

Special Education Local Plan Area (SELPA) Local Plan

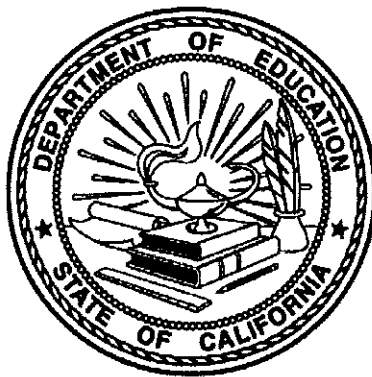
**SELPA**

**Fiscal Year**

## **LOCAL PLAN**

### **Section B: Governance and Administration**

### **SPECIAL EDUCATION LOCAL PLAN AREA**



California Department of Education

Special Education Division

January 2020

SELPA Tuolumne County SELPA

Fiscal Year 2022-23

## 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) encompasses all public and private schools within the geographical borders of Tuolumne County California. Public schools include Belleview School District, Big Oak Flat-Groveland Unified, Columbia Union School District, Curtis Creek School District, Gold Rush Charter School, Jamestown School District, Sonora School District, Sonora Union High School District, Soulsbyville School District, Summerville Elementary School District, Summerville Union High School District, Tuolumne County Superintendent of Schools and Twain Harte School District.

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 Tuolumne County SELPA is multi-district SELPA and comprised of twelve local educational agencies (LEAs) and one charter school joined together to provide for the coordinated delivery of programs and services to students with special needs. The Tuolumne County Superintendent of Schools (TCSOS) is designated as the Administrative Unit (AU) for the Tuolumne County SELPA. In adopting the local plan, each participating LEA and charter agrees to carry out the duties and responsibilities assigned to it within the plan and to ensure equal access to programs and services to eligible persons requiring special education in the service region.

The governance structure of the SELPA is established by agreement among the school boards of the member LEAs. It consists of the Governance Board which sets policy, and the Finance Committee and the Community Advisory Committee, each of which advises on policy. The SELPA Director may convene additional advisory committees. The SELPA Director is responsible for coordination of the SELPA and implementation of the Local Plan.

#### SELPA Governance Board

##### Role

The SELPA Governance 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 meeting of the Governance Board is 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).

##### Functions:

The SELPA Governance Board services the following functions:

-Provides leadership for development of statements of philosophy, policies, goals, priorities and plans for

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comprehensive services and programs to the students with disabilities of the SELPA

- Makes decisions regarding implementation, administration and operation of regional special education programs and services in accordance with the Local Plan

- Instructs the SELPA Administrator regarding the implementation, administration and operation of the Local Plan

- Approves the Allocation Plan for the distribution of federal, state and local funds allocated for special education programs

- Approves procedures, which ensure the participation of each LEA Governing Board in regional planning

- Ensures equal access to programs and services for all students with disabilities within the SELPA

- Establishes policies and approves procedures to ensure compliance by LEAs with the Local Plan, state and federal laws and regulations

- Ensures that all regionalized operations and services are performed in accordance with the Local Plan

### Membership

The SELPA Governance Board is composed of a Superintendent from each LEA in the SELPA, or the person performing these duties regardless of title (references throughout the document to Superintendent shall refer to the person performing the duties for the LEA). It is chaired by one of its members who will work with the SELPA Director to establish meeting dates and times. An annual organizational meeting will be held by June 30th of each year. The chair is elected at the annual organization meeting and assumes responsibility at the first scheduled meeting in the subsequent fiscal year. If the chair is unable to attend, he/she may delegate another Superintendent or designee to chair the meeting. A Superintendent may appoint a designee to represent him/her with authority to vote.

### Community Advisory Committee

#### Role

The CAC advises the Superintendents' Council on the amendment and review of the local plan, recommend priorities to be addressed, assist in parent education, encouraging community involvement, supporting activities on behalf of students with disabilities, assisting in parent awareness of importance of regular school attendance, and supporting community involvement in parent advisory committees within LEAs.

#### Membership

Each participating LEA's governing board may appoint member(s) to the CAC based on their policies and procedures. Community members may also ask to be nominated with final approval given by the SELPA Governance Board.

#### Voting

Voting is consistent with the CAC bylaws, which are available at the SELPA Office.

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:

The Governance Board is made up of the superintendents from each of the participating LEAs and charter districts. A quorum shall consist of seven of the member district representatives. A chair and vice-chair shall be elected annually. The SELPA Director is an ex-officio member.

It is the responsibility of the Governance Board to review and approve amendments to the local plan, the SELPA annual service and budget plans, program transfers, and any changes in the income distribution model. The Governance Board provides input to the County Superintendent and approves the evaluation of the SELPA Director.

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All governance board members have one vote and decisions will be made by a majority vote except in circumstances where state or federal mandates require a unanimous vote.

The Governance Board shall:

- Coordinate and implement the SELPA Local Plan
- Adopt policy for the SELPA including allocation of Federal and State revenue
- Provide input for the selection and evaluation of the SELPA Director
- Approve an agreement with Administrative Unit for services
- Adopt an operations budget for the SELPA including regionalized services and SELPA operation funds at an annual cost not to exceed the available funds for such service
- Approve interagency agreements
- Approve the Annual Budget and for submission to the state
- Approve the Annual Service Plan for submission to the state
- Monitor compliance as required by law
- Provide for an annual audit of all income and expenditures, as required by law
- Receive recommendations from the Community Advisory Committee, Finance Committee, Program Committee, LEA Boards, and other concerned agencies and individuals
- Decide disputes, if any, between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan and other agreements or policies between or among the LEAs

It shall further be the policy of this Governance Board 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 Governance Board meets a minimum of four times per school year. All meetings of the Governance Board shall be held according to law and the Brown Act. The notice and minutes of all regular meetings shall be sent to all district superintendents.

#### 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 the Administrative Unit (AU) AU and acts as the fiscal agent and is responsible for implementing the following functions:

- a. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law
- b. Administrative support, including establishing and maintaining an office for SELPA staff
- c. Employment of SELPA and special education staff to coordinate implementation of the local plan
- d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs.
- e. The preparation of program and fiscal reports required of the special education local plan area by the state.
- f. Subcontracting for essential services as appropriate.

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### 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 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 insure their program includes all special education services required of a grade equivalent public school.
- e. The charter will insure 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 Tuolumne County SELPA Community Advisory Committee (CAC) serves in an advisory capacity. CAC membership may include parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in school, students with disabilities, adults with disabilities, general education teachers, special education teachers, other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. At least a majority of the CAC shall be composed of parents of students enrolled in schools participating in the local plan and at least a majority of such parents shall be parents of individuals with exceptional needs.

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

CAC responsibilities include:

- a. Advising the SELPA Policy Board and the SELPA Director regarding the development and review of the Local Plan.
- b. Assisting in parent education and in recruiting parents and other volunteers
- c. Encouraging community involvement to participate in CAC
- d. Supporting activities on behalf of individuals with exceptional needs
- e. Assisting in parent awareness of the importance of regular school attendance

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The CAC shall have regularly scheduled meetings at least five times per academic school year. The SELPA Director/designee will present the CAC's input to the Governing Board for consideration. CAC members are also invited to address the board.

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

**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:**

At least every three years during the annual budget and service plan process, the Governance Board will review the Local Plan and determine if changes or amendments to the permanent portion of the Local Plan may be needed. At that time, any public input and consultation can be provided by anyone including special education and regular education teachers, and administrators selected by the groups they represent as well as parent members of the CAC to ensure information contained within the plan remains relevant and accurate. The CAC may also review the local plan at one of their meetings preceding the Governance Board's review.

Each year, the SELPA shall adopt annual budget and service plans at a public hearing scheduled at a Governance Board's Meeting. As it is a public hearing, it provides for public input and consultation by anyone including special education and regular education teachers, and administrators selected by the groups they represent as well as parent members of the CAC. The CAC may also review the annual budget and service plans at one of their meetings preceding the Governance Board's adoption.

When the Governance Board determines that an amendment to the local plan is needed, the following process occurs:

The SELPA Director, or designee, shall be responsible for the coordination of the amendment of the local plan, and shall form a committee that includes representatives of the following groups who provide input, review drafts and make recommendations to the SELPA's Governance Board.

- Special Education Teachers
- General Education Teachers
- General Education Administrator
- Community Advisory Committee

During the amendment process, the Governance Board reviews the recommendations of the CAC, reviews drafts of the local plan amendment committee, seeks input from the governing boards of their respective LEAs, and reviews and approves the final draft of the local plan.

The Governance Board may adopt amendments to the permanent portion of the Local Plan on an interim basis, not to exceed one school year. Amendments approved in this manner shall become permanent upon subsequent approval by the California Department of Education.

**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 (TCSOS) serves as the Administrative Unit (AU). TCSOS is the

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SELPA's fiscal agent and is responsible for implementing the following functions:

- a. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law
- b. Administrative support, including establishing and maintaining an office for SELPA staff
- c. Employment of SELPA and special education staff to coordinate implementation of the local plan
- d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs.
- e. The preparation of program and fiscal reports required of the special education local plan area by the state.
- f. Subcontracting for essential services as appropriate.

**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:**

Appropriate Memorandum of Understandings (MOU) are developed between SELPA, the AU and LEA Members as appropriate to insure FAPE is provided in the least restrictive environment. Local agencies are responsible for the students ages three to twenty-two within the geographical area consistent with California education code. For children birth to three the SELPA provides services based on their allocation of Infant Funding Units. The Valley Mountain Regional Center also provides services for children birth to three as outlined in the Local Interagency Agreement between Valley Mountain Regional Center, Tuolumne County SELPA and the Tuolumne County Superintendent of Schools.

**10. For multi-LEA local plans, specify:**

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

The school board of each LEA shall approve its participation in the Tuolumne County Local Plan for Special Education. This includes the County Superintendent of Schools. The County Office of Education acts as the Administrative Unit.

The local school board responsibilities include, but are not limited to

- a. Support implementation of the Local Plan
- b. Adopt and implement policies and procedures for special education programs and services within their districts
- c. LEA compliance with all elements of the local plan
- d. Input on SELPA policies and procedures through the superintendent of the LEA
- e. Support the activities of the Community Advisory Committee
- f. Address questions and concerns of the public, including parents or guardians of students with disabilities who are receiving services under the Local Plan.

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

uperintendents of each LEA are responsible to their respective school boards. In addition, district superintendents:

- a. Serve as a member of the Governance Board

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- b. Assist in the identification of special education program and service needs for the Tuolumne County SELPA through participation on the Governance Board
- c. Communicate SELPA information to their school boards
- d. Insure implementation of Local Plan in their respective LEAs

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

The role of each LEA for coordinating the administration of the local plan includes:

Individual LEAs' are responsible for:

- Exercising authority over the programs they directly maintain consistent with the local plan and individual LEA policies (may include students with disabilities who reside in other LEAs or SELPAs)
- Developing, implementing, and evaluating, and improving of special education programs and services within the LEA
- Gathering, interpreting, and reporting special education program data and annual performance plan indicators, regarding current program operations and effectiveness
- Cooperating among LEAs pertaining to the implementation, administration and operation of the local plan
- Recommending allocation of resources within the SELPA in accordance with the local plan and the Tuolumne County SELPA Allocation Plan
- Establishing, modifying, and implementing procedures for the operations of the local plan
- Establishing and implementing guidelines and procedures to ensure that students with disabilities have access to appropriate programs and services regardless of his/his district of special education accountability

-Insuring that general and special education staff receive and participate in appropriate training to insure students with disabilities receive a free and appropriate public education

The SELPA Administrator is responsible to plan, organize, coordinate, direct and manage program activities and services related to the local plan implementation. They are also responsible for providing leadership on legislative issues impacting the SELPA programs.

The County Office of Education is an LEA that employs special education staff to support implementation of the Local Plan and provides seat based programs for students with severe disabilities.

### 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 AU is responsible for the recruitment of the SELPA Director. The selection and supervision of the SELPA Director shall be the responsibility of the Tuolumne County Superintendent of Schools. The Governance Board provides input for the evaluation of the SELPA Director and the County Superintendent conducts the evaluation. Directors and Program Specialists are evaluated by the SELPA Director. The SELPA Director, Directors and Program Specialists are responsible for supervision and evaluation of all other SELPA staff.

#### 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 reviewed and revised on a regular schedule. The model distributes all funds pursuant to applicable state and federal regulations. Districts



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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:

All LEAs in the SELPA provide site-based special education programs in a manner that promotes services provided in the least restrictive environment. The AU employs related service providers that conduct comprehensive assessments and provide services to insure all students have access to the general education curriculum. The AU also provides seat-based programs located on public school campuses or in the community to students with more severe disabilities from infant through age twenty-two.

It shall be the policy of this Governance Board 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

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

It shall be the policy of this SELPA 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 Governance Board shall adopt policies for the allocation of Special Education Resources to LEAs. The intent is to assure access and availability of services to all eligible students through an equitable distribution system. The policy provides for distribution of the following funds:

- Distribution of State Apportionment to LEAs
- Distribution of Property Tax to LEAs although received by the Tuolumne County Superintendent of Schools Office as payment for LEA obligations
- Distribution of Federal Local Assistance revenue to LEAs
- Distribution of Federal Preschool revenue to LEAs and the SELPA operations budget for regionalized staff development and regionalized services to preschool programs

The duties of the Finance Committee include, but are not limited to, the following:

1. Provide information and recommendations for the development, modification and implementation of the SELPA funding allocation plan to the Governance Board.
2. Review and make recommendations to the Governance Board regarding decisions which impact the finances of local education agencies.
3. Develop the Annual Budget Plan for approval by the Governance Board.

The Finance Committee may be requested by the Governance Board to provide advice or assistance in other areas as needs are identified within the SELPA.

The Finance Committee meets twice yearly or more often as established on a yearly calendar. The SELPA Director serves as the chairperson of the committee and is responsible for providing timely written notice of the meeting and agenda, notes for the meeting and additional documentation as needed to provide for informed decision making. In addition to carrying out the responsibilities identified in the Local Plan, the Finance Committee may choose to form special subcommittees to focus on special issues. Such subcommittees shall report to the Finance Committee.

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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:

Specialized equipment and services will be provided at the site where the Individualized Education Program (IEP) team has determined appropriate for the student to receive a free and appropriate public education in the least restrictive environment.

**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

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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

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**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

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

Policy/Procedure Number:

Document Title:

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Document Location:

"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

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**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

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**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

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

Policy/Procedure Number:

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Document Title:

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

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**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

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**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

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

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

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adopted by the SELPA as stated:

☒ Yes ☐ No

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**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

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**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

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**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

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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 stated:

☒ Yes ☐ No

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**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

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**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

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

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:



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

☒ Yes ☐ No

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**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

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**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

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

Policy/Procedure Number:

Document Title:

Document Location:

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"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:

☒ 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.

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### Description:

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.

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:

LP 002

Document Title:

System of Identification and Assessment

Document Location:

SELPA Policies/SELPA Office

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

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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 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:

SP 8051

Document Title:

Individual Education Program: Procedural Safeguards

Document Location:

SELPA Policies/SELPA Office

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

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Description:

(6) revoke consent after consenting to the initial provision of services.

The LEA must inform parents/guardians about proposed evaluations of 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

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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 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: LP 004

Document Title: System for Staff Development and Parent and Guardian Education

Document Location: SELPA Policies/SELPA Office

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: LP 005

Document Title: Curriculum Development with Alignment to Core Curriculum

Document Location: SELPA Policies/SELPA Office

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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:

LP 006

Document Title:

Review and Implementation of the Local Plan Accountability System

Document Location:

SELPA Policies/SELPA Office

Direct Instructional support provided by the program specialist: Upon request, the program specialists and others that are assigned to carry

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Description:

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: LP 007

Document Title: Data Collection and Management

Document Location: SELPA Policies/SELPA Office

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 management.

Role of the Administrator of the SELPA: The SELPA Administrator will approve the California Longitudinal Assessment and Pupil Data System



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Description:

(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:

LP 008

Document Title:

Interagency Agreements

Document Location:

SELPA Policies/SELPA Office

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.

9. Coordination of services to medical facilities:

Reference Number:

LP 009

Document Title:

Coordination of Services to Medical Facilities

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Document Location:

SELPA Policies/SELPA Office

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, assures students with disabilities have a full educational opportunity regardless of the district of residence.

Role of the RLA/AU: Not applicable.

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 medical facilities and LEAs as appropriate.

Role of the individual LEAs: Each individual LEA is responsible for students with disabilities who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes when the hospital or facility is located within their boundaries, unless based on education code there is another district of special education accountability which would be responsible.

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

Reference Number:

LP 010

Document Title:

Coordination of Services to Licensed Children's Institutions and Foster Family Homes

Document Location:

SELPA Policies/SELPA Office

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, 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: 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.

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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 d l education accountability which would be responsible.

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

Reference Number: LP 011

Document Title: Preparation and Transmission of Required Special Education Local Plan Area Reports

Document Location: SELPA Policies/SELPA Office

Description:

Direct Instr 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 qu y indicators regarding current program operations and effectiveness.

12. Fiscal and logistical support of the CAC:

Reference Number: LP 012

Document Title: Fiscal and Logistical Support of the CAC

Document Location: SELPA Policies/SELPA Office

Direct Instructional support provided specialist: Not applicable.

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 provide fiscal and logistical support CAC meetings, events, and trainings that are reviewed of the SELPA Governance Board.

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 re ir CAC representatives and other parent groups.

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

Reference Number:

LP 013

Document Title:

Transportation Services for Individuals with Exceptional Needs

Document Location:

SELPA Policies/SELPA Office

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, provides staff development as requested by the LEAs.

Role of the RLA/AU: Not applicable.

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.

Role of the individual LEAs: Each member LEA is responsible for providing transportation for their students with disabilities as determined by their IEP teams.

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

Reference Number:

LP 014

Document Title:

Career, Vocational Education and Transition Services

Document Location:

SELPA Policies/SELPA Office

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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:

LP 015

Document Title:

Full Educational Opportunity

Document Location:

SELPA Policies/SELPA Office

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.

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Description:

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 student 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:

LP 016

Document Title:

Allocation of State and Federal Funds

Document Location:

SELPA Policies/SELPA Office

Description:

Direct Instr 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 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.

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

Reference Number: LP 017

Document Title: Program Support

Document Location: SELPA Policies/SELPA Office

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
- 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

Description:

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- 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 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:

MOU 1

Document Title:

MOU Between Tuolumne County SELPA and VMRC

Document Location:

SELPA Policies/SELPA Office



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Description:

Early Education Services are provided for all eligible infants, toddlers, and preschool children by member local educational agencies (LEAs) through the following ways.

There is a cooperative agreement within the Special Education Local Plan Area (SELPA) wherein infant programs are operated Tuolumne County Superintendent of Schools consistent with the Allocation of Infant Funding Units. Additionally, the Local Interagency Agreement for the California Early Start Program outlines the services that are eligible children from birth to 3 within the SELPA, whether they are dually-served between the two agencies, or served through Valley Mountain Regional Center.

For students ages three through five, the Tuolumne County Superintendent of Schools is responsible for providing services to eligible students who require early intervention. Each LEA also provides who are appropriately served in state preschool, Head Start or transitional kindergarten.

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:

LP 018

Document Title:

Public Access

Document Location:

SELPA Policies/SELPA Office

Description:

All LEA Boards within the Tuolumne County SELPA have public comment sections on their agendas, as does the Tuolumne County SELPA Governance Board.

The Tuolumne County SELPA Administrator and Program Specialists are also available to meet with parents or members of the public who may have questions or concerns.

The Community Advisory Committee will hold regular meetings with the SELPA Director. The CAC will be surveyed annually and provided information related to the SELPA Governance Board. The CAC has a standing agenda item where they report to the SELPA Governance Board.

Members of the public, including parents or guardians of students with disabilities who are receiving services under the local plan, may address

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questions or concerns to the SELPA governing body or individual administrator through:

- 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:

LP 019

Document Title:

Dispute Resolution Process

Document Location:

SELPA Policies/SELPA Office

Description:

If a dispute arises over the responsibility for service provision, governance activities, program transfer, or distribution of funding; or if a school district, including any charter LEA or group of school districts believes that an action taken by the Tuolumne County SELPA Governance Board will create an undue hardship on the LEAs; or that an action taken exceeds the authority granted the Governing Board within the Local Plan and/or state or federal statute, the aggrieved district(s) may submit the matter for dispute resolution.

The goal of the Tuolumne County SELPA is for disputes to be resolved at the lowest possible level. The first step in the dispute resolution process, therefore, is for the aggrieved party(s) to contact the other party(s) and attempt to resolve the matter informally. If the matter is not resolved at this level, the aggrieved party(s) may request formal mediation. Any request for mediation must be submitted in writing to the Tuolumne County SELPA Director. If the issue is related to an action 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

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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:

SP 0821

Document Title:

Process for Referral to Special Education

Document Location:

SELPA Policies/SELPA Office

Description:

LEAs recognize that best practice is to set up school teams or student study teams (SST) to informally discuss concerns and seek consultation regarding pupils prior to a referral to special education. LEAs, to the extent possible, will follow best practice.

Members of the team are selected by the Local Education Agency (LEA) administrator who may appoint one team member to act as chairperson, receive requests and set up team meetings. Members invited to the team meeting will include the child's primary educator and the parent/ guardian. Special education staff may be included to suggest intervention strategies and program modifications.

The function of this team is to make suggestions and give support to the individual requesting assistance regarding the pupil.

When convened to discuss a parent/guardian request for an assessment, the SST meeting must occur within 15 days from the date parent/guardian submitted the request.

- If it is determined that an assessment is appropriate, the parent/ guardian must be provided an assessment plan within 15 days from the date the initial request for assessment was submitted.

- 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

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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 t/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:

LP 021

Document Title:

Nonpublic and Nonsectarian School Placements

Document Location:

SELPA Policies/SELPA Office

Description:

Each LEA that contracts with a nonpublic, nonsectarian school shall evaluate the placement of its pupil(s) in such schools on at least an annual basis as part of the annual IEP review. With the SELPA Director, the LEA representative shall also review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are provided. The IEP team will determine if the student is making appropriate educational progress through review of progress on IEP goals, including those specific to a Behavior Intervention Plan as well as any other assessments or pertinent data. The LEA will observe a pupil during instruction and will conduct a walk through of the facility.

Nonpublic, nonsectarian schools are required by the master contract 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

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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: