

SELPA Humboldt-Del Norte

Fiscal Year 2020-21

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



California Department of Education

Special Education Division

January 2020

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SELPA

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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 Humboldt-Del Norte Special Education Local Plan Area (SELPA) is composed of 34 school districts within the geographic area of Humboldt and Del Norte counties and the Humboldt and Del Norte County Offices of Education. Together these LEA's have joined in a cooperative plan to provide special education programs and services for all individuals with disabilities, birth through the age of 21, who resides in Humboldt and Del Norte counties. The Humboldt County Office of Education has been designated the Administrative Unit (AU). (ED Code Section 56195.1 (c))

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 governing body of the Humboldt-Del Norte SELPA is the Superintendents' Special Education Policy Council. Members of the Policy Council are responsible to the governing boards of the local education agencies (LEAs) in the SELPA.

In accordance with all applicable state and federal laws, the Humboldt- Del Norte SELPA shall be governed by a Superintendents' Special Education Policy Council composed of county, single district and regional voting members. The Policy Council conducts regular public meetings and is governed by a set of bylaws. The specific functions of the Policy Council necessary to carry out its responsibilities include, but are not necessarily limited to:

- Develops SELPA policies and agreements and reviews procedures for effective management and operation of special education programs and services throughout the SELPA;
- Develops SELPA policies and agreements and reviews procedures to assure individuals with disabilities equal access to special education programs and services and full educational opportunity and procedural safeguards for such individuals and their parents;
- Recommends to the governing boards the designations of the Administrative Unit (AU) as reflected in the Local Plan;
- Review and approve SELPA-wide services and related budgets including the SELPA administrative budget and the annual SELPA-wide budget and service plans;
- Directs the allocation of funding to members based upon Local Plan requirements, current pupil counts and

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- service priorities;
- Participates with the Humboldt County Office of Education (AU) in the hiring and evaluation of the SELPA Director;
 - Recommends and reviews the activities of special education programs and services within the SELPA;
 - Establishes committees as necessary to carry out the functions of the Policy Council;
 - Reviews special education issues and recommends effective solutions to governing boards;
 - Receives and considers recommendations from:
 - participating LEA governing boards,
 - the Community Advisory Committee,
 - other committees, task forces and advisory groups established by the Policy Council or the SELPA Director,
 - community agencies,
 - the SELPA Director and Regional Office staff, and
 - other individuals concerned with special education in Humboldt and Del Norte counties;
 - Promotes cooperation and communication among the LEAs and with the communities and community agencies; and
 - Reviews and develops the Local Plan as required and assures each LEA's compliance with that plan, and compliance with all applicable laws, rules, regulations and policies.

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 SELPA Director, under the direction of the Superintendents' Special Education Policy Council, provides administrative support and coordination of the implementation of the Local Plan. Each participating LEA agrees to carry out the responsibilities and functions assigned in the Local Plan. Each county/region/district voting representation will be based on the previous year CALPADS count. Regional designation with more than one vote may appoint more than one voting representative. Appointments will be determined by each region and voting representatives will not exceed the total number of votes. The SELPA Director shall serve as a non-voting member of the Council.

The Local Plan, or amendments to the Plan, shall be affected utilizing a voting structure agreed upon by the Policy Council which consists of regionalized votes based on ADA.

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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 Humboldt County Office of Education (HCOE) is designated as the official administrative unit (AU) of the Humboldt- Del Norte SELPA to assure the implementation of the Local Plan and SELPA policies, agreements, and procedures of the SELPA Policy Council in cooperation with participating LEAs. The distribution of federal and state funds is the responsibility of HCOE in accordance with the Humboldt- Del Norte SELPA's Fiscal Allocation Plan and policies, agreements and procedures of the SELPA Policy Council.

The SELPA and the County Offices of Education work closely to align services, training and supports for all the member LEAs in accordance to the local plan.

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

For the purposes of provision of special education services, charter schools shall be deemed either a public school within the chartering LEA or an LEA that receives funds and provides services independent of the chartering entity. All approved charter schools will be deemed public schools within the chartering entity until the charter school has been deemed an LEA following the decision making process in this Local Plan.

Public School within a School District or County Office of Education:

Charter schools that are deemed to be public schools within the chartering entity will participate in state and federal funding in the same manner as other schools or programs within the chartering entity. The chartering entity will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and related services in a manner that is consistent with all applicable provisions of state and federal law. The chartering entity will determine the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school in the same manner as students enrolled in other schools or programs administrated by the chartering entity.

The chartering entity will receive all applicable special education funds as specified in the SELPA's approved funding allocations.

The chartering entity and the charter school may enter into business agreements or contracts whereby the charter school agrees to pay for the excess costs associated with providing special education services to identified students, including the administration of special education programs. When the chartering entity is a district, the charter school should be held fiscally responsible for a fair share of any encroachment on district general funds that is created by the provision of special education services throughout the district.

Charter School as an LEA Within the SELPA:

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A charter school that was chartered by or assigned to a SELPA member may apply to the Policy Council to become an LEA for the provision of special education services. Once granted LEA status, a charter school will participate on an equal basis with other members in the governance of the SELPA. The independent charter shall be assigned to the region in which the school/operation is located within the SELPA. Like other members of the SELPA, the charter school will be represented on the Policy Council by the individual chosen to represent that region.

The applicant charter school will be deemed an LEA if the Policy Council determines that the charter school has met all requirements to be included as a member LEA of the SELPA as specified in this Local Plan.

Participation of Charter Schools in the Local Plan:

A charter school may participate in the SELPA in one of two ways depending upon their governance structure. If the charter school is recognized as another public school within the LEA which serve special education students or in accordance with the charter school's MOU with an existing LEA SELPA member, then the charter will be represented by, and receive funding from, the existing LEA in the same manner as all other schools with the LEA. If the charter school is independent in all matters, including fiscal and governance, then the charter school will be deemed to be a separate LEA within the SELPA and will participate in the same manner as all other LEAs as described in this Local Plan.

A charter school which applies to be an independent LEA within the SELPA must conform to all of the policies and regulations of the Local Plan, and all applicable federal and state laws.

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:

Feedback and involvement from the Community Advisory Committee (CAC) is an important component of the development of the local plan. The CAC acts as an advisory body to the policy and administrative entity in the development, amendment, and review of the Local Plan. The Local Plan for special education shall be updated cooperatively by a committee of representatives of special and general education teachers and administrators selected by the groups they represent and with participation by parent members of the CAC, or parents selected by the CAC.

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 SELPA regularly seeks out guidance, input and feedback from individuals from LEAs including representation from General Education, Special Education, Administration as well as parent members of the CAC. These representatives are encouraged to attend meetings and provide input dedicated to the development, revision or updating of the local plan.

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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 selection of the Humboldt County Office of Education as the AU of the Humboldt-Del Norte SELPA is based upon an agreement between the Humboldt-Del Norte SELPA Policy Council, the individual school districts within the boundaries of the SELPA and the Humboldt County Superintendent of Schools. The AU shall continue on a year to year basis with the mutual agreement of the parties. The AU shall be responsible for performing the following functions:

- Delegating administrative support and coordination of the implementation of the Local Plan to the SELPA Director
- Serving as the employing agency for the SELPA Director and the SELPA staff and developing procedures, policies, job descriptions and other necessary provisions that, with approval of the Policy Council, enables the SELPA to operate as a special program within the structure of the County Office;
- Receiving and distributing the special education funds to LEA accounts for special education program and services in accordance with the annual recommendations made by the Policy Council.
- Establishing appropriate fiscal record-keeping procedures in accordance with state and federal requirements, maintaining accurate fiscal accounting records and submitting required fiscal reports to the appropriate authorities;
- Maintaining accountability for the SELPA AU budget and expenditures in accordance with state and federal requirement and Policy Council recommendations;
- Coordinating with, and auditing the participating LEAs, the certification of fiscal, attendance, transportation and student management information systems;
- Certifying that each participating LEA meets all applicable state and federal laws pertaining to the education of individuals with disabilities.

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:

Each participating LEA shall 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, unless stated otherwise in the 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 continuum of program options is available throughout Humboldt and Del Norte counties.

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 Director shall develop, agree to and maintain Interagency agreements and/or memorandums of understanding necessary to support the implementation of the Local Plan.

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10. For multi-LEA local plans, specify:

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

The governing board of each District is responsible for the education of all individuals with disabilities, who are properly enrolled within the LEA's jurisdiction in accordance with state and federal requirements and policies, agreements and procedures described in the Local Plan. The specific functions of the governing board necessary for carrying out that responsibility include, but may not necessarily be limited to:

- Approving its district's participation within the SELPA. Includes complying with the adopted Local Plan and all subsequent revisions of the Local Plan or notifying the Policy Council, at least one year prior, of its intent to elect an alternative option;
- Delegating the administrative policy-making process and procedures for carrying out its responsibility to the Policy Council;
- Designating the district's superintendent to either assist in the selection of the regional representative for the region in which the district is located or to appoint a district representative if the district is considered a single district in the membership designation;
- Advising the Policy Council through its representative;
- Selecting, compensating and determining the duties of special education teachers, instructional aides and other personnel needed to provide those special education programs and services it has contracted to operate;
- Developing and maintaining budgets for those special education programs and services it has contracted to operate;
- Ensuring its district's adherence to all applicable state and federal laws and policies of the Policy Council;
- Adopting district determined necessary procedures for the operation of those special education programs and services it has contracted to operate which are not in conflict with the state or federal requirements or policies, agreements and procedures described in the Local Plan;
- Providing facilities for regionalized programs for special education services it has contracted to operate;
- Providing or arranging for required special transportation;
- Cooperating with the governing boards of Humboldt-Del Norte SELPA LEAs to assure the availability of special education services to all individuals with disabilities regardless of their district of residence;
- Encouraging representation to the Community Advisory Committee.

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

The superintendent of each participating local school district is responsible for assuring the provision of appropriate special education programs and services for students with disabilities for whom the district is responsible in

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accordance with the policies, agreements and procedures established by the governing board and those described in the Local Plan. The specific functions of the district superintendents necessary for carrying out that responsibility include, but are not necessarily limited to:

- Representing, or appointing a designated representative of that educational agency, or selecting a representative to act on behalf of the educational agency if the district is in a regional designation, the district as a member of the SELPA Policy Council and carrying out the functions of the Policy Council as described in the Local Plan;
- Acting as a liaison between the governing board and the Policy Council;
- Providing leadership within the district in support of special education programs and services;
- Advising the governing board of policies adopted by the Policy Council;
- Recommending to the governing board the development and adoption of local policies for special education programs and services;
- Recommending to the governing board any revisions of special education programs and services which are necessary to meet the changing needs of the district and which should be considered in the SELPA budget planning process;
- Developing and maintaining fiscal accounting records and information compatible with procedures established by the Policy Council and the Humboldt County Office of Education and in a manner that facilitates an audit by a certified public accountant, the California Department of Education or the Policy Council;
- Collecting information on the district's special education program operation and reporting such information to the SELPA Director;
- Supporting and cooperating in SELPA regional activities, such as:
 - personnel development,
 - coordination of curriculum,
 - program evaluation, and
 - student management information systems;
- Consulting with the SELPA Director regarding actions involving the due process, a complaint or a major programmatic change affecting the SELPA;
- Implementing and monitoring actions directed by administrative hearing officers or compliance officers, and
- Providing oversight to all special education programs and services within the district in order to ensure maintenance of standards and adherence to all relevant laws, rules, regulations and policies.

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

The responsibilities of each LEA and COE for coordination and administration of the local plan include, but are not necessarily limited to:

- Advising the superintendent and governing board regarding the status, accomplishments and needs of the

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- special education programs and services operating within the LEA;
- Gathering, interpreting and reporting data regarding the implementation, administration and operation of the Local Plan within the LEA;
 - Monitoring the assessment, instructional planning, placement and review procedures of individuals with disabilities;
 - Serving as the administrator for IEP team meetings, as necessary;
 - Supervising the development and implementation of appropriate curriculum and instruction for individuals with disabilities, including modification of the regular core curriculum;
 - Coordinating child find activities at the local level;
 - Assisting in or directing the development and monitoring of the special education budget for the LEA;
 - Assisting in or providing the supervision and evaluation of special education personnel;
 - Monitoring special education programs and services to ensure their provision in the least restrictive environment and in appropriate facilities;
 - Working cooperatively with other SELPA LEAs in the planning and implementation of the full continuum of programs and services on a regional bases;
 - Assisting in the identification of personnel development needs and inservice education programs;
 - Advising the development of local and SELPA-wide policies and procedures;
 - With the assistance of parents and staff, identifying potential candidates for membership on the Community Advisory Committee (CAC) to submit for governing board selection, and;
 - Coordinating California Department of Education evaluation activities within the LEA.

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 Policy Council shall approve positions necessary for the operation of the SELPA functions according to this Local Plan and based upon the recommendations from the SELPA Director.
- The AU is responsible for serving as the employing agency for the SELPA Director and the SELPA staff and developing procedures, policies, job descriptions and other necessary provisions that, with approval of the Policy Council, enables the SELPA to operate as a special program within the structure of the County Office.
 - The AU is responsible for the recruitment and hiring of the SELPA Director and staff.
 - The Superintendents' Council shall jointly supervise and evaluate the SELPA Director's performance, including implementing disciplinary action as may be necessary.

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- The SELPA Director oversees the recruitment, supervision and evaluation of SELPA staff.

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

All federal and state special education funds shall be allocated to the SELPA AU for allocation to LEAs according to an approved Special Education Funding Allocation Plan. Any changes to the allocation plan of federal and state special education funds shall be made by the Policy Council and approved by the LEA governing boards (Del Norte County/District shall be considered one governing board).

The governing boards of the LEAs participating in the SELPA have agreed that students with disabilities will be provided with appropriate special education services. The Policy Council has been designated the authority to verify the distribution of all federal and state special education funds in order for local education agencies to carry out their responsibilities. The AU shall be responsible for the distribution of the funds according to the approved Special Education Funding Allocation Plan. The SELPA Director is responsible to ensure that the funds are distributed in accordance with the funding allocation plan.

The Superintendents' Special Education Policy Council shall annually review and allocate the special education funds to all the participating LEAs in the SELPA according to the allocation model described in this Local Plan.

c. The operation of special education programs: education programs:

It is the intention of the SELPA to provide a full continuum of services to students with disabilities, including students in charter schools, throughout the geographic region of the SELPA. Access to services is through each of the LEAs. The referral, assessment and IEP processes are utilized to identify the needs of each individual student with disabilities. The LEAs shall assure that students will have their rights to appropriate services provided in the least restrictive environment.

Role of the AU/RLA:

The AU shall be responsible for receipt of and distribution of any funds for the operation of special education programs in accordance with the provisions of the Education Code Section 56836.

In order to ensure that a full continuum of appropriate services are available on a regional basis throughout the SELPA, the AU shall be authorized to enter into agreements with one or more LEAs to develop and operate program services and to recover the costs associated with providing those services in accordance with the approved Local Plan and Program Reimbursement Matrix.

Role of the SELPA Administrator:

- Coordinate implementation of all components of the Local Plan;
- Develop and maintain interagency agreements with appropriate public agencies to ensure a full range of special education programs and services;
- Monitor and ensure appropriate use of federal, state, and local funds allocated for special education operations;

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- Provide LEA program staff with a venue for sharing ideas regarding issues such as IEP development and implementation, curriculum scope and sequence, student performance targets, assessments, instructional best practices, and day-to-day operations.

Role of the LEA:

Each LEA shall utilize one or more of the following options to provide special education and services and to assure full educational opportunity:

- Provide a full continuum of special education programs within their district;
- Contract with another LEA within the SELPA for special education programs/services, if applicable;
- Refer for placement in programs and/or services provided by nonpublic schools or agencies or residential treatment centers;
- Refer for diagnostic services and/or placement in State Special Schools.

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

It is the intent of the SELPA that the needs of students with disabilities as identified in their IEPs shall be met through the appropriate use of special education funds. To ensure the appropriate use of special education funds the following steps shall be followed:

Role of the RLA/AU:

The AU, as the grantee of federal funds from the California Department of Education (CDE), shall distribute all or part of the federal funds received to the SELPA. The AU will provide consultation and support to the SELPA related to the monitoring of the appropriate use of federal, state and local funds used for special education programs.

Role of the SELPA Administrator:

The SELPA Director or designee shall be responsible to monitor, at a minimum annually, the appropriate use of all funds allocated for special education programs and services. Final determination and monitoring regarding the appropriate use of special education funds shall be made through the required annual MOE reports and Annual Budget Plan submitted to the CDE.

Role of the LEA:

The individual LEAs, along with support from the SELPA Director, shall ensure that the funds received from part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement state, local, and other Federal funds and not to supplant those funds; and 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 students with disabilities except as provided in Federal law and regulations.

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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:

The SELPA and individual LEAs will ensure that specialized equipment is accessible to students and in alignment with federal and state law. Specialized equipment and services will be provided at the site where the Individualized Education Program (IEP) team has determined provides the program/services where the student with a free and appropriate public education is served in the least restrictive environment.

Low Incidence funds may be used for all pupils with low incidence disabilities as defined in law (hearing impairments, visual impairments, severe orthopedic impairments or any combination thereof) where an IEP team has determined the student meets eligibility requirements for a low incidence disability and the specialized equipment and/or services are recommended in the student's IEP.

The LEA is responsible for providing a student with disabilities who requires the use of an assistive technology device, as noted in their IEP, with continued access to that device, or to a comparable device, when the student, because of enrollment in another LEA, ceases to be enrolled in that LEA. This responsibility is in force until alternative arrangements for providing the student with continuous access to the assistive technology device, or to a comparable device, can be made or until two months have elapsed from the date that the student ceased to be enrolled in that LEA, whichever occurs first (EC 56040.3).

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

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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

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:

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"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 a of 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:

"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:

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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:

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)

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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)

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:

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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:

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

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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 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

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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 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

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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:

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:

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Reference Number:

Document Title:

Document Location:

Description:

Role of the RLA/AU:

- Delegating administrative support and coordination of the implementation of the Local Plan to the SELPA Director
- Receiving and distributing the special education funds to LEA accounts for special education program and services in accordance with the annual recommendations made by the Policy Council.

Role of the SELPA Administrator:

- Ensure that the local plan is implemented and will make recommendations to the Policy Council when revisions are needed.
- Facilitate development and approval of SELPA policies and procedures necessary to implement the local plan.

Role of the LEA:

- Ensure a full continuum of services/supports are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible.
- Through their representative at the Policy Council, will review and approve policies and procedures to implement the Local Plan.

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

Guidelines for Special Education Identification and Eligibility and procedures related to identification and assessment.

Identification procedures shall include systematic methods of utilizing referrals of students from teachers, parents, agencies, appropriate

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Description:

professionals and from other members of the public. A student shall be referred for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. All referrals shall initiate the development of an assessment process and shall be documented. In most situations, an initial referral for special education will result in an assessment plan to assess the student for special education eligibility. When a verbal referral is made, staff shall assist the individual in making the request in writing. All referrals made by school staff shall be written and include a brief reason for the referral and documentation of the resources of the general education program that have been considered, modified, and, when appropriate, the results of the intervention.

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Description:

In accordance with § 1415(d)(1)(A) of Title 20 of the United States Code, and § 300.504(a) of Title 34 of the Code of Federal Regulations, parents shall be given a copy of their rights and Procedural Safeguards, also known as Parent Rights, one time a school year. Parents should also give given a copy of the Procedural Safeguards:

1. Upon initial referral or parental request for assessment.
2. Upon receipt of the first state complaint under § 56500.2 in a school year.
3. Upon receipt of the first due process hearing request under § 56502 in a school year.
4. When a decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct in accordance with § 300.530(h) of Title 34 of the Code of Federal Regulations.
5. Upon request by a parent.

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

Reference Number:

Document Title:

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Document Location:

Description:

Role of the RLA/AU:

Coordinates training and support for districts related to special education needs in the LEAs.

Role of the SELPA Administrator:

On an annual basis, input is collected from the Special Education Administrators from member LEAs and staff 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 or designee will coordinate and/or provide needed trainings and supports as requested or determined appropriate for each member LEA.

Role of the LEA:

LEAs will determine their staff development and parent/guardian education needs, based on their locally identified requirements. LEAs will seek assistance and staff and professional development from the SELPA when needed.

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

Reference Number:

Document Title:

Document Location:

Description:

Role of the RLA/AU:

Coordinates training and support for districts related to special education needs in the LEAs.

Role of the SELPA Administrator:

The SELPA Director will provide technical assistance and staff development as requested or determined appropriate for member LEAs.

Role of the LEA:

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Individual LEAs will determine needs for curriculum development and alignment with the core curriculum, based on their locally identified needs. LEAs will seek technical assistance and staff and professional development from the SELPA when needed.

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:

Document Location:

Description:

7. Coordinated system of data collection and management:

Reference Number:

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Document Title:

Document Location:

Description:

Role of the of the SELPA:

The SELPA 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 will provide technical assistance and training to LEAs as requested and/or deemed necessary by the SELPA.

Role of the LEAs:

LEAs are responsible for data entry, quality and integrity. LEAs will ensure that CALPADS submissions are in a timely manner and as required by the California Department of Education.

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Description:

Role of the SELPA:

The SELPA Director, or designee, will review, revise, or develop interagency agreements as required to implement the plan. The SELPA Director 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 LEA:

LEA will support and implement interagency agreements developed and agreed to by the SELPA .

9. Coordination of services to medical facilities:

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Reference Number:

Document Title:

Document Location:

Description:

Role of the SELPA:

The SELPA Director will facilitate the coordination of services to students in medical facilities within the geographic area of the SELPA and by the designated LEAs.

Role of the LEA:

Individuals with exceptional needs who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes are the educational responsibility of the LEA in which the hospital or facility is located.

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

Reference Number:

Document Title:

Document Location:

Description:

Role of the SELPA:

The SELPA Director will facilitate the coordination of services to students in licensed children's institutions and foster homes within the geographic area of the SELPA and by the designated LEAs.

Role of the LEAs:

Special education services for students with disabilities residing in foster family homes or licensed children's institutions shall be the responsibility of the LEA 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:

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Document Title:

Document Location:

Description:

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

Role of the SELPA:
The SELPA Director or designee will provide technical assistance as needed or requested by LEAs.

Role of the LEA:
Each individual LEA will be 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:

Document Title:

Document Location:

Description:

Role of the SELPA:
The SELPA Administrator will provide staff and professional development and technical assistance as needed or requested. The SELPA Administrator will ensure appropriate interagency agreements are in place and facilitate connection to agencies, as appropriate.

Role of the LEA:
Individual LEAs will provide career and vocational education and transition services as required under state and federal law as appropriate. LEAs will also coordinate with local agencies (e.g., Regional Center and Department of Rehabilitation).

15. Assurance of full educational opportunity:

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Reference Number:

Document Title:

Document Location:

Description:

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:

Role of the RLA/AU:

The AU will work collaboratively with the SELPA to ensure that the distribution of funds are in alignment with the Funding Allocation Plan

The AU shall be responsible for functions including, but not limited to:

• Receipt and distribution of any funds for the operation of special education programs to appropriate accounts.
• Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.

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Description:

Role of the SELPA:

The SELPA Director will:

- Ensure that the distribution and allocation of funds to member LEAs is in alignment with the Funding Allocation Plan.
- Review, monitor and submit required fiscal reports as identified by the California Department of Education.
- Review and submit the Annual Budget Plan

Role of the LEA:

The individual LEAs through representation at Policy Council, determine and approve the allocation of funds to the member LEAs and the Annual Budget Plan. The LEAs will submit required fiscal reports as required by state and federal law.

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

Reference Number:

Document Title:

Document Location:

Description:

Role of the SELPA:

The SELPA Director will supervise and evaluate the SELPA program director(s) and provide training and guidance as needed.

Under the direction of the SELPA Director, direct instructional program support that may be provided by the program director(s) which shall include, but are not limited to:

- Conduct observations, consult with and assist special and general education staff, administrators, and parents regarding appropriate services for students with disabilities.
- Participate and provide technical support in program development.
- Facilitate the development and implementation of staff development and parent education activities.

Role of the individual LEAs:

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The program directors(s) will provide direct instructional support to LEAs as requested or determined necessary.

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:

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:

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Document Location:

Description:

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:

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selected by one of the LEAs agreeing to the plan, and (3) one person selected by mutual agreement of the other two appointees within five days. The decision of the panel will be binding for all parties involved in the dispute.

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:

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:

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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*)

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|--------------------|---|
| Reference Number: | <input type="text" value="PM: 3"/> |
| Document Title: | <input type="text" value="Humboldt-Del Norte SELPA Special Education Procedural Manual"/> |
| Document Location: | <input type="text" value="https://hdnselpa.org/"/> |
| Description: | <p>The laws state that individuals between the ages of 18-21 who are incarcerated in an adult correctional facility are not entitled to a free appropriate public education (FAPE) if, in their educational placement prior to incarceration, they were determined not eligible for special education and did not have an IEP under Part B of the Individuals with Disabilities Education Act (IDEA)</p> <p>The district in which the incarcerated student's parents reside is responsible for providing free appropriate public education (FAPE) to incarcerated students with disabilities in a county jail who do not fall into the above exception. This obligation would extend to a child-find obligation for students under the age of 18 who are incarcerated in an adult facility.</p> |