

# CES NEWSLETTER

## December 2022

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## Feature Article

### Peacocks in Class? Not Quite. What IHEs Need To Know About Service and Emotional Support Animals

**F**all has arrived and the academic year has kicked off for a majority of institutions of higher education (IHEs). In addition to the normal considerations for onboarding new students and faculty, IHEs will likely encounter individuals who wish to bring pets and other animals to campus with them as service animals, or the increasingly popular practice of having an Emotional Support Animal (ESA) to help combat the growing mental health concerns at IHEs. Most IHEs will have policies in place limiting the presence of animals on campus either in dormitories or on-campus facilities; however, many IHEs may find themselves confronted with these potentially legitimate requests. As news reports over the past several years of people claiming peacocks, kangaroos, and, incredibly, a beehive—to name just a few examples—as emotional support animals have indicated, the presence of these animals can become quite disruptive if left unchecked. Accordingly, it is important for IHEs to be aware of the

differences between Service Animals and ESAs and understand their legal obligations.

Service Animals and Emotional Support Animals: What is the difference?

Under the Americans with Disabilities Act (ADA), "Service Animals" are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work include guiding a person who is blind, alerting a person who is deaf, and alerting and protecting a person who is having a seizure. Although the ADA generally limits Service Animals to dogs, there is a specific exception that also allows for the use of miniature horses under certain circumstances. Additionally, while Service Animals are subject to any local dog licensing and registration requirements generally, mandatory registration of these animals as Service Animals is not permitted under the ADA. Voluntary registries may be created, however, in order to, for example, alert emergency responders to the presence of a Service Animal. It is also important to note that several states have their own laws on Service Animals, some of which define Service Animal more broadly than the ADA.



Unlike Service Animals, ESAs have not been trained to do any specific job; they provide comfort to their owners simply by being in close physical proximity. ESAs are not regulated under the ADA, and an individual can claim any animal as an ESA (except, of course, animals for which there are state or federal restrictions on possessing). In order to qualify under the limited federal protection afforded to ESAs (elaborated below), they must be accompanied by an ESA letter from a licensed mental health professional stating their purpose and reasons for their necessity.

What accommodations must IHEs provide for owners and handlers of Service Animals and ESAs?

IHEs must modify their policies, practices, or procedures to permit the use of a Service Animal by any individual with a disability, including both students and employees; these animals are allowed in any area where the owner or handler is allowed to go. There are, however, a number of exceptions to this rule. A person with a disability can be asked to remove their Service Animal under certain circumstances. First, a Service Animal can be denied if the dog is out of control and the handler does not take effective action to control it or if the animal is not housebroken. A Service Animal may also be excluded or removed if that Service Animal poses a direct threat to the health and safety of others by exhibiting particularly dangerous behavior or having a history of such behavior. While some states and municipalities have "breed bans" for certain breeds of dog, Service Animals are not to be considered a "direct threat" simply by being of the prohibited breed, and IHEs in those locations must make exceptions for those Service Animals. Last, the ADA allows for a Service Animal to be excluded where the nature of the goods, services, programs, or activities of the IHE are "fundamentally altered." While most scenarios would not require a fundamental alteration, ADA

guidance gives examples of Service Animals being restricted from specific areas of a dormitory reserved for students with pet allergies or being restricted from certain areas of a zoo where animals that are natural predators or prey of dogs would become particularly agitated or aggressive. If a Service Animal is excluded or removed for any of the above-mentioned reasons, the covered entity must still give the individual with the disability the opportunity to participate in the program, service, or activity without the animal present.

Requests for use of a Service Animal should largely be handled in a manner consistent with the IHE's reasonable accommodation policy. However, note that when inquiring into a request for use of a Service Animal, the IHE's employees can ask only two questions: (1) Is the dog a Service Animal required because of a disability? and (2) What work or task has the dog been trained to perform? The owner or handler of a Service Animal cannot be asked for proof of training or registration for their animal or asked that their animal demonstrate its abilities. Furthermore, the owner or handler of a Service Animal cannot be asked more specific questions about their disability.

Unlike Service Animals, ESAs are not protected under the ADA. They are protected, however, under the Fair Housing Act (FHA) and some state and local disability discrimination laws. The FHA requires housing providers, which includes IHEs that provide on-campus housing, to make reasonable accommodations involving "assistance animals," which are broadly defined and include animals that provide emotional support that alleviates one or more identified effects of a person's disability. Reasonable accommodations involving assistance animals must be made.

by Doreen S. Martin and Allison B. Gotfried, [https://www.mondaq.com/unitedstates/health-safety/1230670/peacocks-in-class-not-quite-what-ihes-need-to-know-about-service-and-emotional-support-animals?email\\_access=on](https://www.mondaq.com/unitedstates/health-safety/1230670/peacocks-in-class-not-quite-what-ihes-need-to-know-about-service-and-emotional-support-animals?email_access=on).



# Order Corner

At CES, submitting purchase orders and quotes for approval and processing requires a registered login to the Bluebook. If you do not have the needed login, contact your regional manager, Paul Benoit (North) or Jim Barentine (South). Their contact information is included on the last page of this Newsletter.

With the appropriate software permissions tied to your login, these buttons become live links and facilitate the upload process.

If you're unfamiliar with the process, take 6-7 minutes and view the demonstration video at <https://youtu.be/gGmtHODlrZc>.

## FOR ORDERING - KEY

- "Direct Purchase" = PO to vendor; upload with quote via Bluebook.
- "Traditional Purchase" = PO to CES; upload with quote via Bluebook.
- "Shop Vendor Portal" PO to vendor; place order online.
- "Call The Vendor" - Contact the vendor for specific ordering instructions.

Submit PO via Direct Purchase

Traditional Purchase

Shop Vendor Portal

Contact the Vendor

# Procurement News

## 1) Contract Expirations:

RFP #	RFP Name	Expiration Date
17-011 A	Playground, Recreational, Water Parks, Swimming Pools, Skate Parks & Surfaces: Layout, Equipment, Accessories, Replacement Parts and Related Products-No Installation <ul style="list-style-type: none"> <li>• Creative Recreational Designs,</li> <li>• The Playwell Group,</li> <li>• Pool Pro, LLC,</li> <li>• Play Solutions, Inc</li> </ul>	November 14, 2022
17-011 A	Playground, Recreational, Water Parks, Swimming Pools, Skate Parks & Surfaces: Layout, Equipment, Accessories, Replacement Parts and Related Products- Site Furnishings <ul style="list-style-type: none"> <li>• Creative Recreational Designs,</li> <li>• The Playwell Group,</li> <li>• Pool Pro, LLC,</li> <li>• Play Solutions, Inc</li> </ul>	November 14, 2022
17-011 A	Playground, Recreational, Water Parks, Swimming Pools, Skate Parks & Surfaces: Layout, Equipment, Accessories, Replacement Parts and Related Products- Surfacing <ul style="list-style-type: none"> <li>• Creative Recreational Designs,</li> <li>• The Playwell Group,</li> <li>• Pool Pro, LLC,</li> <li>• Play Solutions, Inc</li> </ul>	November 14, 2022
17-011 B	Fitness, Parks, Playground, Recreational Equipment and Related Items: <ul style="list-style-type: none"> <li>• Creative Recreational Designs,</li> <li>• The Playwell Group,</li> <li>• Pool Pro, LLC,</li> <li>• Play Solutions, Inc.</li> </ul>	November 14, 2022



19-05B	Staff Development & Training Services <ul style="list-style-type: none"> <li>• Respec, Inc.,</li> <li>• The Master Teacher,</li> <li>• Follett School Solutions,</li> <li>• Bloomboard,</li> <li>• Cognia (formerly Advance Education, Inc. dba AdvancED),</li> <li>• Insignia Software,</li> <li>• Claro Consulting</li> </ul>	December 4, 2022
19-06N	Administrative Software - Food Service Management & Accountability Software & Hardware <ul style="list-style-type: none"> <li>• PCS Revenue Control Systems;</li> <li>• Heartland Payment Systems</li> </ul>	December 4, 2022
19-22N	Pre-Engineered Metal Buildings Including Site Preparation, Delivery, Installation, & Setup <ul style="list-style-type: none"> <li>• Classic Industries,</li> <li>• Mich Rich Contractors, Inc.,</li> <li>• Mobilease Modular Space, Inc.,</li> <li>• Modular Solutions, Ltd.,</li> <li>• Palomar Modular Buildings, LLC,</li> <li>• Richardson &amp; Richardson, Inc.</li> </ul>	December 14, 2022

## 2) Contract Extensions:

RFP #	RFP Name	Expiration Date
17-011 A&B	Playground, Recreational, Water Parks, Swimming Pools, Skate Parks & Surfaces: <ul style="list-style-type: none"> <li>• Pool Pro,</li> <li>• The Playwell Group,</li> <li>• Play Solutions,</li> <li>• Creative Recreational Designs</li> </ul> <i>(6 months or until new contracts are awarded)</i>	May 13, 2023 (6-mo. temp. extension)
19-05B	Staff Development & Training Services <ul style="list-style-type: none"> <li>• Respec, Inc.,*</li> <li>• The Master Teacher,</li> <li>• Follett School Solutions,</li> <li>• Bloomboard,</li> <li>• Cognia (formerly Advance Education, Inc. dba AdvancED),</li> <li>• Insignia Software,</li> <li>• Claro Consulting</li> </ul> *Respec has notified Procurement, they do not wish to extend their contract.	December 4, 2023 (1 year renewal)
19-06N	Administrative Software - Food Service Management & Accountability Software & Hardware <ul style="list-style-type: none"> <li>• PCS Revenue Control Systems;</li> <li>• Heartland Payment Systems</li> </ul>	December 4, 2023 (1 year renewal)
19-22N	Pre-Engineered Metal Buildings Including Site Preparation, Delivery, Installation, & Setup <ul style="list-style-type: none"> <li>• Classic Industries,</li> <li>• Mich Rich Contractors, Inc.,</li> <li>• Mobilease Modular Space, Inc.,</li> <li>• Modular Solutions, Ltd.,</li> <li>• Palomar Modular Buildings, LLC,</li> <li>• Richardson &amp; Richardson, Inc.</li> </ul>	December 14, 2023 (1 year renewal)

3) **New Contract Awards:**  
**In the pipeline: 6 Job Order Contracting (JOC) RFPs**

RFP	Awardee	Contract #
2023-01 Design Professional Services Category 1 - Lot 1, Architectural Design and Consulting Services (36 awards)	<i>Alpha Design, P.C.</i> <i>Anissa Construction, Inc.</i> <i>Archis Architects, LLC</i> <i>Aria Architecture, Inc.</i> <i>ASA Architects, P.C.</i> <i>Barbara J. Felix Architecture +            Design, LLC</i> <i>buffalo design architects</i> <i>Cannady, LLC</i> <i>CIRE3 Architects, LLC</i> <i>Dekker Perich Sabatini</i> <i>DESIGN PLUS, LLC</i> <i>Dyron Murphy Architects, P.C.</i> <i>FBT Architects</i> <i>Formative Architecture</i> <i>G. Donald Dudley Architect, Ltd.</i> <i>Greer Stafford / SJCF Architecture, Inc.</i>	<i>2023-01-C1135-ALL</i> <i>2023-01-C1134-ALL</i> <i>2023-01-C1132-ALL</i> <i>2023-01-C1130-ALL</i> <i>2023-01-C1123-ALL</i> <i>2023-01-C1127-ALL</i>  <i>2023-01-C1129-ALL</i> <i>2023-01-C1133-ALL</i> <i>2023-01-C1136-ALL</i> <i>2023-01-C1111-ALL</i> <i>2023-01-C1122-ALL</i> <i>2023-01-C1121-ALL</i> <i>2023-01-C1112-ALL</i> <i>2023-01-C1113-ALL</i> <i>2023-01-C1131-ALL</i> <i>2023-01-C119-ALL</i>
	<i>Huitt-Zollars, Inc.</i> <i>Living Designs Group Architects, LLC</i> <i>McCLAIN + YU Architecture &amp; Design LTD.</i> <i>Mitchell-Cruise and Associates, LLC</i> <i>Molzen Corbin</i> <i>NCA Architects, LLC</i> <i>Nine Degrees Architecture + Design, Inc.</i> <i>NPSR Architects, Inc.</i> <i>Parkhill, Smith &amp; Cooper, Inc.</i> <i>RMKM Architecture P.C.</i> <i>Rodahl &amp; Hummell Architecture P.C.</i> <i>SMP, PA</i> <i>Stantec Consulting Services</i> <i>Stephen Leos Architect, LLC</i> <i>Studio Southwest Architects, Inc.</i> <i>Suina Design + Architecture, LLC</i> <i>The Hartman &amp; Majewski Design Group</i> <i>Vigil &amp; Associates Architectural Group P.C.</i> <i>WHPacific, Inc. an NV5 Company</i> <i>Wilson &amp; Company Inc, Engineers &amp; Architects</i>	<i>2023-01-C1118-ALL</i> <i>2023-01-C1114-ALL</i> <i>2023-01-C1119-ALL</i> <i>2023-01-C1125-ALL</i> <i>2023-01-C117-ALL</i> <i>2023-01-C116-ALL</i> <i>2023-01-C1126-ALL</i> <i>2023-01-C118-ALL</i> <i>2023-01-C1110-ALL</i> <i>2023-01-C113-ALL</i> <i>2023-01-C1124-ALL</i> <i>2023-01-C112-ALL</i> <i>2023-01-C1128-ALL</i> <i>2023-01-C1120-ALL</i> <i>2023-01-C111-ALL</i> <i>2023-01-C115-ALL</i> <i>2023-01-C115-ALL</i> <i>2023-01-C114-ALL</i> <i>2023-01-C1116-ALL</i> <i>2023-01-C1117-ALL</i>
2023-01 CATEGORY1 - LOT 2 Landscape Architectural Design and Consulting Services (5 awards)	Consensus Planning, Inc. Dekker Perich Sabatini Molzen Corbin Morrow Reardon Wilkinson Miller, Ltd. Landscape Architects Sites Southwest, LLC	<i>2023-01-C121-ALL</i> <i>2023-01-C124-ALL</i> <i>2023-01-C125-ALL</i> <i>2023-01-C123-ALL</i>  <i>2023-01-C122-ALL</i>
2023-01 Design Professional CATEGORY 2 - LOT 1 2023-01 Engineering and Consulting Services (25 awards)	Bohannon Huston, Inc. Bridgers & Paxton Consulting Engineers, Inc. Cobb, Fendley & Associates, Inc. Dekker Perich Sabatini Energy Engineering Associates, Inc. Engineering Analytics, Inc. GEOMAT High Mesa Consulting Group Horrocks Engineers, Inc. KSA Engineers, Inc. Lee Engineering Maxson Engineering NM, LLC Miller Engineers, Inc. d/b/a/ Souder, Miller & Assoc. Molzen Corbin Pettigrew & Associates, PA QA Engineering	<i>2023-01-C217-ALL</i> <i>2023-01-C214-ALL</i> <i>2023-01-C2117-ALL</i> <i>2023-01-C218-ALL</i> <i>2023-01-C2122-ALL</i> <i>2023-01-C2125-ALL</i> <i>2023-01-C213-ALL</i> <i>2023-01-C2116-ALL</i> <i>2023-01-C216-ALL</i> <i>2023-01-C2110-ALL</i> <i>2023-01-C212-ALL</i> <i>2023-01-C2124-ALL</i> <i>2023-01-C2112-ALL</i>  <i>2023-01-C2113-ALL</i> <i>2023-01-C215-ALL</i> <i>2023-01-C2115-ALL</i>

	RBM Engineering, Inc Smith Engineering, Inc. Stantec Consulting Services Testudo Engineering Tipton Engineering Transmission & Distribution Services, LLC WHPacific, Inc. an NV5 Company Wilson & Company Inc., Engineers & Architects Wood Environment & Infrastructure Solutions, Inc.	2023-01-C2119-ALL 2023-01-C2121-ALL 2023-01-C2118-ALL 2023-01-C219-ALL 2023-01-C2120-ALL 2023-01-C2123-ALL 2023-01-C2111-ALL 2023-01-C2114-ALL  2023-01-C211-ALL
2023-01 CATEGORY 2 - LOT 2 Surveying and Consulting Services (9 awards)	Bohannan Huston, Inc. Cobb, Fendley & Associates, Inc. Construction Survey Technologies High Mesa Consulting Group Miller Engineers, Inc. d/b/a/ Souder, Miller & Assoc. Smith Engineering, Inc. Stantec Consulting Services Transmission & Distribution Services, LLC Wilson & Company Inc., Engineers & Architects	2023-01-C223-ALL 2023-01-C226-ALL 2023-01-C221-ALL 2023-01-C225-ALL 2023-01-C224-ALL  2023-01-C228-ALL 2023-01-C227-ALL 2023-01-C229-ALL 2023-01-C222-ALL
2023-01 CATEGORY 3 - LOT 1 Other Engineering and Consulting Services (8 awards)	GEOMAT Lee Engineering M2L Design, LLC Miller Engineers, Inc. d/b/a/ Souder, Miller & Assoc. QA Engineering Terracon Consultants, Inc. William J. Miller Engineers, Inc. Wood Environmental & Infrastructure Solutions	2023-01-C312-ALL 2023-01-C314-ALL 2023-01-C317-ALL 2023-01-C311-ALL  2023-01-C316-ALL 2023-01-C315-ALL 2023-01-C318-ALL 2023-01-C313-ALL
2023-10 Professional Development and Specialized Training for School Districts (13 awards)	806 Technologies Air Interfacility Transport, LLC Baiza & Associates Consulting, LLC ByYourSide Teaching Services, LLC Carnegie Learning, Inc. CLARO Consulting, LLC Crisis Prevention Institute, Inc.	2023-10-C1110-ALL 2023-10-C1112-ALL 2023-10-C1113-ALL 2023-10-C116-ALL 2023-10-C119-ALL 2023-10-C114-ALL 2023-10-C112-ALL
	Rethink Autism Inc. Success for All Foundation, Inc. Teachstone Inc. The Flippen Group, LLC UnboundEd Learning, Inc. VTac LLC	2023-10-C115-ALL 2023-10-C1111-ALL 2023-10-C118-ALL 2023-10-C113-ALL 2023-10-C111-ALL 2023-10-C117-ALL
2023-03 JOC - Fencing & Landscaping	TBD	TBD
2023-04 JOC - Mechanical-Electrical- Plumbing	TBD	TBD
2023-05 JOC - General Construction	TBD	TBD
2023-06 JOC - Painting & Stucco	TBD	TBD
2023-07 JOC - Roofing	TBD	TBD
2023-08 JOC - Paving & Site Work	TBD	TBD

# Calendar of Events

- 12/1 TAP – From School-Wide to the Individual Student: Implementing Positive Behavior Interventions & Supports in Any Setting
- 12/2 TAP – Educators Resources for Individuals with Autism Spectrum Disorders & Other Disabilities: Supporting Social Skills
- 12/5 TAP – Quality Transition Planning Strategies
- 12/6-8 NM Counties BIPO Conference
- 12/7 TAP – All About Emotional Self-Regulation Part 1
- 12/7 Pearl Harbor Remembrance Day
- 12/7-9 NMML Law Enforcement Conference
- 12/8-9 PCSNM Annual Conference
- 12/9 TAP – Structured Literacy: Bridges to Practice Activities for the Middle School and High School Classrooms
- 12/10 Nobel Prize Day
- 12/13 National Guard Birthday
- 12/15 Bill of Rights Day
- 12/21 Winter Solstice
- 12/24 Christmas Eve
- 12/25 Christmas Day
- 12/31 New Year's Eve

## DECEMBER 2022

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



### Accommodations and Modifications: Are They Required? Is There a Difference Between the Two?

December 2022

By Cindy Soo Hoo, TAP Consultant

[csoohoo@ces.org](mailto:csoohoo@ces.org)

The terms accommodation and modification are often used interchangeably but differ in definition. Both are meant to address deficits that students with disabilities exhibit. However, one helps to level the playing field while the other changes the playing field. Accommodations are typically less intrusive and are meant to bring a student with a disability to the same starting point as a non-disabled student. Modifications are more involved and typically provide support for students who have more intense needs.

Accommodations can be defined as any technique that alters the academic setting or environment in some way but does not change the content of required work. They allow the student to obtain access to the instruction or assessment. The environment, presentation of materials and how the student is expected to respond may be altered. Yet, none of these change the expectation of what the student is to learn. Considerations would need to be given as to what might become a barrier to the student being able to access or participate in the instruction or assessment. Examples might include providing the student preferential seating, frequent breaks or allowing the student to demonstrate mastery with a different presentation mode.

Modifications can be defined as any technique that alters the work required in such a way that it differs in substance from the work required of other students. This might include reducing the number of problems a student is to solve, changing how a student will be graded to assess his/her mastery of the content or utilizing different instructional materials.

Among many components required under the Individuals with Disabilities Education Act (IDEA), accommodations are to be discussed at every eligible student's Individualized Education Program (IEP) meeting. These accommodations center around the need to accommodate students when participating in State and districtwide assessments.

*34 CFR §300.320 (6)(i) states:*

*A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16) of the Act; and*

*(ii) If the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why -*

*(A) The child cannot participate in the regular assessment; and*

*(B) The particular alternate assessment selected is appropriate for the child; ...*

Accommodations for State and districtwide testing are determined by the test authors so as not to invalidate the results of the



assessments. Test authors provide for school districts a list of appropriate accommodations to be considered by the IEP Team. Members of the team determine the necessary accommodations based on the academic as well as functional performance and needs of the student. These might include extended time beyond what is already allowed by the assessment, administering the assessment in a small group setting or providing the assessment material in large print. These accommodations are allowable as they do not provide the student with an edge but rather level the playing field.

For a student who requires more than the allowable accommodations, the IEP Team could then consider him/her for an alternate assessment. The IEP Team should exercise caution when determining a student is to be assessed by an alternate assessment as modifications do change expected learning outcomes for students. Are the standards this student is to achieve different from the standards other students are expected to achieve? In New Mexico, this student population should be very small with no more than one percent designated as needing an alternate assessment. As part of that consideration, the New Mexico Public Education Department (NM PED) requires IEP Teams to determine if:

- 1) The student has a significant cognitive disability.
- 2) The student is primarily instructed using alternate content standards and
- 3) The student requires extensive, direct, and individualized instruction and substantial supports to achieve measurable gains in the grade- and age-appropriate curriculum.

*(See 2022-2023 Assessment Accommodations and Accessibility Manual, NM PED, Revised August 15, 2022)*

It is important to carefully analyze the necessary accommodations and modifications for a student. The decision of whether a student can take the regular assessment, with or without accommodations, or whether the student is needing to take an alternate assessment is an important one and must be clearly documented in the IEP as to why the IEP Team made that decision. When presented with a list of options, it is easy for members of the IEP Team to provide more than what a student actually needs. Some feel that more accommodations and modifications should be provided for a student so he/she would be more successful. However, that is not the standard. The standard would be to determine what is necessary for instructional purposes or in order to evaluate what skills he/she has acquired. Providing more accommodations and modifications than necessary can have ramifications for students. You may be setting the student up to become dependent on those accommodations. More isn't necessarily better. Too many accommodations may be overwhelming or too distracting when taking State and district-wide assessments. IEP Teams should use caution when making such decisions.

There may be accommodations that are unnecessary such as extended time if the assessment does not contain a timed component. Becoming familiar with the aspects of the assessment will assist IEP Teams in determining appropriate accommodations. In addition, IEP Teams must be cognizant of the accommodations that have been determined necessary so they are provided consistently. An example of this

would be if the student requires a small group setting. The IEP Team must assure this accommodation is in play during the entire administration of the assessment.

Some techniques might be seen as either an accommodation or a modification depending on the situation or on the implementation. What is seen as an accommodation for instructional purposes may be seen as a modification during assessment. An example of this might be allowing a student the use of a calculator to check their daily math work. However, providing a calculator during the administration of an assessment would certainly provide that student with the opportunity to use that device as an aid in solving mathematical problems. Another example would be an accommodation that involves the instructor reading the text to the student in class. This accommodation would allow the teacher to assess whether the

student grasps the concepts without the student's difficulty in reading getting in the way. However, if trying to assess the student's reading skills in State and districtwide assessments, this practice would not measure what it is intending to assess.

Finally, for State and districtwide assessments, it is important to provide accommodations in which the student is familiar so long as they are allowable for the particular assessment. In other words, the student has been provided these accommodations for instructional purposes and for other tests and assessments. Providing accommodations that are unfamiliar to the student would be distracting and hinder the student's performance.

*The information included herein is not intended to provide legal advice. Should you need legal advice or guidance on any issue involving special education, please contact the appropriate person for your district.*

## Job Opportunities

### Ancillary Positions Open

- Adaptive Physical Educator – Region 4
- Audiologist – Regions 1, 3, 4
- Certified Occupational Therapy Assistant – Regions 2, 4
- Certified Orientation Mobility Specialist – Regions 4, 8
- Diagnostician – Regions 2, 4, 6, 8
- Occupational Therapist – Regions 1, 2, 3, 4, 7
- Physical Therapist – Regions 1, 2, 3, 4
- Registered Nurse – Regions 1, 2, 3, 4
- School Psychologist – Regions 2, 4, 7, 8
- Social Worker – Regions 2, 4, 8
- Speech/Language Pathologist – Regions 1, 2, 4, 6, 7, 8

### Other CES Openings

- Purchasing Specialist



## New Staff



Hi, I am Joanna Calderon, the new Executive Administrative Assistant to Mr. Chavez here at CES. I most recently worked for ten years in a similar position at Raytheon Missile Systems. My loves include camping, baking, crafting, and organizing. I am excited to be part of the CES team.



Hello, my name is Kara Scheib. I am a Purchasing Specialist with CES. I previously worked for an Optometrist office as the doctor's assistant. I'm very excited to be a part of CES. I love to camp and fish. I love nature and being outside. I also enjoy boating and spending time with my family.

## Reading Room



Last month we went over three syllable types (closed, v-e, and open) In this month's Reading Room, we will be discussing Syllable Instruction: Part 2 (final stable syllable, vowel teams, and the r-controlled syllable type), and why syllable instruction is important to teach to our students. There are six syllable types in the English language. Syllables are units of sound made by one impulse of the voice, and they are spoken or written units that have at least one vowel and may include consonants that precede or follow that vowel. When encountering unfamiliar words, skilled readers

look for syllables, prefixes, and suffixes, which are the underlying structures of the words. When students don't have a strategy for chunking longer words into parts that are manageable, students often look at a long word and resort to guessing or skipping it. Understanding syllable patterns helps students read longer words with accuracy and fluency, not to mention promotes correct spelling. Knowing the syllable type also ensures that students will know how to pronounce the vowel sound (short or long sound). These spelling conventions are among many that were invented to help readers decide how to pronounce and spell words. As with all the components of Structured Literacy, syllable type instruction must be explicit,

direct, and multisensory. Struggling readers will need lots of practice with each syllable type before moving on to the next one. The three syllable types we are talking about this month are a bit more complex, especially for spelling. We want our students to master each syllable type before introducing another one. This can take time. Once all the syllable types have been introduced the instructional activities can include all six types. Do not include a syllable type that hasn't been taught, in an instructional activity. We want our students to be working with what they know so that they will develop confidence and not use guessing as a strategy.

#### Final Stable Syllable (consonant le):

This syllable type always comes at the end of a word. An example would be the word apple. The syllables are ap-ple. The ple is the final stable syllable or consonant le syllable. Any consonant can precede the le. The e is silent and just functions as the vowel in this syllable type. This is the only syllable type that does not have a vowel sound. Here are some other examples: puzzle, wiggle, maple, bugle, struggle.

#### Vowel Team/Double Vowel Syllable:

This syllable type contains a vowel team such as the word boat. The oa is a team that makes the /o/ sound. There are quite a few of these teams. They can occur in the initial, medial, or final position in the syllable. Words with vowel teams can be difficult to spell as there are many options that make the same sound. Here are some examples: jeep, each, autumn, blue, dough, slow, cow.

#### R-Controlled Syllable:

The r-controlled syllable type always has a letter team with a vowel preceding the r, such as the word bird. This syllable type can look like a closed syllable, but the r is such a powerful letter, it skews the sound of the vowel. Examples of r-controlled syllables: turn, fern, star, corn, earth, world.

## Example Activities

### Introducing Syllable Types

#### [Syllable-Types](#)

#### Teaching Big Words

<https://ufl.edu/education/ufl.edu/wp-content/uploads/2022/01/Teaching-Big-Words.pdf>

#### Vowel Teams

<https://docs.google.com/presentation/d/1FqvhLXqtkvs3XowGIPZmNjUsAjvoX7hs7cK3UiuMBck/edit#slide=id.p1>

#### R- Controlled Word Cards

[https://docs.google.com/presentation/d/1QWFOTHsf9yqZsuDx1lTy8y\\_tsU2qlvYbIRFG9QOPRjA/edit#slide=id.p1](https://docs.google.com/presentation/d/1QWFOTHsf9yqZsuDx1lTy8y_tsU2qlvYbIRFG9QOPRjA/edit#slide=id.p1)

#### Long a

<https://docs.google.com/presentation/d/1aIAWtRfEYhOwWYHYEe5DOwtMquB4fVn3ix4bTtx8U44/edit#slide=id.p2>

#### Consonant - le

<https://learningattheprimarypond.com/blog/what-are-consonant-l-e-words-what-are-some-ideas-for-teaching-consonant-l-e-words/>

<https://wordwall.net/resource/12783003/reading/consonant-le-short-long-vowel-sound-word-sort>

## Resources

<https://www.howmanysyllables.com/>

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# E-Rate News

## Funding Status for E-Rate and Emergency Connectivity Fund (ECF)

### E-Rate for FY 2022:

Wave 27 for FY 2022 was issued on Thursday, October 20th, for \$42.4 million including \$1.31 million for two New Mexico applicants. Cumulative commitments to date are \$2.61 billion including \$31.7 million for New Mexico. Nationwide, USAC has funded 96.4% of the FY 2022 applications representing 86.1% of the requested funding. FCC's Emergency Connectivity Fund (ECF) for 2021-2023:

Wave 24 for Windows 1 and 2 and Wave 10 for Window 3 were released on Wednesday, October 19th, for a total of \$77.5 million of which \$77.4 million was for Window 3 applicants. Funding in last week's waves included \$8.19 million for four New Mexico applicants. Total commitments for all three ECF windows are \$6.08 billion including \$71.2 million for New Mexico. Nationwide, USAC has funded 96.4% of the applications from ECF Windows 1 & 2 and 38.0% of applications from ECF Window 3. Total disbursements as of last Friday remain at \$1.96 billion.

### Updates and Reminders

#### Upcoming Dates:

October 25 Continuation of USAC's fall virtual E-rate training program (see registration information on USAC's Webinars page at <https://www.usac.org/e-rate/learn/webinars/>).

Category 2 Budgets October 25

EPC Administrative Window October 27

Post-Commitment Process November 3

Eligible Services TBA

October 25 EPC administrative window opens to allow E-rate entity updates (see News Brief below).

October 28 Invoice deadline for FY 2021 recurring service FRNs and/or the deadline for requesting a one-time 120-day extension to February 27, 2023.

October 31 The first Form 486 deadline for FY 2022 Waves 1-11, committed before July 1, 2022.

### E-Rate Pilot Program for Tribal Libraries:

The FCC announced a pilot program aimed at helping Tribal libraries apply for E-rate funding during the upcoming FY 2023 funding cycle. The new program, staffed by USAC, will supply one-on-

one help in all aspects of preparing, applying, and receiving E-rate support. For more information, see Tribal Libraries E-Rate Pilot Program.

Tribal libraries may also want to explore the \$2 billion in broadband connectivity funding available through the NTIA under the Infrastructure Investment and Jobs Act's Tribal Connectivity Technical Amendments portion of the Broadband Equity, Access & Deployment Program ("BEAD").

### USAC E-Rate News Brief Dated October 20 – Administrative Window and Other Topics

USAC's E-Rate News Brief of October 20, 2022, provides the following tips for applicants needing to update their EPC entity data in preparation for the FY 2023 application window. The "administrative window" for making these changes opens Tuesday, October 25th, and will close shortly before the Form 471 window opens in mid-January.

- Update student enrollment and NSLP data (including Category 2 student counts).
- Add new entities if needed.
- Submit any FY 2022 RAL modifications or appeals before updating EPC profiles.
- Small school districts (ten or fewer schools) should consider reporting student counts for Category 2 budget purposes on a school-by-school basis.

- Charter schools associated with a public school district and planning to apply using their own Category 2 budget will need to show financial and administrative independence.

- Independent schools with only part-time students can count those students as full-time.

- Only five school types may be shown as having zero students but still count as a part of a Category 2 budget calculation.

- Library branches showing zero square footage will not count as a part of a Category 2 budget calculation.

### SECA/SHLB/CoSN Respond to DOJ Bidding Portal Comments

Last August, the Antitrust Division of the Department of Justice (“DOJ”) filed a letter with the FCC in strong support of a mandatory E-rate national bidding portal. The E-rate applicant community has been deeply concerned with the FCC’s bidding portal proposal (see FCC 21-124 and our newsletter of January 31st) considering it unnecessary and fearing that it would unduly complicate the E-rate competitive bidding process and would conflict with many state procurement rules. Earlier this month, three major stakeholder organizations — the State E-Rate Coordinators’ Alliance (“SECA”), the Schools, Health & Libraries Broadband (“SHLB”) Coalition, and the Consortium for School Networking (“CoSN”) — filed an extensive response to the DOJ letter. The response stressed the following points:

1. The DOJ’s claim that E-rate applicants and service providers simply self-certify compliance with bidding requirements does not acknowledge the frequent, extensive pre-funding and post-commitment auditing of underlying bidding documentation to confirm the veracity of these certifications.
2. A data analytics program, cited as a missing element in USAC’s review of bidding practices, will be addressed because of a recent USAC contract to develop a fraud risk framework and conduct a fraud risk assessment of the E-rate program.

3. Representations that a bidding portal will best preserve source documents and preclude falsification of bidding documents ignores the reality that false bidding documents could be submitted — or that improper bidding practices can be conducted outside the portal prior to the submission of bid documents.

4. Strictly limiting communications between consultants, applicants and service providers will adversely affect the quality of the bids received by, for example, prohibiting bidders’ conferences and site visits. More importantly, many state and local regulations prescribe the manner and procedure for submitting bids and are at odds with a national E-rate bid portal.

The SECA/SHLB/CoSN response concluded that “there are numerous compelling reasons to conclude the portal is not in the public interest and should not be adopted. There has been no evidence or rationale offered to justify such a seismic change in the competitive bidding process that has been effective during the past 25 years to enable the nation’s students and library patrons to benefit from faster internet at lower prices.”

### EducationSuperHighway (“ESH”) No-Home-Left-Offline Initiative and FCC Affordable Connectivity Program (ACP) Pilot Programs

The Affordable Connectivity Program (ACP) is an FCC benefit program that helps ensure that households can afford the broadband they need for work, school, healthcare and more.

The benefit provides a discount of up to \$30 per month toward internet service for eligible households and up to \$75 per month for households on qualifying Tribal lands. Eligible households can also receive a one-time discount of up to \$100 to purchase a laptop, desktop computer, or tablet from participating providers if they contribute more than \$10 and less than \$50 toward the purchase price.

The Affordable Connectivity Program is limited to one monthly service discount and one device discount per household.

## Who Is Eligible for the Affordable Connectivity Program?

A household is eligible for the Affordable Connectivity Program if the household income is at or below 200% of the Federal Poverty Guidelines, or if a member of the household meets at least one of the criteria below:

1. Received a Federal Pell Grant during the current award year;
2. Meets the eligibility criteria for a participating provider's existing low-income internet program;
3. Participates in one of these assistance programs:
4. Free and Reduced-Price School Lunch Program or School Breakfast Program, including at U.S. Department of Agriculture (USDA) Community Eligibility Provision schools.
5. SNAP
6. Medicaid
7. Housing Choice Voucher (HCV) Program (Section 8 Vouchers)
8. Project-Based Rental Assistance (PBRA)/202/811
9. Public Housing
10. Supplemental Security Income (SSI)
11. WIC
12. Veterans Pension or Survivor Benefits
13. or Lifeline;
14. Participates in one of these assistance programs and lives on Qualifying Tribal lands:
15. Bureau of Indian Affairs General Assistance
16. Tribal TANF
17. Food Distribution Program on Indian Reservations
18. Tribal Head Start (income based)
19. Affordable Housing Programs for American Indians, Alaska Natives or Native Hawaiians

## Two Steps to Enroll

### Apply Now

1. Go to [AffordableConnectivity.gov](https://AffordableConnectivity.gov) to apply or print out a mail-in application.
2. Contact your preferred participating provider to select a plan and have the discount applied to your bill.

Some providers may have an alternative application that they will ask you to complete.

Eligible households must both apply for the program and contact a participating provider to select a service plan.

EducationSuperHighway ("ESH") began a major push last week to encourage local and state organizations — including schools and school districts — to help promote the use of ACP discounts to supply free (or greatly reduced-priced) home internet service for low-income households. The ESH report, entitled "No Home Left Offline," calculates that 51.6 million homes are ACP eligible, but that only 25% have subscribed. Perhaps worse, from a broadband policy perspective, most of the participating households already had internet service. ESH estimates that 17.7 million ACP-eligible households are currently unconnected. If we are ever going to solve the Homework Gap, these homes must be brought online.

ESH also provides an ACP Enrollment Dashboard that shows current ACP usage by state (% in New Mexico) and highlights those states (including New Mexico) whose governors have made ACP adoption a priority.

Consistent with the goal of promoting ACP adoption, the FCC released a public notice last week ([DA 22-1076](#)) providing more information on two pilot programs it will be funding. These pilot programs will give neutral third-party entities (such as schools, school districts, or other local or state governmental entities) access to the centralized National Verifier system for purposes of aiding customers with ACP


applications. Funding for these pilot programs is budgeted at \$100 million for up to 40 participants. Details on the application process should be released next month.

E-Rate Central encourages larger school districts, particularly those with a high proportion of unconnected households, to consider applying for participation in the “ACP Navigator

Pilot Program.” This pilot is specifically targeted for “[p]ublic and government entities, such as public schools and public-school districts, and local, state, or Tribal government entities.” Schools already supplying ECF-funded internet to low-income families might consider proposing transitional programs to facilitate household ACP adoption as ECF funding runs out.

## Bulletin Board

**We are so proud of our LEAP teachers, Renato and Skylar, who were selected to attend the National Summit on Education 2022 as teacher leaders in their community! LEAPsters are out there making a difference every day!**



**New Mexico School Boards Association  
2022 ANNUAL CONVENTION**  
Embassy Suites Hotel - Albuquerque, New Mexico  
December 1-3, 2022



  
NEW MEXICO  
COUNTIES  
33 STRONG

**Better Informed Public Officials  
Conference**  
December 6-8, 2022



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