

LOCAL PLAN
Section B: Governance and Administration
SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

SELPA

Fiscal Year

B. Governance and Administration

California *Education Code (EC)* sections 56195 et seq. and 56205

Participating Local Educational Agencies

Participating local educational agencies (LEAs) included in the Special Education Local Plan Area (SELPA) local plan must be identified in Attachment I.

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan:

The Tuolumne County Special Education Local Plan Area (SELPA) is a multi-district SELPA comprised of twelve local educational agencies (LEA) and the Tuolumne County Superintendent of Schools all located within the geographical boundaries of of Tuolumne County, California.

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:

The governance structure of the SELPA is established by agreement among the governing boards of the member Local Education Agencies (LEA). It consists of the SELPA Governing Board, which sets policy, and the Community Advisory Committee (CAC), SELPA Administrator, and fiscal staff, which advises on policy. The CAC members are appointed by the SELPA Governing Board, consistent with the CAC by-laws. The SELPA Administrator, through the utilization of SELPA staff and appropriate committees, carries out the activities and duties as assigned by the SELPA Governing Board.

SELPA Governance Board

The SELPA Governance Board has the responsibility of adoption of necessary policies for the operation of the SELPA activities, including, although not limited to, the implementation of the Local Plan for Special Education. The SELPA Governing Board adopts policy and allocates SELPA resources in accordance with the Local Plan. It also determines, under the Local Plan, the responsibility of each LEA for providing special education services and assures access to special education and services for all students with disabilities residing in the SELPA. All meetings of the SELPA Governing Board are open to the public and all persons are permitted to attend and address those meetings in accordance with Government Code Section 54950-54961 (Brown Act).

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3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

The Tuolumne County Superintendent of Schools is designated as the Administrative Unit (AU) for the Tuolumne County SELPA. In this role, the Tuolumne County Superintendent of Schools is the Responsible Local Agency (RLA) Superintendent who signs when signatures are required on SELPA related documents as per education code.

The AU serves as the SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law.
2. Administrative support, including establishing and maintaining an office for SELPA staff.
3. Employment of SELPA staff to coordinate implementation of the Local Plan.
4. Prepare, review and sign appropriate SELPA documents, reports and submissions.
5. Ensure participation of fiscal agents of each LEA via the Tuolumne County Superintendent of Schools convened Chief Business Official information meetings
6. Ensures that all relevant audit activities are completed by the SELPA and coordinated with LEAs.

Additional responsibilities of the AU:

Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but not be limited to, the SELPA Administrator, SELPA Data Specialist, and SELPA Fiscal Analyst. Employment of such personnel will be in accordance with personnel policies and practices of the Tuolumne County Superintendent of Schools and procedural employment policies.

1. Provide suitable office space for employees of the SELPA.
2. Participate as a member of the SELPA Governing Board, in the annual evaluation of the SELPA Administrator.
3. Review and sign appropriate SELPA documents, reports and submissions.

5. Describe the policies and procedures of the SELPA that allow for the participation of charter schools in the local plan:

A request by a charter school to participate as an LEA in the Tuolumne County SELPA will not

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be treated differently from a similar request made by a school district. In reviewing and approving such a request, the following requirements shall apply:

- a. The charter school shall participate in state and federal funding for special education and the receive funding in the same manner as other LEAs of the Tuolumne County SELPA as specified in the Tuolumne County SELPA income distribution model.
- b. The charter school shall participate in the governance of the Tuolumne County SELPA in the same manner as other LEAs of the Tuolumne County SELPA.
- c. The addition of new members to the Tuolumne County SELPA, as approved by the Governing Board, shall be followed by an amendment to the local plan.
- d. The charter school will be evaluated using an appropriate evaluation rubric to ensure their program includes all special education services required of a grade equivalent public school.
- e. The charter will ensure that any student potentially in need of special education will be the responsibility of the charter school.

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan:

The SELPA Administrator shall establish a Community Advisory Committee (CAC) for the SELPA. The Tuolumne County SELPA Community Advisory Committee (CAC) serves in an advisory capacity.

The CAC shall include parent/guardians of individuals with exceptional needs enrolled in the member LEAs or private schools, parent/guardians of other enrolled students, disabled students and/or adults, general and special education teachers, other school staff, representatives of other public or private agencies and persons concerned with the needs of students with exceptional needs. The majority of membership of the CAC shall be parents/guardians of individuals with exceptional needs and shall, as much as possible, represent the 13 member LEAs within the SELPA.

The CAC shall review the local special education annual service plan at least 30 days prior to its submission to the Superintendent of Public Instruction. The Committee makes suggestions for the development, amendment and review of the local plan, recommends annual priorities, promotes parent/guardian and community involvement, assists in parent/guardian education, assists in parent awareness about the importance of regular school attendance, and supports activities on behalf of individuals with exceptional needs.

CAC membership applications shall be approved by the SELPA Governing Board. The SELPA

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Administrator or SELPA designee serves as a voting ex officio member of the CAC and acts as the liaison between the CAC and the SELPA Governing Board.

The CAC shall have regularly scheduled meetings at least four times per calendar year. The SELPA Administrator or SELPA designee will present the CAC's input to the Governing Board for consideration. CAC members are also invited to address the SELPA Governing Board.

Announcements of CAC meetings and activities will be distributed to parents/guardians of children with special needs in the SELPA. In addition, information will be posted on the SELPA website.

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:

The Tuolumne County SELPA's process for regular consultation with special education administrators and teachers will be through the SELPA LEA Collaborative. The Collaborative is made up of special education administrators and teachers who represent their special education staff for each member LEA. Through monthly meetings during the school year information will be passed from the special education administrators and teachers to the SELPA. The process for consulting with general education administrators and teachers shall be through the quarterly SELPA Advisory Committee meetings. Parents who are members of the CAC will be consulted through CAC attendance at the CAC meetings and through participation on the Local Plan Committee.

For Local Plan development, special education and general education administrators will be nominated by the SELPA Governing Board for the Local Plan Committee. The identified administrators will select special education and general education teachers to participate on the Local Plan Committee. Parents will be selected by the CAC.

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

The Tuolumne County Superintendent of Schools is designated as the Administrative Unit (AU) for the Tuolumne County SELPA. It shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of special education funds to district accounts for the operation of special education programs and services.
2. Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
3. The employment of staff to support SELPA functions.

The Tuolumne County SELPA office is designated as the entity responsible for the administration

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of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations.

9. Describe the contractual agreements and the SELPA’s system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

The SELPA will facilitate agreements for the provision and coordination of services by other public agencies that are funded to serve children with disabilities. The SELPA Administrator shall develop, agree to and maintain inter-agency agreements and/or memorandums of understanding necessary to support the implementation of the local plan, and as required by legal mandates, have been developed with agencies such as Regional Center. Other inter-agency agreements and/or memorandums of understanding will be developed as needed in support of the Local Plan. Copies of these documents can be requested through the SELPA office.

10. For multi-LEA local plans, specify:

a. The responsibilities of each participating COE and LEA governing board in the policymaking process:

Local education agency boards shall:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the agency.
2. By approving the Local Plan, enter into an agreement with other local education agencies participating in the Plan, for the purpose of delivery of regional services and programs.
3. Review and approve revisions of the Tuolumne County SELPA Local Plan for special education.
4. Participate in the governance of the Tuolumne County SELPA through their designated representative to the SELPA Governing Board.
5. Appointment of members to the SELPA Community Advisory Committee.

b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan:

As per California Education Code, the Superintendent/Executive Director of the LEA will have the ultimate obligation to:

1. Provide leadership within the LEA in support of the special education programs.
2. Represent the LEA as a member of the SELPA Governing Board.
3. Recommend to the Governing Board, when appropriate, modifications of LEA special education programs necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

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- c. The responsibilities of each LEA and COE for coordinating the administration of the local plan:

In adopting the Local Plan, each participating LEA and the Tuolumne County Superintendent of Schools agree to carry out the duties and responsibilities assigned to it within the Plan. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the LEA of residence programs. Such cooperation ensures that a range of program options is available throughout Tuolumne County.

LEA administrators of special education are responsible for the coordination of special education services and programs within their agencies and for the implementation of the Local Plan.

Member LEAs may form special education regional programs and services. These regional programs and services may be operated by a council made up of the member LEAs. Each regional program and services will be administered by one LEA acting as the AU for the regional programming and services.

- 11. Identify the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA related to:

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:

The procedure for the employment of the Tuolumne County SELPA Administrator will be a process jointly agreed upon by the RLA Administrator and the SELPA Governing Board. It becomes the responsibility of the SELPA Governing Board to evaluate the SELPA Administrator. The SELPA Administrator completes or participates in the evaluations of staff employed for the SELPA as per employment and evaluation procedures of the Tuolumne County Superintendent of Schools - these procedures are held locally at the Tuolumne County Superintendent of Schools.

- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:

An income distribution model has been adopted by the Tuolumne County SELPA and shall be

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reviewed and revised on a regular schedule. The model distributes all funds pursuant to applicable state and federal regulations. Districts acknowledge the obligation to maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than that of the prior year (Maintenance of Effort), in compliance with state and federal mandates.

c. The operation of special education programs:

The Tuolumne County Superintendent of Schools operates several specialized programs on behalf of member LEAs. Special education programs operated by the Tuolumne County Superintendent of Schools include infant and toddler services under Early Start, Early Childhood Education programs, K-12 Programs, including transition age programming through age 22. These services and programs are operated under the Tuolumne County Superintendent of Schools based on agreements and Memorandums of Understanding between Tuolumne County Superintendent of Schools and individual LEAs and other agencies.

Each member LEA is responsible to operate special education programs necessary to meet the needs of their local population under the supervision of the LEA Special Education Administrator. In the event any LEA requires specialized programs beyond those offered within their LEA boundaries, LEAs may refer for program, placement or services to other member LEAs of the SELPA, including the Tuolumne County Superintendent of Schools' programs, or to appropriate special education programs operated by Non-Public Schools, Non-Public Agencies or other educational service providers as deemed appropriate by the LEA.

d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments:

The SELPA coordinates the purchase and distribution of specialized equipment and services utilized by students with low incidence disabilities to ensure that each student who demonstrates need can receive these supports in their locally determined environment. The Low Incidence Funds are organized and allocated by the SELPA Administrator in consultation with the low incidence service provider requesting the purchase.

Funds for low incidence equipment, materials, and services are restricted to support of students

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in the following disability categories: hard-of-hearing, deaf, visual disability, severely orthopedically impaired, and deaf-blind. The funds are administered through the SELPA and include receipt of funds, expenditure of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the state.

Policies, Procedures, and Programs

Pursuant to *EC* sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 *United States Code (USC)* and in accordance with Title 34 *Code of Federal Regulations (CFR)* Section 300.201 and has in effect policies, procedures, and programs. For each of the following 23 areas, identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers; the document title; and the physical location where the policy can be found.

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a free appropriate public education is available to all children with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school." The policy is adopted by the SELPA as stated:

Yes No

2. Full Educational Opportunity: 20 USC Section 1412(a)(2)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all children with disabilities have access to educational programs, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

Yes No

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3. Child Find: 20 USC Section 1412(a)(3)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, who are in need of special education and related services, are identified, located, and evaluated. A practical method has been developed and implemented to determine which children with disabilities are currently receiving needed special education and related services." The policy is adopted by the SELPA as stated:

Yes No

4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP): 20 USC Section 1412(a)(4)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 USC Section 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 USC Section 1414 (d). It shall be the policy of this LEA that an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions." The policy is adopted by the SELPA as stated:

Yes No

5. Least Restrictive Environment: USC Section 1412(a)(5)

Policy/Procedure Number:

Document Title:

Document Location:

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"It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

Yes No

6. Procedural Safeguards: 20 USC Section 1412(a)(6)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations." The policy is adopted by the SELPA as stated:

Yes No

7. Evaluation: 20 USC Section 1412(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate." The policy is adopted by the SELPA as stated:

Yes No

8. Confidentiality: 20 USC Section 1412(a)(8)

Policy/Procedure Number:

Document Title:

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Document Location:

"It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

Yes No

9. Part C to Part B Transition: 20 USC Section 1412(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children participating in early intervention programs under the Individuals with Disabilities Education Act (IDEA), Part C, and who will participate in preschool programs, experience a smooth and effective transition to preschool programs in a manner consistent with 20 USC Section 1437(a)(9). The transition process shall begin prior to the child's third birthday."The policy is adopted by the SELPA as stated:

Yes No

10. Private Schools: 20 USC Section 1412(a)(10)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents." The policy is adopted by the SELPA as stated:

Yes No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11)

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Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the IDEA; the Federal Rehabilitation Act of 1973, Section 504 of Public Law; and the provisions of the California *EC*, Part 30." The policy is adopted by the SELPA as stated:

Yes No

12. Interagency: 20 USC Section 1412(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for free appropriate public education are provided, including the continuation of services during an interagency dispute resolution process." The policy is adopted by the SELPA as stated:

Yes No

13. Governance: 20 USC Section 1412(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the local plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Education Agency." The policy is adopted by the SELPA as stated:

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Yes No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to ensure that personnel providing special education related services are appropriately and adequately prepared and trained, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications." The policy is adopted by the SELPA as stated:

Yes No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE." The policy is adopted by the SELPA as stated:

Yes No

16. Participation in Assessments: 20 USC Section 1412(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs described in 20 USC Subsection 6311. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments where necessary and as indicated in their respective Reps.." The policy is adopted by the SELPA as

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stated:

Yes No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA, and will be used to supplement and not to supplant state, local, and other federal funds." The policy is adopted by the SELPA as stated:

Yes No

18. Maintenance of Effort: 20 USC Section 1412(a)(18)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal laws and regulations." The policy is adopted by the SELPA as stated:

Yes No

19. Public Participation: 20 USC Section 1412(a)(19)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

"It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to

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comply with Part B of the IDEA." The policy is adopted by the SELPA as stated:

Yes No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

"The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures, and practices related to the development and implementation of the IEPs will be revised." The policy is adopted by the SELPA as stated:

Yes No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state-adopted National Instructional Materials Accessibility Standard." The policy is adopted by the SELPA as stated:

Yes No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities." The policy is adopted by the SELPA as stated:

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Yes No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services." The policy is adopted by the SELPA as stated:

Yes No

Administration of Regionalized Operations and Services

Pursuant to *EC* sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

1. Coordination of the SELPA and the implementation of the local plan:

Reference Number:

Document Title:

Document Location:

Role of the RLA/AU: The RLA/AU is responsible for the receipt and distribution of special education funds to LEAs and SELPA accounts for the operation of special education programs and services, providing for administrative support, and employment of SELPA staff to coordinate implementation of the plan.

Role of the Administrator of the SELPA: The SELPA Administrator will ensure that the local plan is implemented and will make recommendations to the SELPA Governance Board when revisions are needed. Facilitate development and approval of SELPA policies and procedures necessary to implement the local plan.

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Description:

Role of the individual LEAs: Ensure a full continuum of services are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. The individual LEAs, through the representative to the SELPA Governance Board, will approve any policies and procedures needed to implement the local plan. The individual LEAs, through the representative to the SELPA Governance Board, will approve any policies and procedures needed to implement the local plan. Each LEA will approve and implement the local plan as well as any LEA policies and procedures needed to implement the plan. The LEAs through their representative to the SELPA Governance Board directs the SELPA Director regarding the implementation, administration and operation of the local plan.

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

Description:

Direct Instructional support provided by the program specialist:
Observe, consult and assist service providers.

Role of the Administrator of the SELPA: Ensure each LEA conducts child find activities. The SELPA will provide technical support to LEAs and guidance to parents, as needed. The SELPA will also participate in child find activities by establishing policies and procedures for the member LEAs and ensuring appropriate interagency agreements are in place.

The SELPA Administrator, or designee, will facilitate the annual consultation to the private schools. The SELPA will also participate in child find activities by establishing policies and procedures for the member LEAs and ensuring appropriate interagency agreements are in place. The SELPA Administrator, or designee, will serve on committees as interagency agreements are being reviewed, revised, or developed. The SELPA Administrator will ensure that interagency agreements are in place as required by California Education Code, and provide technical assistance and dispute resolution as needed. The SELPA Administrator, or designee, will also provide guidance to parents, as needed.

Role of the individual LEAs: Consistent with education code each LEA is

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responsible for identifying and assessing all students for whom they are the district of special education accountability. They are also responsible for conducting child find activities and implementing SELPA and LEA policies and procedures. The LEAs will also provide guidance to parents, staff, and community members. Through their representative to the SELPA Governance Board, the LEAs will approve interagency agreements. Each individual LEA is responsible for implementing approved interagency agreements, as appropriate.

Role of the RLA/AU: Not applicable.

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Notice of Procedural Safeguards

Parents have the right to receive a written notice of their procedural safeguards from the LEA before decisions affecting their child's special education and related services are put into place.

These include decisions to:

- (1) identify the child as a child with a disability, or change the child's eligibility from one disability to another;
- (2) evaluate or reevaluate the child;
- (3) provide a free appropriate public education to the child, or change a component of the child's free appropriate public education;
- (4) place the child in a special education program;
- (5) change the child's special education placement; or
- (6) revoke consent after consenting to the initial provision of services.

The LEA must inform parents/guardians about proposed evaluations of

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their child in a written notice or an assessment plan within fifteen (15) days of a written request for evaluation. The notice must be understandable and in the native language or other mode of communication or parent/guardian, unless it is clearly not feasible to do so.

Parents/guardians also have the right to written notice from the LEA if the LEA refuses the parent/guardian request to take these actions.

The Prior Written Notice must include the following:

- (1) a description of the actions proposed or refused by the LEA;
- (2) an explanation of why the action was proposed or refused;
- (3) a description of other options considered and the reasons those options were rejected;
- (4) a description of each assessment procedure, test, record or report used as a basis for the action proposed or refused;
- (5) a description of any other factors relevant to the action proposed or refused;
- (6) a statement that parents of a child with a disability are protected by the procedural safeguards; and,
- (7) sources for parents to contact to obtain assistance in understanding the provisions of this subchapter .

Parental Rights and Procedural Safeguards

A sample of the Tuolumne County Special Education Local Plan Area (SELPA) Notice of Parental Rights and Procedural Safeguards is attached at the end of this policy. Each member LEA may have their own copy of the Parental Rights and Procedural Safeguards, or refer to the attached copy.

Transfer of Parental Rights at Age of Majority

When a student with a disability reaches 18 years of age (unless determined to be incompetent by appropriate authorities), the LEA must provide any required notices to both student and parent/guardian. All educational rights transfer to the student at the age of majority, and the

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LEA must notify the student and the parent/guardian of this transfer of rights.

Role of the RLA/AU: Not applicable.

4. Coordinated system of staff development and parent and guardian education:

Reference Number:

Document Title:

Document Location:

Description:

Direct Instructional support provided by the program specialist: Support staff development, program development, and innovation of special methods and approaches. .

Role of the Administrator of the SELPA: On an annual basis input is collected from the Superintendents, special education staff and from member LEAs to determine the staff development needs that the SELPA is requested to provide. On an annual basis, the Community Advisory Committee will provide input on the parent and guardian education needs. The SELPA Administrator will provide needed training and supports as requested, or determined appropriate, for each LEA.

Role of the individual LEAs: LEAs will determine their staff development and parent and guardian education, based on their local needs. They may seek technical assistance or input from the SELPA. Each member of the SELPA Governance Board will nominate staff from each respective LEA for participation in annual legal, compliance, alternate dispute resolution or other training provided by the SELPA. Each LEA will also ensure that general and special education staff receive annual training in Section 504, the Individuals with Disabilities Education Act.

Role of the RLA/AU: Not applicable.

5. Coordinated system of curriculum development and alignment with the core curriculum:

Reference Number:

Document Title:

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Document Location:

Description:

Direct Instructional support provided by the program specialist: The program specialist will coordinate curricular resources for students with disabilities.

Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA, the County Office or the LEA, will coordinate curricular resources for students with disabilities, as requested.

Role of the Administrator of the SELPA: On an annual basis input is collected from member LEAs to determine the staff development needs that the SELPA is requested to provide for teachers, administrators, volunteers, CAC members, and district governing board members. On an annual basis, the Community Advisory Committee will provide input on the parent and guardian education needs. The SELPA Administrator, or designee, will provide for needed training and supports as determined appropriate. The SELPA Administrator may also provide technical assistance to individual LEAs regarding staff development and parent and guardian education.

Role of the individual LEAs: Role of the individual LEAs: LEAs will determine their needs for curriculum development and alignment with the core curriculum, based on their local needs. They ensure that each student with a disability has full access to the required core curriculum, any alternative curriculum and textbooks, and supplementary curriculum and textbooks as appropriate, and instructional materials to blind student or other students with print disabilities.

Role of the RLA/AU: Not applicable.

6. Coordinated system internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system:

Reference Number:

Document Title:

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Document Location:

Description:

Direct Instructional support provided by the program specialist: Upon request, the program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, will evaluate the effectiveness of programs for students with disabilities.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will facilitate the review of the Annual Budget and Service Plans, CAL PADs and the LEAs' Annual Performance Indicators. This includes and any additional pertinent data such as the annual evaluation of services offered by the SELPA. They will also facilitate reviews by the Superintendents, County Office, CAC, and other interested parent, community or educational groups. The SELPA Administrator will also review of the Funding Allocation Plan prior to the distribution of yearly funds to LEAs.

Role of the individual LEAs: Individual LEAs through their representative to the SELPA Governance Board, review the Annual Budget and Service Plans, and the evaluation of services offered by the SELPA. Each are responsible for implementation, administration, and operation of the local plan.

Role of the individual LEAs. Individual LEAs review and monitor Annual Performance Reports, the California School Dashboard, and other data sources to ensure students with disabilities receive a free and appropriate public education. Individual LEAs also engage in monitoring activities as required by the CDE.

Role of the RLA/AU: Not applicable.

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

Direct Instructional support provided by the program specialist: Not applicable.

Role of the RLA/AU: Enter into any requested contracts on behalf of the SELPA to ensure a coordinated system of data collection and

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Description:

management.

Role of the Administrator of the SELPA: The SELPA Administrator will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the California Department of Education. The SELPA Administrator, or designee, will provide technical assistance and staff development to LEAs as requested and/or deemed necessary by the SELPA.

Role of the individual LEAs: Individual LEAs are responsible for data entry, accuracy, and integrity. The LEAs gather, interpret, and report special education program data and quality indicators regarding current program operations and effectiveness. The LEAs will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the California Department of Education.

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Description:

Direct Instructional support provided by the program specialist: Not applicable.

Role of the RLA/AU: Not applicable.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will serve on committees as interagency agreements are being reviewed, revised, or developed. The SELPA Administrator will ensure that interagency agreements are in place as required by California Education Code, and provide technical assistance and dispute resolution as needed.

Role of the individual LEAs: Through their representative to the SELPA Governance Board, the LEAs will approve interagency agreements. Each individual LEA is responsible for implementing approved interagency agreements, as appropriate.

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9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

Description:

10. Coordination of services to licensed children's institutions and foster family homes:

Reference Number:

Document Title:

Document Location:

Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, assure pupils have a full educational opportunity regardless of the district of special education accountability.

Role of the RLA/AU: Not applicable.

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Description:

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will facilitate the coordination of these services by the designated LEAs and provide technical assistance to the licensed children’s institutions and foster family homes and LEAs as appropriate.

Role of the individual LEAs: Special education services for students with disabilities residing in foster family homes or licensed children’s institutions shall be the responsibility of the district in which the foster family home or the licensed children’s institution is located, unless based on education code there is another district of special education accountability which would be responsible.

11. Preparation and transmission of required special education local plan area reports:

Reference Number:

Document Title:

Document Location:

Description:

Direct Instructional support provided by the program specialist: Not applicable.

Role of the RLA/AU: The RLA/AU reviews, sign and submit as appropriate any required special education local plan area reports.

Role of the Administrator of the SELPA: The SELPA Administrator will ensure timely transmission of required reports and provide technical assistance to LEAs in completing those reports.

Role of the individual LEAs: Individual LEAs will submit required accurate data in order for the SELPA to submit timely reports. The LEAs gather, interpret, and report special education program data and quality indicators regarding current program operations and effectiveness.

12. Fiscal and logistical support of the CAC:

Reference Number:

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Document Title:	<input type="text" value="Fiscal and Logistical Support of the CAC"/>
Document Location:	<input type="text" value="SELPA Policies/SELPA Office"/>
Description:	<p>Direct Instructional support provided by the program specialist: Not applicable.</p> <p>Role of the RLA/AU: Not applicable.</p> <p>Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide fiscal and logistical support CAC meetings, events, and trainings that are reviewed of the SELPA Governance Board.</p> <p>Role of the individual LEAs: The LEA through their representative to the SELPA Governance Board will ensure the SELPA has sufficient resources to provide fiscal and logistical support for the CAC. Each LEA is responsible to appoint members to the CAC in accordance with CAC bylaws and LEA policies. Each LEA's governing board encourages parental involvement through the members of CAC, receives and consider requests and recommendations from their CAC representatives and other parent groups.</p>

13. Coordination of transportation services for individuals with exceptional needs:

Reference Number:	<input type="text" value="LP 013"/>
Document Title:	<input type="text" value="Transportation Services for Individuals with Exceptional Needs"/>
Document Location:	<input type="text" value="SELPA Policies/SELPA Office"/>
Description:	<p>Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, provides staff development as requested by the LEAs.</p> <p>Role of the RLA/AU: Not applicable.</p> <p>Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide technical assistance, training and support in coordinating transportation as requested by the LEAs.</p> <p>Role of the individual LEAs: Each member LEA is responsible for providing transportation for their students with disabilities as determined by their IEP teams.</p>

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14. Coordination of career and vocational education and transition services:

Reference Number:

Document Title:

Document Location:

Description:

Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, support staff development, program development, and innovation of special methods and approaches.

Role of the RLA/AU: Not applicable.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide technical assistance and staff development as needed. The SELPA Administrator, or designee, may provide targeted or intensive support to LEAs based on identified needs in the Annual Performance Report and assist LEAs in completing any monitoring activities required by the CDE. The SELPA Administrator, or designee, will serve on committees as interagency agreements that address this area as they are being reviewed, revised, or developed. The SELPA Administrator will ensure that interagency agreements are in place as required by California Education Code, and provide technical assistance and dispute resolution as needed.

Role of the individual LEAs: Each LEA will provide appropriate career and vocational education and transition services as required under state and federal laws. They may also provide staff development in this area. Additionally, through their representative to the SELPA Governance Board, the LEAs will approve interagency agreements. Each individual LEA is responsible for implementing approved interagency agreements, as appropriate.

15. Assurance of full educational opportunity:

Reference Number:

Document Title:

Document Location:

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Description:

Direct Instructional support provided by program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA assure pupils have a full educational opportunity regardless of the district of special education accountability.

Role of the RLA/AU: Not applicable.

Role of the Administrator of the SELPA: Through approval of the Annual Services Plan the SELPA Administrator will ensure that the full continuum of services is provided. The SELPA Administrator will be responsible. The SELPA Administrator, or designee, will assist with intra- and inter-SELPA Transfers, as needed. Additionally, professional development and technical assistance is available upon request or as determined to be needed by the SELPA to LEAs and/or nonpublic schools.

Role of the individual LEAs: Each LEA, through their representative to the SELPA Governance Board will determine the regional programs needed to meet the needs of the students with disabilities within the SELPA. Additionally, each LEA is responsible for providing a full continuum of services for students for whom they are the district of special education accountability.

- 16. Fiscal administration and the allocation of state and federal funds pursuant to *EC* Section 56836.01—The SELPA Administrator's responsibility for the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.

Reference Number:

Document Title:

Document Location:

Description:

Direct Instructional support provided by the program specialist: Not applicable.

Role of the RLA/AU: The role of the RLA/AU is to receive federal and state funds on behalf of the SELPA, and distribute the funds as determined by the SELPA Governance Board.

Role of the Administrator of the SELPA: The SELPA Administrator will facilitate the distribution of funds in accordance to the funding allocation plan approved by the SELPA Governance Board. The SELPA

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Administrator will also facilitate the Annual Budget Plan.

Role of the individual LEAs: Each LEA through their representative to the SELPA Governance Board, determines and approves the distribution allocation of funds to the member LEAs and the Annual Budget Plan. The LEAs will also submit required fiscal reports as required by state and federal laws.

17. Direct instructional program support that maybe provided by program specialists in accordance with *EC* Section 56368:

Reference Number:

Document Title:

Document Location:

Direct Instructional support provided by the program specialist:

A program specialist is a pupil services employee possessing (or eligible for) one of the following California credentials: Special Education, Clinical Rehabilitative Services, Adapted Physical Education, or School Psychology. He/she shall also have an in-depth knowledge of specific disabilities, preschool, and/or vocational development, depending upon the needs of the SELPA.

The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA services shall be available to all students with disabilities, their families, and LEA staff. They shall work in a cooperative manner planning activities to meet the needs of the students with disabilities within the SELPA. They help to coordinate the delivery of services by serving on SELPA committees that deal with topics such as staff development, infant and preschool services, low incidence services, transition between districts, and the SELPA's CAC. Program specialists' services and responsibilities may include, but are not limited to:

- Assure that students with disabilities have full educational opportunity regardless of LEA of residence
- Plan, direct, coordinate and evaluate instructional programs in accordance with state and federal regulations
- Provide direct instructional support, as directed
- Identify needs and develop short and long-range plans for staff development, curriculum development, and program effectiveness
- Provide staff development and training for general and special education administrators and staff

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Description:

- Represent the Tuolumne County SELPA on committees
- Coordinate student placements across LEA and SELPA boundaries
- Develop and disseminate forms, policies and procedures throughout the SELPA
- Monitor services and programs in nonpublic schools
- Provide direction to LEAs regarding complaints filed with the CDE
- Develop and submit proposals for grants and research projects, as requested
- Assure appropriate coordination of general and special education instructional resources for students
- Interpret and implement new laws and regulations (Federal and State)
- Design and implement alternative dispute resolution strategies
- Coordinate mediation issues for LEAs as requested
- Serve as liaison with other public agencies (such as: Tuolumne County Regional Center, Tuolumne County Health and Human Services)
- Provide support to LEAs in the area of positive behavior intervention
- Coordinate program reviews and the effectiveness of the Local Plan
- Assist in the preparation, implementation and follow-up of reviews by the state including those that are part of the Focused Monitoring and the Quality Assurance Process

Role of the RLA/AU: The RLA/AU will hire staff to perform these duties at the request of the SELPA Governance Board and approval of the Tuolumne County Superintendent of Schools.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will hire, supervise, evaluate, and discipline the program specialists who are employed by the SELPA, and provide technical support needed for the implementation of the duties above for those carrying out these functions regardless of their employer. The SELPA Administrator will annually request an allocation for the services of the staff required to provide the function in EC 56836 to serve SELPA-wide needs from the SELPA Governance Board.

Role of the individual LEAs: Individual LEAs, through their representative to the SELPA Governance Board, determine annually the allocation for services of the staff required to provide the functions in EC 56836 to serve SELPA-wide needs.

Special Education Local Plan Area Services

1. A description of programs for early childhood special education from birth through five years of age:

Reference Number:

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Document Title:

Document Location:

Description:

2. A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual administrator:

Reference Number:

Document Title:

Document Location:

Description:

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Description:

- Contacting their school of attendance to communicate with the site administrator
- Contacting their LEA to communicate with a district administrator
- Contacting the SELPA office to request communication with the SELPA Administrator
- Contacting their LEA governing board as they are responsible to address questions and concerns of the public, including parents or guardians of students with disabilities who are receiving services under the Local Plan
- Providing public comment at the SELPA Governing Board.

3. A description of a dispute resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan:

Reference Number:

Document Title:

Document Location:

Description:

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taken by the Governing Board, the request must be submitted within thirty (30) days of the action taken by the Governing Board. The written request must clearly identify the reason(s) for the request and the potential resolution(s) to the problem. If mediation is not successful, the aggrieved party(s) may request a review by an independent review panel of the results of the mediation. A request for review by an independent review panel must be submitted in writing to the Tuolumne County SELPA Director within thirty (30) days of the completion of the mediation process, and must include the reason(s) for the request and the potential resolution(s) to the problem.

4. A description of the process being used to ensure a student is referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized:

Reference Number:

Document Title:

Document Location:

Description:

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• If it is the determination that an assessment is not yet warranted, the team notes must reflect the decision of the team and agreement of the parent/guardian.

If the determination of the team, including parent/guardian, is that an assessment is not warranted, a representative from the LEA shall send parent/guardian prior written notice of the decision.

The parent continues to have the right to initiate a referral for a special education assessment and/or to bypass the school team process. If, following the SST meeting, the parent/guardian disagrees with the determination of the SST and continues to request an assessment, it is advised that the LEA provide parent/guardian with an assessment plan within 15 days of the parent's initial request for assessment. If parent/guardian rejects the LEA's offer of an SST meeting to address their concerns, it is advised that the LEA send parent/guardian an assessment plan within 15 days of the parent/guardian's initial request for assessment.

5. A description of the process being used to oversee and evaluate placements in nonpublic, nonsectarian schools and the method of ensuring that all requirements of each student's individualized education program are being met. The description shall include a method for evaluating whether the student is making appropriate educational progress:

Reference Number:

Document Title:

Document Location:

Description:

Description:

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and the IEP to annually evaluate the pupil to determine if they are making appropriate educational progress. The LEA representative shall collaboratively review with the nonpublic, nonsectarian school the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for measuring pupil progress. The LEA may choose to administer additional assessments as necessary, with parent consent where required, to determine whether the pupil is making adequate educational progress.

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in *EC 56026(c)(4)*) who has been incarcerated in a county jail and remains eligible for special education services:

The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (*EC Section 56040*)

It is the responsibility of the district of residence (DOR) to provide special education services and related services to an adult student in county jail who remains eligible for these services and wishes to receive them. The DOR is the district in which the student's parents resided when the student turned 18, unless and until the parents move to a new DOR. For conserved students, the DOR is based on the residence of the conservator. (*EC Section 56041*)

Reference Number:

Document Title:

Document Location:

Description: