
11		% of Total	0.60316	0.21508	0.03995	0.12862	0.01319	0.05661	0.94339	N/A		
12												
13		Allocated Cost (GL FN 2100, 2105, 2700, 8100)	3,086,390	1,100,568	204,422	658,169	67,471	44,460	740,936	302,555	6,204,972	
14		Sub total 1000-5000 costs	28,852,548	10,288,459	1,911,004	6,152,770	630,739	313,730	5,228,364	1,086,953	54,464,568	
15												
16	7300-7380	Indirect Cost @ 8.95%	2,582,303	920,817	171,035	550,673	56,451	28,079	467,939	97,282	4,874,579	
17												
18		TOTAL EXPENSE	31,434,852	11,209,277	2,082,039	6,703,443	687,190	341,809	5,696,302	1,184,235	59,339,147	
19												
20	RESOURCE	OBJECT	REVENUE									
21			LCFF Distribution (based on % of total expense of applicable program)									
22	6500	8710	Local Control Funding Formula Revenue	5,051,657	1,801,358	334,589	1,077,260	110,433			8,375,297	
23	3315	8182	Federal Preschool						9,016	150,255	159,271	
24	3310	8182	Preschool Local Entitlement Allocation						23,346	389,065	412,411	
25	3385	8182	Part C Early Intervention								37,210	
26	6510	8311	Infant I-50 Apportionment								938,162	
28	6515	8590	Infant Discretionary								119,835	
32	6500	8311	Contribution for Needles Nursing Services								0	
34	6500	8989	Contribution from Unrestricted	0							0	
35			TOTAL REVENUE:	\$ 5,051,657	\$ 1,801,358	\$ 334,589	\$ 1,077,260	\$ 110,433	\$ 32,362	\$ 539,320	\$ 1,095,207	\$ 10,042,186
36												
37			Excess Cost Per Program	(26,383,194)	(9,407,918)	(1,747,450)	(5,626,183)	(576,757)	(309,447)	(5,156,983)	(89,028)	(49,296,961)
38												
39			(Estimated Number of Services for 2022-23)	895	1,810	300	106	7	75	224	60	
40			2022-23 Proposed Rates	\$ 29,478	\$ 5,198	\$ 5,825	\$ 53,077	\$ 82,394	\$ 4,126	\$ 23,022	\$ 1,484	
41												
42			2021-22 FFS Rates	\$ 27,221	\$ 5,093	\$ 4,783	\$ 52,456	\$ 75,895	\$ 4,448	\$ 22,752	5,909	

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

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

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

Local Plan Section E: Annual Service Plan

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

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

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

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

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

- 330–Specialized Academic Instruction/
Specially Designed Instruction

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

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

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- 210–Family Training, Counseling, Home Visits (Ages 0-2 only) *Service is Not Currently Provided*

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

This service includes: services provided by social workers, psychologists, or other qualified personnel to assist the family in understanding the special needs of the child and enhancing the child's development. Note: Services provided by specialists (such as medical services, nursing services, occupational therapy, and physical therapy) for a specific function should be coded under the appropriate service category, even is the services were delivered in the home.

- 220–Medical (Ages 0-2 only) *Service is Not Currently Provided*

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

Services provided by a licensed physician to determine a child's developmental status and need for early intervention services.

- 230–Nutrition (Ages 0-2 only) *Service is Not Currently Provided*

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

These services include conducting assessments in: nutritional history and dietary intake, anthropometric, biochemical, and clinical variables; feeding skills and feeding problems and food habits and food preferences.

- 240–Service Coordination (Ages 0-2 only) *Service is Not Currently Provided*

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

Based on the need of the student, coordinated services between LEA and various service providers.

- 250–Special Instruction (Ages 0-2 only) *Service is Not Currently Provided*

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

Special instruction includes the design of learning environments and activities that promote the child's acquisition of skills in a variety of developmental areas, including cognitive processes

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and social interaction, curriculum planning, including the planned interaction of personnel, materials, and time and space that leads to achieving the outcomes in the child's individualized family service plan (IFSP); providing families with information, skills, and support related to enhancing the skill development of the child, and working with the child to enhance the child's development.

260—Special Education Aide (Ages 0-2 only) *Service is Not Currently Provided*

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

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

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

340—Intensive Individual Instruction

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

350—Individual and Small Group Instruction

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

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

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

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difficulty understanding or using spoken language. The difficulty may result from problems with articulation(excluding abnormal swallowing patterns, if that is the sole assessed disability); abnormal voice quality, pitch, or loudness; fluency; hearing loss or the acquisition, comprehension, or expression of spoken language. Language deficits or speech patterns resulting from unfamiliarity with the English language and from environmental, economic or cultural factors are not included. Services include specialized instruction and services, monitoring, reviewing, and consultation, and may be direct or indirect, including the use of a speech consultant.

425-Adapted Physical Education

Service is Not Currently Provided

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

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

435-Health and Nursing: Specialized Physical Health Care

Service is Not Currently Provided

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

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

436-Health and Nursing: Other

Service is Not Currently Provided

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

This includes services that are provided to individuals with exceptional needs by a qualified individual pursuant to an IEP when a student has health problems which require nursing intervention beyond basic school health services. Services include managing the health

Section E: Annual Service Plan

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problem, consulting with staff, group and individual counseling, making appropriate referrals, and maintaining communication with agencies and health care providers. These services do not include any physician supervised or specialized health care service. IEP required health and nursing services are expected to supplement the regular health services program.

445–Assistive Technology *Service is Not Currently Provided*

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

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

450–Occupational Therapy *Service is Not Currently Provided*

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

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

460–Physical Therapy *Service is Not Currently Provided*

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

These services are provided, pursuant to an IEP, by a registered physical therapist or physical therapist assistant, when assessment shows a discrepancy between gross motor performance and other educational skills. Physical therapy includes, but is not limited to, motor control and coordination, posture and balance, self-help, functional mobility, accessibility and use of assistive devices. Services may be provided within the classroom, other educational settings

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or in the home, and may occur in groups or individually. These services may include adaptations to the student's environment and curriculum, selected therapeutic techniques and activities, and consultation and collaborative interventions with staff and parents.

510–Individual Counseling

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

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

515–Counseling and Guidance

Service is Not Currently Provided

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

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

520–Parent Counseling

Service is Not Currently Provided

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

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

525–Social Worker

Service is Not Currently Provided

Section E: Annual Service Plan

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

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

530–Psychological

Service is Not Currently Provided

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

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

535–Behavior Intervention

Service is Not Currently Provided

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

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

540–Day Treatment

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

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

545–Residential Treatment

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

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

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

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

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

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

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

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

- 715—Interpreter *Service is Not Currently Provided*

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

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

- 720—Audiological *Service is Not Currently Provided*

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

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

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725–Specialized Vision

Service is Not Currently Provided

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

This is a broad category of services provided to students with visual impairments. It includes assessment of functional vision, curriculum modifications necessary to meet the student's educational needs including Braille, large type, and aural media; instruction in areas of need; concept development and academic skills; communication skills including alternative modes of reading and writing, and social, emotional, career, vocational, and independent living skills. It may include coordination of other personnel providing services to the students such as transcribers, readers, counselors, orientation and mobility specialists, career/vocational staff and others and collaboration with the student's classroom teacher.

730–Orientation and Mobility

Service is Not Currently Provided

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

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

735–Braille Transcription

Service is Not Currently Provided

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

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

740–Specialized Orthopedic

Service is Not Currently Provided

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

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

745–Reading

Service is Not Currently Provided

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

750–Note Taking

Service is Not Currently Provided

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

755–Transcription

Service is Not Currently Provided

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

760–Recreation Service, Including
Therapeutic Recreation

Service is Not Currently Provided

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

820–College Awareness

Service is Not Currently Provided

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

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830–Vocational Assessment, Counseling, Guidance, and Career Assessment

Service is Not Currently Provided

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

Organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, and may include provision for work experience, job coaching, development and/or placement, and situational assessment. This includes career counseling to assist a student in assessing his/her aptitudes, abilities, and interests in order to make realistic career decisions.

840–Career Awareness

Service is Not Currently Provided

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

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

850–Work Experience Education

Service is Not Currently Provided

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

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

855–Job Coaching

Service is Not Currently Provided

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

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

860–Mentoring

Service is Not Currently Provided

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

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

865–Agency Linkages (referral and placement)

Service is Not Currently Provided

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

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

870–Travel and Mobility Training

Service is Not Currently Provided

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

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

890–Other Transition Services

Service is Not Currently Provided

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

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

900–Other Related Service

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

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+ - Description of the “Other Related Service”

Special Transportation

Qualifications of the Provider Delivering “Other Related Service”

Code 900 is used to indicate Special Transportation for students with disabilities as indicated on the IEP.

Special Education Local Plan Area (SELPA) Local Plan

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LOCAL PLAN

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SPECIAL EDUCATION LOCAL PLAN AREA

California Department of Education

Special Education Division

2022–23 Local Plan Submission

Local Plan Section D: Annual Budget Plan

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

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

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

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TABLE 1

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

D-1. Special Education Revenue by Source

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

Funding Revenue Source	Amount	Percentage of Total Funding
Assembly Bill (AB) 602 State Aid	<input type="text" value="79,952,697"/>	69.03%
AB 602 Property Taxes	<input type="text" value="4,977,086"/>	4.30%
Federal IDEA Part B	<input type="text" value="19,189,541"/>	16.57%
Federal IDEA Part C	<input type="text" value="37,210"/>	0.03%
State Infant/Toddler	<input type="text" value="1,147,026"/>	0.99%
State Mental Health	<input type="text" value="0"/>	0.00%
Federal Mental Health	<input type="text" value="1,180,337"/>	1.02%
Other Projected Revenue	<input type="text" value="9,333,261"/>	8.06%
Total Projected Revenue:	115,817,158	100.00%

D-2. "Other Revenue" Source Identification

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

LCFF Fund Transfer for County-Operated Programs; Project WorkAbility; Workforce Development Grant; Transition Partnership Program; Desert/Mountain Staff Workshops; SSI Program

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

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

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TABLE 2

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

D-4. Total Projected Budget by Object Code

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

Object Code	Amount	Percentage of Total Expenditures
Object Code 1000—Certificated Salaries	<input type="text" value="86,338,556"/>	31.53%
Object Code 2000—Classified Salaries	<input type="text" value="55,732,038"/>	20.35%
Object Code 3000—Employee Benefits	<input type="text" value="69,873,742"/>	25.52%
Object Code 4000—Supplies	<input type="text" value="3,111,046"/>	1.14%
Object Code 5000—Services and Operations	<input type="text" value="48,173,082"/>	17.59%
Object Code 6000—Capital Outlay	<input type="text" value="1,673,965"/>	0.61%
Object Code 7000—Other Outgo and Financing	<input type="text" value="8,916,825"/>	3.26%
Total Projected Expenditures:	273,819,254	100.00%

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

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

D-6. Code 7000—Other Outgo and Financing

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

Object 7000 includes CDE approved indirect cost and administrative and service costs for a member charter school.

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TABLE 3

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

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

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

Revenue Source	Amount	Percentage of Total Funding
Projected State Special Education Revenue	<input type="text" value="22,456,402"/>	19.39%
Projected Federal Revenue	<input type="text" value="93,327,184"/>	80.58%
Local Contribution	<input type="text" value="33,572"/>	0.03%
Total Revenue from all Sources:	115,817,158	100.00%

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

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

D-9. Special Education Local Plan Area Allocation Plan

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

The D/M SELPA special education revenue distribution model combines CDE certified state AB 602 funding and federal funding to calculate an equalized funding rate. Member LEA certified ADA is multiplied by the equalized rate to calculate LEA apportionments. Prior to equalization, off-the-top adjustments are made to the apportionment to support purchased services, small district protection, program specialists, low incidence, and other governance approved service and support fees. The adjusted apportionment funds are distributed to members. Some funding is retained at the SELPA level to increase capacity and improve the delivery of services.

- b. YES NO

If the allocation plan specifies that funds will be apportioned to the RLA/AU/AE, or to the SELPA administrator (for single LEA SELPAs), the administrator of the SELPA, upon receipt, distributes the funds in accordance with the method adopted pursuant to *EC* Section 56195.7(i). This allocation plan was approved according to the SELPA's local policymaking

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

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TABLE 4

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

D-10. Regionalized Operations Budget

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

Accounting Categories and Codes	Amount	Percentage of Total
Object Code 1000—Certificated Salaries	<input type="text" value="1,111,012"/>	17.42%
Object Code 2000—Classified Salaries	<input type="text" value="1,259,365"/>	19.75%
Object Code 3000—Employee Benefits	<input type="text" value="1,020,700"/>	16.01%
Object Code 4000—Supplies	<input type="text" value="101,429"/>	1.59%
Object Code 5000—Services and Operations	<input type="text" value="2,432,945"/>	38.15%
Object Code 6000—Capital Outlay	<input type="text" value="0"/>	0.00%
Object Code 7000—Other Outgo and Financing	<input type="text" value="451,380"/>	7.08%
Total Projected Operating Expenditures:	6,376,831	100.00%

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

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

Object 7000 includes CDE approved indirect cost expense.

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TABLE 5

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

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

D-12. Defined Goals for Students with LI Disabilities

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

YES NO

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

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

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

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

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

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

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

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

September 22, 2021
Number 27

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

Background

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

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

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

Applicability of AB 361

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

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

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

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

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

Virtual Meeting Requirements Under AB 361

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

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

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

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

Takeaways

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

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

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



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

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

Assembly Bill No. 361

CHAPTER 165

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

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

LEGISLATIVE COUNSEL'S DIGEST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This bill would make legislative findings to that effect.

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

This bill would make legislative findings to that effect.

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

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

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

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

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

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

imposed or recommended measures to promote social distancing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

concerning the conduct of the people's business.

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

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

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Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING
March 25, 2022 – 9:00 a.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

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D/M SELPA MEMBERS PRESENT:

Academy for Academic Excellence – Marcelo Congo, Adelanto SD – Michael Baird, Baker Valley USD – Cecil Edwards, Barstow USD – Heather Reid, Bear Valley USD – Lucinda Newton, Desert/Mountain Operations (SBCSS) – Rich Frederick, Grace Granados, Lorena Gutierrez, Excelsior Charter Schools – Marie Silva, Health Sciences High School and Middle College – Kristen Kosaka, Helendale SD – Michael Esposito, Hesperia USD – Elaine Nelson, Lucerne Valley SD – Vici Miller, Needles USD – Jamie Wiesner, Silver Valley USD – Cheri Rigdon, and Snowline JUSD – Lori Delgado.

GUEST:

Options for Youth – Christina Leal

CAHELP, SELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Pam Bender, Guille Burgos, Heidi Chavez, Craig Cleveland, Danielle Cote, Tara Deavitt, Peggy Dunn, Adrien Faamausili, Thomas Flores, Marina Gallegos, Bonnie Garcia, Colette Garland, Linda Llamas, Robin McMullen, Angela Mgbeke, Lisa Nash, Kathleen Peters, Adrienne Shepherd-Myles, Jessica Soto, Jennifer Sutton, Amy Thompson, and Athena Vernon.

1.0 CALL TO ORDER

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Desert/Mountain SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender, at 9:01 a.m., at the Desert/Mountain Educational Service Center, Apple Valley.

2.0 ROLL CALL

3.0 PUBLIC PARTICIPATION

None.

4.0 ADOPTION OF THE AGENDA

4.1 **BE IT RESOLVED** that a motion was made by Cheri Rigdon, seconded by Lucinda Newton, to approve the March 25, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote of 14:0: Ayes: Baird, Congo, Delgado, Edwards, Esposito, Frederick, Kosaka, Miller, Nelson, Newton, Reid, Rigdon, Silva, and Wiesner. Nays: None, Abstentions: None.

5.0 PRESENTATIONS

5.1 Web IEP Service Logs

Due to Doug Faucette with Faucette Micro Systems being ill, the demonstration on Web IEP

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Service Logs will be rescheduled for April 22, 2022.

Colette Garland stated that the service log software is being tested with East Valley SELPA currently. She said there will be trainings in August 2022 when LEAs return from summer break.

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 Cheri Rigdon, seconded by Marie Silva, to approve the Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote of 14:0: Ayes: Baird, Congo, Delgado, Edwards, Esposito, Frederick, Kosaka, Miller, Nelson, Newton, Reid, Rigdon, Silva, and Wiesner. Nays: None, Abstentions: None.

7.0 CONSENT ITEMS

It is recommended that the Steering and Finance Committee consider approving several Agenda items as a Consent list. Consent Items are routine in nature and can be enacted in one motion without further discussion. Consent items may be called up by any Committee Member at the meeting for clarification, discussion, or change.

7.1 **BE IT RESOLVED** that a motion was made by Rich Frederick, seconded by Cecil Edwards, to approve the following Consent Item as presented. The motion carried on the following vote of 14:0: Ayes: Baird, Congo, Delgado, Edwards, Esposito, Frederick, Kosaka, Miller, Nelson, Newton, Reid, Rigdon, Silva, and Wiesner. Nays: None, Abstentions: None.

7.1.1 Approve the February 25, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Minutes.

8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

8.1 State SELPA Administrators Updates

Pam Bender provided updates from State SELPA Administrators including legislative information. She reported the Local Plan update is due June 30, 2022. Pam then shared information on three noteworthy bills that have been introduced. Pam explained Senate Bill (SB) 387 would require 75% classified and certificated be trained in youth mental and behavioral health

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by January 2025. The required training would not be a condition of employment but would occur after a person is employed. SB 817 regarding public health immunizations would require the COVID-19 vaccination for school entry. Pam continued that the most controversial bill is likely to be SB 866 pertaining to minor consent for vaccines. This bill would allow a minor child of 12 years and older to consent to a vaccine without their parents' knowledge or consent.

8.2 State Special Education Mental Health Services

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. State SELPA is speaking with the Department of Finance and CDE about the process. 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 as they would have first right to the positions moved to LEAs and notifications of layoffs would need to be completed by March 14, 2022. Pam reported the allocation plan and MOU will be updated to reflect the upcoming 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. Pam shared that CAHELP JPA Governance Council is leaning towards the MOU with the LEAs as they appreciate the current process. Pam will continue to speak with superintendents in the upcoming weeks and ask them to write letters to Department of Finance. She also said several multi-district SELPAs throughout the state have voiced their concerns as well.

Marina Gallegos added DMCC has had a contract with DBH since 2003. She said Assembly Bill 114 funds are used to leverage contracts with DBH in the local match. The reward without the match is \$11 million which is increased to \$21 million with the match.

8.3 Desert Mountain Operations Update

Rich Frederick presented Desert Mountain Operations (DMPS) Update. He reported that beginning the 2022-23, DMOPS will be opening a true adult transition program classroom located on Bear Valley Road for 18–22-year-olds. Rich said the classroom will be equipped to serve all students but mainly for students who would be on track for their certificate of completion.

Rich expects the 2022-23 Fee-For-Services rates to be provided to the committee. He said the fee for American Sign Language (ASL) interpreters for students fully included in the high school classrooms will be increasing significantly. Rich stated over the past two years, the Deaf/Heard

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of Hearing (DHH) Specialized Academic Instruction (SAI) programs have been developed for middle and high schools at select sites. The programs might not be at the students' home school but the program is available and cost effective.

Rich shared he has been working with D/M SELPA on the Local Plan to formalize the referral process to Desert Mountain Operations so that it is written out to follow.

Rich reported as LEAs are working on universal pre-kindergarten to keep in mind that DMOPS is a service provider and will coordinate with the LEAs to ensure the students are provided for.

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

Linda Llamas presented the Desert/Mountain Children's Center Client Services monthly reports. She asked to be contacted if there are any changes to the student list or to the LEA contact person.

8.5 Positive Trends During the COVID-19 Pandemic

Linda Llamas presented a document containing research studied on positive trends during the COVID-19 pandemic. She said through the pandemic, it is important to find positive trends. Linda told the committee members to contact her if additional information was needed or if there were topics the committee wanted covered.

8.6 Professional Learning Summary and Update

Heidi Chavez presented the D/M Charter SELPA's Professional Learning Summary. She cited that some trainings have been moved to later in the day to accommodate teachers in the classroom and to respect the teacher shortage.

Heidi reported the next Community Advisory Committee will be held in person on April 21, 2022, with the topic of Occupational and Physical Therapy in the Schools. She said the representative meeting is 5:00pm-5:30pm followed by the presentation of *Occupational and Physical Therapy in Schools*.

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

8.7 Resolution Support Services Summary and Update

Kathleen Peters presented the D/M Charter SELPA's Resolution Support Services Summary and updates. She reminded the committee that there has been a column added to the Summary to reflect the cases filed against parents and said that this number is included in the total number of cases and not in addition to.

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8.8 Case Law Review

Kathleen Peters provided case law review including a You Be the Judge scenario. She referred to the Office of Administrative Hearings (OAH) Expedited Decision pertaining to Odyssey Charter School case included in the meeting materials. Kathleen cited the general education setting was not providing for the 5-year-old's needs who was throwing furniture, eloping several times per day, breaking skin when biting, and other disruptive behaviors. The case was expedited due to the safety of the child and others. The judge saw the need for the child to be moved to a different placement and awarded 45-day placement in an SDC classroom at a sister campus. Kathleen said the student's behaviors have immensely decreased, he is no longer eloping and he is making friends. Kathleen continued that the parents did not consent to the majority of IEP but their consent to the individual behavior aide and behavior intervention development services served as consent to the offer for special education eligibility. She said the judge found that the technical errors on the part of the LEA do not impact the child's Free Appropriate Public Education (FAPE) but the parents' behaviors and various decisions did.

Kathleen then reviewed the AB 130 Injunction memo. She said that it is a civil case pertaining to discrimination and the concept of independent study in special education. The judge in the case determined the decision related to the 15 students applied to all LEAs creating an injunction. Kathleen said the initial case stated 100-200 students would be impacted by the injunction so the judge put a stay on it with a hearing to take place in June 2022. She continued that if the injunction is decided to be the correct decision, all LEAs will need to make immediate changes to their independent study circumstances. The memo provided in the meeting materials provided the actions that the LEAs are to take to be prepared if the order comes down. Kathleen asked for the LEAs to email her the number only of students that would be affected as it is well above the 100 documented. She stated LEAs are to use the legal language provided in all correspondence and lists accumulated in the offices to protect the LEAs. Kathleen shared that Colette Garland queried CalPads for students on independent study and the number was low with some students not reflecting as being in independent study. For these purposes, include students who have IEPs who did not accept independent study or who were denied independent study as well as those who have not been successful in independent study. It was reiterated that all students who requested independent study are to be included. Kathleen said LEAs are to follow the guidelines that IDEA has in place for independent study using the correct codes in Web IEP.

Lisa Nash presented the You be The Judge scenario. After allowing the meeting attendees a moment to read the scenario, Lisa reported the answer to be C. She said the district does not need to use Response to Intervention (RTI) to unnecessarily delay evaluating a student when there is a reason to suspect a disability and need for special education services. The district had enough reason to suspect a disability when the student failed all classes the prior year with a continued struggle with absenteeism and behaviors.

Kathleen shared that a large portion of Best Best & Krieger's education department is now with

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Atkinson, Anderson, Loya, Ruud & Romo which is also contracted with CAHELP. The work with the attorneys will continue but under a different law firm.

8.9 Prevention and Intervention Update

Pam Bender reported there is no update for Prevention and Intervention as of the meeting date.

8.10 12th Annual Transition Resource Fair

Adrienne Shepherd-Myles presented information on the upcoming 12th Annual Transition Resource Fair. It is scheduled to take place via Zoom on April 19, 2022, at 5:30pm-7:30pm. Adrienne shared more than 4000 flyers were mailed to students with IEPs in grades 9 through 12. The keynote speaker is Josh Davies who will talk with the students and families about work ethics. There will be 45 vendors available on a website for the students and families to reach out to. Adrienne reported registration is needed in order to receive the event link.

8.11 Compliance Update

Peggy Dunn presented an update on compliance items from the California Department of Education (CDE) including Annual Determination Letters. She stated there are nine LEAs in disproportionality, significant disproportionality, intensive monitoring, or targeted monitoring with some in multiple categories. There are webinars being provided for LEAs in each category that Peggy said she will attend then share the information with the LEAs that are not able to attend. Peggy reported that most of the letters reflect the LEA is compliance only and in talking with CDE, that means the LEA does not have to participate in the webinars or any compliance activities. Peggy stated that all LEAs have late IEPs and initials that must be addressed. Peggy said she can be contacted for assistance and questions.

Colette Garland urged the committee members to continuously refer to CalPads reports 16.7 and 16.8 to review and ensure data is accurate. She stressed the importance of closing IEPs as verbal when waiting for DocuSign.

Colette Garland added the CalPads redesign has been postponed and will take place April 6-11, 2022. She said the LEAs are to send their finished jobs to CalPads by April 1, 2022, and import by April 4, 2022, then stop sending jobs until CalPads notifies the redesign is complete. Colette also said there will be LEA one-on-one check-ins scheduled as end of year Personnel Data Reports are approaching.

Colette stated beginning on March 25, 2022, she will begin running reports each Friday to identify LEA late IEPs then will provide the reports to program specialists who will also assist the LEAs in becoming compliant.

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Colette reported that in Web IEP, the Individualized Family Service Plan (IFSP) will be uploaded soon and will be followed by the Spanish version.

Cheri Rigdon shared that she is having issues with CalPads errors and being counted for late IEPs when there was a school closure of more than five days. When she questioned CDE, they responded that the only validated delay reasons were for initial evaluation meetings. Cheri said she then asked CDE if the procedure is to stop the timeline for a school break of more than 5 days or what is the procedure to stop the timeline for school breaks of or that the timelines only stop for initials. She has not yet received a response.

Colette said it is imperative to have a clear enrollment process as many discrepancies in Web IEP come from the time of enrollment when a student's records are not checked to confirm if they are in special education. She said students that have IEPs are not always identified which causes errors in the data analysis because the special education department is not notified.

8.12 Nonpublic School/Nonpublic Agency Update including Services Provided

Peggy Dunn provided a nonpublic school/nonpublic agency update including 1:1 services. She said Bright Futures Academy and Desert View are doing well and continue to be monitored. Peggy reported there are five students in residential placement.

Peggy shared the search for nurses continues to be a challenge and is further compounded by the fact that NPAs must be CDE certified when hired to work with our LEAs.

Pam Bender said LEAs are experiencing issues when an NPA provider shows up but the student is not present. This causes the provider to not be paid which is causing a loss in staff. Pam has discussed the issue with other SELPA directors to see how they are handling the same issue. She said the discussion is to place the NPA service provider in a class that might be short an instructional assistant and find a way to pay them through SELPA services. Pam said she is planning a separate meeting with her and Peggy on how to use the provider and document their services to keep them paid.

9.0 FINANCE COMMITTEE REPORTS

9.1 P-1 Certification

Marina Gallegos provided information regarding the P-1 Certification. She reviewed the 2021-22 P-1 Certification. Marina reported LEA Pupil Count is used to allocate federal dollars and ADA is used to allocate state dollars. She reminded the committee members that each LEA is receiving \$995.72 per ADA which is equalized. Marina said the Schedule B-Funding Exhibit SELPA Funded ADA is high because it included the High Tech Schools but is expected to fund at actual ADA next year with a loss of almost 10,000 ADA. The reports are being sent to the financial staff monthly to review and report errors.

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9.2 Dispute Prevention/Resolution and Learning Recovery Support Funding

Marina Gallegos provided an update on Dispute Prevention/Resolution and Learning Recovery Support Funding. The presented summary reflects the allocation for each LEA and how much has been claimed. Marina reminded the committee members that funds must be encumbered by June 30, 2023.

9.3 One-Time Federal and State Funding Summary

Marina Gallegos provided a summary of one-time federal and state funding. She said there is some reluctance for the LEAs to spend the Dispute Prevention/Resolution and Learning Recovery Support funds because of the impact on Maintenance of Effort (MOE). Marina said because the LEAs are also receiving federal funds which are a deduct from MOE requirement which allows LEAs to use as much federal funding as they use state funding. She continued that if an LEA uses their allocation of Dispute Prevention/Resolution and Learning Recovery Support funds and none of the federal funding, it will increase their MOE. Marina concluded the federal funds are available until September 30, 2023.

10.0 INFORMATION ITEMS

10.1 Personnel Data Reports

Colette Garland asked for the Personnel Data Reports to be completed and returned to her by April 8, 2022, or sooner. She said the SELPA will submit the completed documents on behalf of the LEAs.

10.2 Monthly Audiological Services Reports

10.3 Monthly Occupational & Physical Therapy Services Reports

10.4 Monthly Nonpublic School Placement Report

10.5 Upcoming Professional Learning Opportunities

11.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

Bonnie Garcia reported there will be an additional Orton-Gillingham training available in the beginning of June. She said Learning Recovery funds can be used to pay for the training.

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12.0 CEO COMMENTS

Pam Bender reported she has visited a few sites and continues to meet with superintendents and special education directors. She said spring is a busy time of year in education and assured the committee members that D/M SELPA is available to support the LEAs with their needs. Pam asked for each person to make time for self-care. She then quoted Susan J Bissonnette saying an optimist is the human personification of spring, and it is time to be optimistic going forward even in this busy season.

13.0 MATTERS BROUGHT BY THE PUBLIC

None.

14.0 ADJOURNMENT

Having no further business, a motion was made by Marie Silva, seconded by Rich Frederick, to adjourn the meeting. The motion carried on the following vote of 14:0: Ayes: Baird, Congo, Delgado, Edwards, Esposito, Frederick, Kosaka, Miller, Nelson, Newton, Reid, Rigdon, Silva, and Wiesner. Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain SELPA Steering and Finance Committee will be held on Friday, April 22, 2022, at 9:00 a.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

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

9.1 State SELPA Administrators Update
Verbal presentation, no materials

9.2 Independent Educational Evaluation Providers Within Districts

Verbal presentation, no materials

9.3 LCAP and SELPA Involvement

Verbal presentation, no materials

***STEERING AND FINANCE COMMITTEE SCHEDULE OF MEETINGS
2022-23***

- August 26, 2022
- September 23, 2022
- October 21, 2022*
- November 18, 2022
- December 16, 2022
- January 27, 2023
- February 24, 2023 *
- March 24, 2023
- April 21, 2023*
- May 19, 2023
- June 16, 2023

Meetings will be held at 9:00 a.m., at the Desert Mountain Educational Service Center, Apple Valley, CA.

Note: * Denotes date of Directors' Training

9.5 Desert Mountain Operations Update

Verbal presentation, no materials



Desert / Mountain Children's Center
17800 Highway 18
Apple Valley, CA 92307-1219

P 760-552-6700
F 760-946-0819
W www.dmchildrenscenter.org

MEMORANDUM

DATE: April 20, 2022
TO: Special Education Directors
FROM: Linda Llamas, Director

SUBJECT: Desert/Mountain Children's Center Client Reports

Attached are the opened and closed cases for the following services:

- Screening, Assessment, Referral and Treatment (SART)
- Early Identification Intervention Services (EIIS)
- School-Age Treatment Services (SATS)
- Student Assistance Program (SAP)
- Speech and occupational therapy

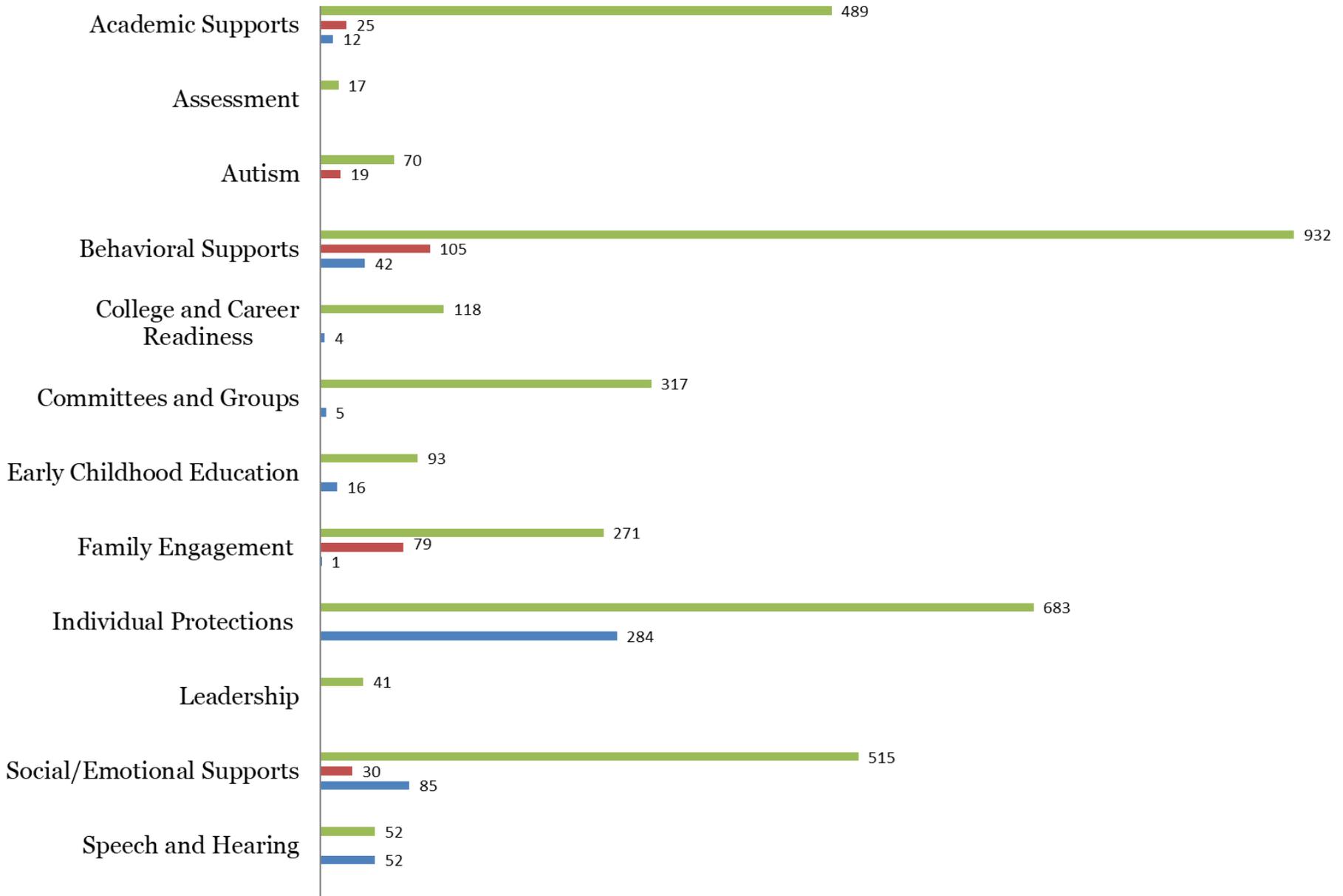
If you should have any questions, please contact me at (760) 955-3606 or by email at linda.llamas@cahelp.org

D/M SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

MARCH 2022 - 759 PARTICIPANTS

3,598 YEAR-TO-DATE PARTICIPANTS

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



Desert/Mountain SELPA
Due Process Summary
July 1, 2021 - April 22, 2022

DISTRICT													CASE ACTIVITY FOR CURRENT YEAR					Filed on Parent
	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	Total	D /W	Resolution	Mediation	Settled	Hearing	
Adelanto SD	0	3	6	5.5	2.5	5	3	3.5	3	3.5	3	38	0	1	1	1	0	0
Apple Valley USD	0	0	2	1	1.5	1.5	0	3.5	10	5	2	26.5	1	1	0	0	0	0
Baker USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Barstow USD	0	0	0	0	1	3.5	0	2	0	1	0	7.5	0	0	0	0	0	0
Bear Valley USD	1	0	0	0	0	1	2	0	0	1	1	6	0	0	0	1	0	0
Helendale SD	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0
Hesperia USD	5.5	4	3	5	7.5	7	6	7	17.5	7	12	81.5	1	0	5	5	1	1
Lucerne Valley USD	0	1	2	1	1	2	0	1.5	0	0	0	8.5	0	0	0	0	0	0
Needles USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oro Grande SD	0	0	0	0	0	0	0	0	2	0	1	3	0	0	0	1	0	0
Silver Valley USD	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Snowline USD	2	1	1	5	4.5	6.5	2	8.5	7	2	2	41.5	0	1	0	1	0	0
Trona USD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Victor Elementary SD	1	1	4.33	3.33	1.83	2.5	6.5	0	7	1	4	32.49	0	0	1	3	0	0
Victor Valley Union High SD	2	4	3.33	4.3	7.83	4	4	8.5	6.5	10	5	59.46	0	0	1	4	0	0
Academy for Academic Excellenc	0	0	4	2	0	1	2	1	1	1	0	12	0	0	0	0	0	0
CA Charter Academy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Desert/Mountain OPS	0.5	1	1.33	0.83	4.33	3	1.5	3	2	1	0	18.49	0	0	0	0	0	0
Excelsior Education Center	0	0	0	0	0	0	0	0.5	2	0	0	2.5	0	0	0	0	0	0
Health Sciences HS & MS	0	0	0	0	0	0	0	1	1	0	0	2	0	0	0	0	0	0
SELPA-WIDE TOTALS	13	15	26.99	27.96	31.99	37	28	40	59	32.5	30	341.44	2	3	8	16	1	1

Districts showing a value of .50 above indicates that the district is a co-respondent with another district.

*Number accounts for High Tech High but has exited from CAHELP. Actual count for 2019-20 is 67.

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
1. Victor Valley USD Case No. 2021070206	LEA filed on parent for permission to assess, pursuant to assessment plan of 3-19-21	7/7/2021	7/26/2021		08/03--05/21 9/21-23/21	Filing was necessary because the parent filing of 10/20 was withdrawn and left with open IEP's and lack of student attendance. 7/26/21 Continuance granted for parent to obtain attorney. 9/21/21 - Parent unrepresented at hearing; did not present his case. Written closing statement submitted. Awaiting judgement. 10/21/21 - Ruling-permission to assess. CLOSED
2. Victor El. Case No. 2021070710	Failure to provide FAPE 1. Program 2. Speech/Lang. 3. Appropriate Assessment	7/21/2021	8/6/2021	9/7/2021	9/14-16/21	Mediation - Settlement Agreement 1. IEE - (Sp & Lang and Psycho ed). 2. SP & Lang (2W x 20 min) individual therapy added to IEP. 3. Comp Ed (academic, SP/Lang, OT contingent on results) 4. 1:1 until assessments completed not stay put. Settlement Agreement CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
3. Hesperia USD Case No. 2021070965	Failure to provide FAPE 1. Communication 2. Academics 3. Behavioral management	7/29/2021	8/5/2021		9/21-23/21	Full execution of settlement agreement on 8/11/2021 - 1. Conduct Assessments: Supplemental Speech and Central Auditory Processing. 2. 1:1 instructional assistance through 12/17/2021 until TISA is reviewed. 3. Amend IEP: Speech 4M/30 min group and 4M/30 min individual. 4. Comp Ed (Speech and Lang). 5. Reimburse parents for intensive reading services. Settlement Agreement CLOSED
4. Hesperia USD Case No. 2021080484	Denial of FAPE 1. Student not making progress 2. Failed to provide appropriate program	8/17/2021	8/30/2021	10/19/2021	10/12-10/14, 2021 11/30- 12/02/2021	Resolution Negotiations in Progress. 9/23/21 IEP held to address EL needs, DMCC, SAI class. Settlement agreement: IEP EL updated goals, Sylvan comp ed. CLOSED
5. Apple Valley USD Case No. 2021090257	AVUSD filed to defend placement	9/9/2021				Parent moved and withdrew complaint. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
6. Hesperia USD Case No. 2021090391	1. Failure to Implement 2. Unilaterally modified IEP & placement to home	9/10/2021	9/21/2021		11/09-11/21 12/14-16/2021	Neither parent nor counsel could elaborate on what assessments they were seeking. 10/26/21 - Opposing counsel not responsive, student graduated with diploma age 19. 11/21/21 - no movement. 12/10/21 - Case withdrawn by parent when OAH denied continuance. CLOSED
7. Oro Grande Case No. 2021090564	Denial of FAPE 1. Failure to implement. 2. Lack of progress 3. Lack of access to remote learning 4. Impeded parental participation 5. Anxiety related to bullying unaddressed	9/20/2021	10/13/2021	12/3/2021	11/16-18/2021 1/19-20/2022	9/28/21 - Opposing attorney seeking to extend 2 yr. statute; seeking "dialectical therapy" and other. 10/21 Mediation scheduled. 12/02/21 - Settlement agreement consent to IEP, comp. ed. Withdrawn from Riverside Prep Charter. CLOSED
8. Victor El. Case No. 2021100026	Denial of FAPE 1. Failure to conduct comprehensive psycho educational assessment. 2. Indadequate LAS service 3. Failure to provide SAI, LAS, insufficient reading, writing and math goals	10/1/2021	10/06/2021 10/18/2021		11/23-24/2021	10/22/21 - Settlement agreement comp ed, IEE. CLOSED

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
9. Victor Valley USD Case No. 2021100113	Denial of FAPE 1. Academics 2. Social-Emotional and behavioral	10/5/2021	10/13/2021		11/30-12/02/2021	10/20/21 - Settlement agreement for comped IEE, increased ERMHS in IEP. CLOSED
10. Hesperia USD Case No. 2021100364	Child Find	10/13/2021	10/27/2021	3/11/2022	12/21-23/2021 4/26-28/2022	10/13/21 - Address verification challenged. 11/21- discovery investigation found student not in district. Disenrolled as a term of expulsion decision. Due Process still open. 12/21 - Awaiting AVUSD assessment. 02/21/22 - Student qualified. Comp services to be determined. 03/14/22 - Settlement agreement reached. CLOSED
11. Hesperia USD Case No. 2021100499	Denial of FAPE 1. Independent Study 2. Lack of Services and SAI	10/19/2021	10/26/2021		12/14-16/2021	10/26/21 - Offer made: negotiations continue. 11/3/21- Settlement agreement: Provision of Instructional Assistance while on Independent Study. CLOSED
12. Victor El. Case No. 2021100682	Denial of FAPE 1. Program failure 2. Lack of progress 3. School closure	10/19/2021	11/2/2021		12/14-16/2021	11/15/21 Settlement agreement: Return to in-person with 1:1 aide until further assessment. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
13. Bear Valley USD/SBCSS Case No. 2021100692	Denial of FAPE 1. Failure to assess a. Behavior b. OT c. APE d. AT e. Psycho-ed 2. Material Implementation 3. Placement, LRE 4. Goals not data driven 5. Procedural violations	10/26/2021	11/4/2021		12/21-23/2021	Settlement 11/30/21: PT, IEE, 1:1 aide, comp ed. CLOSED
14. Snowline JUSD Case No. 2021110015	Denial of FAPE 1. MD Determination 2. Failure to provide ERMHS 3. Failure to conduct Triennial. 4. Failure to provide 1:1 aide 5. Predetermined placement 6. Assessment timelines violated	10/29/2021	11/5/2021 11/4/2021	11/16/2021 Expedited Withdrawn	11/30 - 12/2/2021 expedited 12/26 - 28/2021	10/29/21 - Expedited 11/18/21- Withdrawn 11/19/21- Settlement agreement: placement, behavior support. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
15. Hesperia USD Case No. 2021110034	Child Find	11/1/2021	11/29/2021	2/22/2022	4/4-6/2022 4/5-7/2022	11/2/21 Assessment begun. Awaiting results. 12/21 -Mediation scheduled to be held post assessment -agreement to await IEE. 1/25/2022 - IEP with IEE to be held after this date. 02/21 SAI support increased, DMCC, medical release of information. 03/01/22 - Settelement Agreement. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
16. Hesperia USD Case No. 2021110032	Denial of FAPE: 1. More restrictive placement 2. Comprehensive Assessment 3. Lack of Educational Benefit 4. Goals not reasonably calculated	11/1/2021	11/29/2021	2/15/2022	12/28-30/2021 3/29-30/2022	11/2/21 Seeking reimbursement for private school placement; parent to visit HUSD class; seeking prospective placement, IEE. 12/21 - Agreement to await IEE. 02/21 - Placement and private school reimbursement still at issue. 03/15/22 - Settlement agreement: 1. Reimburse for appropriately qualified tutoring. 2. No reimbursement for private school. 3. District to provide assessment and hold IEP within 2020-21 year and offer placement for 2021-22 school year. 03/15/22 - Settlement agreement reached. CLOSED
17. Victor Valley USD Case No. 2021118403	Denial of FAPE: 1. Inadequate speech services 2. Deficient academic goals	11/12/2021	12/6/2021		1/4-6/2022	12/7/21 - Settlement agreement SPL increase in IEP, comp. ed. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
18. Victor El. Case No. 2022010453	Denial of FAPE: Failure to provide an appropriate educational program. 1. Academics 2. Fine Motor 3. Behavior 4. Communication	1/18/2022	2/1/2022	2/24/2022	3/8-10/2022	02/01/22 - District asked for TISA, FBA, AP signed. 02/24/22 - Placement and 1:1 still at issue. 03/09/22 - Settlement agreement reached: Diagnostic placement through 2021-22, further assessment and comp ed. CLOSED
19. Hesperia USD Case No. 202201449	Denial of FAPE: 1. Unilaterally modifying IEP 2. Program location to home 3. Altered service delivery	1/18/2022	1/31/2022	2/16/2022	3/08-10/2022	This is the second filing of this nature by a graduated student seeking COVID 19 compensation. 11/31/22 - Unable to clarify services and assessments being sought. 02/16/22 - District offer declined, 10 day offer letter sent preparing for hearing. 03/08-10/22 - Hearing held. Closing briefs submitted 03/28/22. Awaiting judges decision.

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
20. Victor Valley USD Case No. 2022010560	Denial of FAPE: 1. Failure to assess fully 2. Failure to consider communication needs 3. Failure to adhere to IEP Timelines 4. Failure to seek parent input 5. Failure to assess student progress 6. Failure to include transition goals 7. Other substantive and procedural claims	1/20/2022	Waived	Expedited 2/3/2022 Regular 4/25/2022	Expedited 2/15-17/2022 Regular 3/08-10/2022 05/24-26/22	02/03/22 - LEA seeking transition on back to school; Parent seeking 6 hours a day tutoring. 02/14/22 - parent dismissed expedited.
21. Adelanto Elementary SD Case No. 2022010641	Denial of FAPE: 1. Failure to implement 2. Lack of progress 3. Failure to communicate emergency behaviors 4. Unilaterally changing placement without parent consent	1/24/2022	2/8/2022	3/15/2022	3/22-24/2022	Main issue- Transportation to NPS, LEA struggling to obtain. 03/22/22 - Continue to struggle with placement due to staffing needs.
22. Hesperia USD Case No. 2022020170	Child Find	2/4/2022	2/17/2022	4/18/2022	03/22-24/2022	LEA agrees to expedite assessments.

Desert/Mountain SELPA
Due Process Activity Summary
July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
23. Hesperia USD Case No. 2022020199	Child Find	2/4/2022	2/17/2022	4/18/2022	03/29-30/2022	LEA agrees to expedite assessments.
24. Hesperia USD Case No. 202202189	Child Find	2/7/2022	2/24/2022	5/4/2022	3/22-24/2022	LEA agrees to expedite assessments. 03/22 - Student attending school; assessments in progress.
25. Adelanto Elementary SD Case No. 2022020510	Denial of FAPE: 1. Failure to provide appropriate program 2. Failure to conduct appropriate assessments	2/15/2022	3/1/2022	4/7/2022	04/05-07-2022 5/17-19/2022	03/22 - Making progress toward agreement; IEE's dropped; large comp ed. Requested. 03/31/22 - Settlement agreement. CLOSED
26. Adelanto Elementary SD Case No. 2022030247	Denial of FAPE: 1. Failure to provide 1:1 nurse. 2. Failure to assess for AAC	3/4/2022	3/31/2022		4/19-21/2022	03/31/22 - Dropped comp nurse services, agreement on comp ed; attorneys continuing discussion

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
27. Snowline JUSD Case No. 2022030433	Denial of FAPE 1. Failure to assess a. Behavior b. Social Skills c. AAC d. Audiology 2. Failure to provide behavior interventions 3. Failure to provide for communication needs 4. Failure to provide transportation	3/11/2022	3/28/2022 4/05/2022		4/26-28/2022	03/22 - Student filed last year in HUSD.
28. Victor Valley USD Case No. 2022030679	Denial of FAPE: • District offered 504 despite qualifying as SLD	3/21/2022	3/30/2022		5/10-12/2022	03/30/22 - Resolution held sans attorneys, agreement reached. 04/01/22 - Settled resolution with no attorney. Social worker assistance. CLOSED

Desert/Mountain SELPA
 Due Process Activity Summary
 July 1, 2021–April 22, 2022

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Due Process Hearing	Status
29. Apple Valley USD Case No. 2022030691	Denial of FAPE 1. Change of placement when schools closed 2. Failure to provide services during COVID-19 shut down 3. Failure to provide goals for ed benefit 4. Failure to address regression 5. Failure to offer 1:1 aide in the home 6. Failure to provide OT 7. Failure to provide at home ABA 8. Failure to offer parent training	3/21/2022	4/1/2022		5/10-12/2022	
30. Hesperia USD Filed on Parent Case No.	Permission to assess without parent consent	3/31/2022	N/A		4/26-28/2022	Student out of school since October, 2021. Last assessment October, 2017. Assessment plan issued February 25, 2022.

Desert /Mountain SELPA
Legal Expense Summary
As Reported at Steering April 22, 2021

2000-2001	\$39,301.51
2001-2002	\$97,094.90
2002-2003	\$37,695.13
2003-2004	\$100,013.02
2004-2005	\$136,514.09
2005-2006	\$191,605.08
2006-2007	\$140,793.00
2007-2008	\$171,614.04
2008-2009	\$263,390.71
2009-2010	\$114,076.96
2010-2011	\$293,578.50
2011-2012	\$567,958.10
2012-2013	\$321,646.04
2013-2014	\$250,372.65
2014-2015	\$297,277.76
2015-2016	\$204,756.26
2016-2017	\$233,130.03
2017-2018	\$247,459.52
2018-2019	\$314,479.71
2019-2020	\$475,930.79
2020-2021	\$354,582.16
2021-2022	\$194,764.82

YOU BE THE JUDGE: Do pupil's brief suspensions amount to improper change of placement?

A student with an undisclosed disability frequently presented disruptive and defiant behaviors in class. To address those disability-related behaviors, teachers suspended the student multiple times throughout the school year. Although the student's suspensions never exceeded 10 consecutive days, the suspensions totaled more than 10 cumulative days. The Michigan district did not conduct a manifestation determination review.

Each time the student received a suspension, the district sent the parent disciplinary referral forms with information regarding the misconduct. However, the forms didn't indicate whether the student was entitled to receive educational services during his suspensions.

Alleging that the district failed to appropriately reevaluate the student prior to subjecting him to a series of out-of-school suspensions, the parent filed a complaint with the Office for Civil Rights. Under Section 504 and Title II, a district must reevaluate a student before any significant change in placement, including in the disciplinary context. 34 CFR 104.35(a). A disciplinary removal constitutes a significant change in placement when the removal exceeds 10 consecutive school days. Additionally, a series of short-term removals may constitute a significant change in placement if it creates a pattern of exclusion and exceeds 10 cumulative days.

Does the district's failure to conduct an MDR create a compliance concern?

- A. **YES.** The student's brief suspensions likely constituted a change in placement.
- B. **NO.** The student's behaviors did not create a sufficient safety concern to trigger an MDR.
- C. **NO.** The student's suspensions never exceeded 10 consecutive days.

9.10 Transition Services Updates

Verbal presentation, no materials

Save

THE

Date!



Service Log Tracking

Please join us as we demonstrate the Service Log Tracking feature in WebIEP. This will be a new California Department of Education requirement to provide more tracking of services being provided to students with disabilities (SWD).

August 9, 2022 | 9:00 - 10:00 a.m.

August 10, 2022 | 2:00 - 3:00 p.m.

August 16, 2022 | 3:00 - 4:00 p.m.

August 17, 2022 | 3:00 - 4:00 p.m.

Get in Touch

Address: 17800 Highway 18, Apple Valley, CA 92307
Phone: (760) 955-3557

Email: Terri.Nelson@cahelp.org
Website: www.cahelp.org

9.12 Nonpublic School/Nonpublic Agency Update

Verbal presentation, no materials



2021-2022 Second Interim Report
2022-2023 Preliminary Budget

Primary Funding Sources

Contract/Grant Funding

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

AB 602 Special Education Revenue

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

Fee-for-Service/Other Fees

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

2021-2022

Second Interim Notes

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

2021-2022

Second Interim

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

2022-2023

Budget Assumptions

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

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

2022-2023

Preliminary Notes

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

2022-2023 Preliminary

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

2022-2023 vs 2021-2022 Staffing

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

Net Effect Across Organization (3.80)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

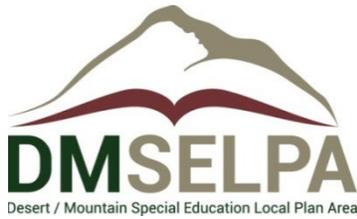
Desert/Mountain SELPA
 Desert/Mountain Charter SELPA
 Desert/Mountain Children's Center
 2022-23 Fee-for-Service

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

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

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

** RSP Rate Used to Calculate Served By/For



Desert / Mountain Special Education Local Plan Area
17800 Highway 18
Apple Valley, CA 92307-1219

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MEMORANDUM

DATE: April 4, 2022
TO: Special Education Directors and MIS Contacts
FROM: Colette Garland, MIS Support Analyst

SUBJECT: Desired Results Access Project (DRDP) – Spring 2022

The Desired Results Developmental Profile [DRDP (2015)] is designed to assist the California Department of Education in determining the effectiveness of its early care and education programs. CDE's Special Education Division (SED) implements the DRDP (2015) in Special Education Local Plan Areas (SELPA's) to comply with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and requirements of the U.S. Department of Education's Office of Special Education Programs (OSEP). The Desired Results Access Project conducts research, technical studies, and evaluation activities to support the use of the DRDP (2015) for special education.

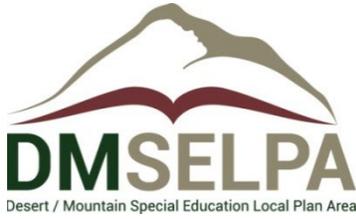
DRDP manual and instructions can be found at: <https://www.draccess.org>
DRDP Assessment Online portal can be found at <https://www.draccessreports.org>
Questions regarding DRDP Assessor registration/training should be emailed to reports@draccess.org or call (800) 873-9220 or (707) 294-8072

PLEASE COMPLETE YOUR DRDP ASSESSMENTS ONLINE BY FRIDAY, JUNE 17.

SELPA will process and submit required information.

Please feel free to contact me at (760) 955-3565 or email me at colette.garland@cahelp.org





Desert / Mountain Special Education Local Plan Area
17800 Highway 18
Apple Valley, CA 92307-1219

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MEMORANDUM

DATE: April 1, 2022
TO: Special Education Directors/Management Information System Contacts
FROM: Colette Garland, MIS Support Analyst

SUBJECT: June Pupil Count/End-of-Year (EOY4) Calpads Certification

All Pupil Count data between July 1, 2021 through, and including, June 30, 2022, must be entered into the SELPA WebDA system and submitted through the WebIEP/Calpads portal no later than **Friday, July 8, 2022** to meet the first certification deadline of **July 29, 2022** as per Calpads requirement. SELPA will provide WebDA/MIS Pupil Count information to LEAs for comparison as we are revising the existing Calpads reports available in WebDA. Although Calpads certification must be free of all Certification errors with LEA and SELPA approval to be considered completed, **rejected records must be cleared and accepted in Calpads as well.**

PLAN TYPE 30/300 (pending) – This information will be extracted from WebIEP and added to each LEAs WebIEP/Calpads portal for LEA submission.

POST-SECONDARY – This information will be extracted from WebDA and added to each LEA's WebIEP/Calpads portal for LEA submission.

Should decertification be necessary, that process will take place during the Amendment window and final Calpads certification will be due by **August 26, 2022.**

The following schedule will be used for the June Pupil Count/EOY CALPADS Submission:

July 8, 2022	All CALPADS records should be uploaded. SELPA to create Pupil Count Snapshot
July 29, 2022	First CALPADS EOY4 Certification
July 30 – August 26, 2022	Amendment Window (Revisions)
August 26, 2022	Final CALPADS EOY4 Certification

Please review the above schedule. If you anticipate challenges meeting these deadlines, please let me know immediately so that assistance can be provided to you. If you have any questions, please call me at (760) 955-3565 or email colette.garland@cahelp.org.

MEMORANDUM

Date: April 12, 2022
To: Directors of Special Education
From: Richard Frederick, Area Director 

Subject: Audiological Service Reports

Attached are the Audiological Service Reports for the month of March 2022 by district.

If you have any questions concerning these reports, please contact Dale Folkens, Ed. D. Principal at (760) 244-6131 ext. 247 or via email at dale.folkens@sbcss.net.



Desert/Mountain Special Education Local Plan Area
17800 Highway 18
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MEMORANDUM

Date: April 22, 2022

To: Directors of Special Education

From: Codi Andersen, Occupational/Physical Therapy Supervisor

Subject: **Occupational and Physical Therapy Reports**

Attached are the occupational and physical therapy Referral Status, and Current Students Direct Services reports by district.

If you have any questions concerning either report, please contact me at (760) 955-3659 at Codi.Andersen@cahelp.org

Desert Mountain SELPA
2021-2022 Non-Public School Placement Report

	January				February				March				April				May				June			
	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL
Adelanto	3			3	3			3	3			3	3			3								
Apple Valley	19	1	8	28	17	1	9	27	18	1	7	26	17	2	5	24								
Baker																								
Barstow	4	2	1	7	3	2		5	3	2		5	5	2		7								
Bear Valley																								
Helendale																								
Hesperia	15			15	16			16	16			16	16			16								
High Tech High																								
Lucerne Valley	1			1	1			1																
Needles																								
Oro Grande																								
Silver Valley						1		1		1		1		1		1								
Snowline	9	1		10	10			10	9			9	8			8								
Trona																								
Victor Elem	6		1	7	6		1	7	6		1	7	8		1	9								
VVUHSD	20		1	21	21		1	22	20		1	21	20		1	21								
TOTALS	77	4	11	92	77	4	11	92	75	4	9	88	77	5	7	89								
2020-21 Totals	82	7	16	104	83	3	18	104	82	3	18	103	83	5	17	105	82	5	13	101	82	5	13	101
2019-20 Totals	76	7	18	101	76	8	15	99	78	7	16	101	78	7	15	100	77	7	16	100	75	6	16	97
2018-19 Totals	56	18	10	84	63	15	10	88	66	15	13	94	76	13	15	103	81	12	17	110	82	12	17	111
2017-18 Totals	32	17	5	54	30	16	5	51	33	16	6	55	30	17	5	51	21	17	6	44	23	17	5	45
2016-17 Totals	88	21	15	124	79	20	13	112	79	17	14	110	87	17	14	118	90	19	14	123	90	21	14	125

Desert Mountain SELPA
2021-2022 Non-Public School Placement Report

	July				August				September				October				November				December			
	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL	District Placed	Residential Placed	LCI/Foster Placed	TOTAL
Adelanto	3			3	3			3	2			2	2			2	2			2	2			2
Apple Valley	17	1	5	23	17	1	5	23	20	1	7	28	21	1	6	28	21	1	6	28	20	1	6	27
Baker																								
Barstow	5	1		6	5	1		6	5	1		6	5	1		6	5	1		6	4	2	1	7
Bear Valley																								
Helendale																								
Hesperia	17			17	17			17	15			15	16			16	15			15	17			17
High Tech High																								
Lucerne Valley									1			1	1			1	1			1	1			1
Needles																								
Oro Grande																								
Silver Valley																								
Snowline	11	1		12	11	1		12	11			11	9			10	9			10	9			9
Trona																								
Victor Elem	8		1	9	8		1	9	6		1	7	6		1	7	6		1	7	5		1	6
VVUHSD	22	1	2	25	21	1	2	24	20	2	2	24	20	2	2	23	21	2	2	24	20	2	2	24
TOTALS	83	4	8	95	82	4	8	94	80	4	10	94	80	4	9	93	80	4	9	93	78	5	10	93
2020-21 Totals	78	6	16	100	69	6	15	90	81	4	18	103	80	4	18	102	80	4	17	101	83	4	17	104
2019-20 Totals	80	11	19	110	74	11	16	101	73	8	17	98	74	8	19	101	75	8	19	102	75	8	19	102
2018-19 Totals	56	18	10	84	63	15	10	88	66	15	13	94	76	13	15	103	81	12	17	110	82	12	17	111
2017-18 Totals	32	17	5	54	30	16	5	51	33	16	6	55	30	17	5	51	21	17	6	44	23	17	5	45
2016-17 Totals	88	21	15	124	79	20	13	112	79	17	14	110	87	17	14	118	90	19	14	123	90	21	14	125

Upcoming Trainings

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

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

Upcoming Trainings

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

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