

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



California Department of Education

Special Education Division

January 2020

SELPA

Fiscal Year

## B. Governance and Administration

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

### Participating Local Educational Agencies

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

### Special Education Local Plan Area—Local Plan Requirements

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

The Tustin Unified School District SELPA is a single district SELPA located in Orange County. There are approximately two thousand four hundred (2,300) students with disabilities enrolled in the SELPA, ages 0-21 years.

The Tustin Unified School District has an enrollment of approximately twenty-two thousand students who either reside within the Tustin Unified School District boundaries or attend on an inter-district permit. The geographical boundaries of the District include the cities of Tustin, northern parts of Irvine, and north-east parts of Santa Ana.

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 Tustin Unified School District SELPA is a Single District SELPA and is governed by the Board of Education of the Tustin Unified School District. The Board is comprised of five voting members. The Governing Board approves the Local Plan, which includes the Annual Budget and Services Plan, at public board meetings. The Governing Board is responsible for the special Education Programs operated within its jurisdiction. The Tustin Unified School District Board of Education: 1.) exercises authority over, assumes responsibility for, and is fiscally accountable for special education programs operated by the SELPA. 2.) participates in the governance of the SELPA through its designated representative, the Assistant Superintendent, Special Education/SELPA Director.

The Governing Board establishes District board policy, monitors student achievement, and also establishes annual District goals. The Governing Board approves the hiring of personnel, approves the budget and expenditures, and approves all other items under its purview. The Governing Board approves the hiring of the Assistant Superintendent, Special Education/SELPA Director, who reports directly to the District Superintendent. The Assistant Superintendent, Special Education/SELPA Director is tasked with the responsibility for ensuring that eligible students within the SELPA are provided with a free appropriate public education and that all federal and state requirements regarding students with disabilities, aged 3 through 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school, are met. Furthermore, the SELPA is responsible

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for administering services and programs for infants with solely visual, hearing, and severe orthopedic impairments and any combination thereof, who meet the criteria of Education Code.

The Tustin Unified School District is designated as its own Administrative Unit (AU) for the SELPA. It is responsible for administrative functions such as, but not limited to:

- Receipt and distribution of special education funds for the operation of special education programs and services;
- Receipt and distribution of special education funds to accounts exclusively established for SELPA use;
- The employment of necessary staff to support SELPA functions.

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 Tustin Unified School District receives funding from the State for the Local Plan Area. The District coordinates and provides services within the District using these resources, local contributions, and federal funds allocated for Special Education. Students eligible for special education services provided within the region are defined as those students physically residing within the geographic boundaries of the District, and students who are granted inter-district transfers. There are currently no charter schools authorized within the District boundaries.

The concept of regionalized services is to provide a continuum of options necessary to ensure that appropriate special education services to students with disabilities are available. The District will coordinate with the Orange County Office of Education for those students who require regionalized services offered outside the District, or to provide other necessary and appropriate services not available in the District.

“Regionalized services” does not mean that every service and placement required for students with disabilities must be available at each site. The concept of regionalized services is to ensure that, even for those services that are less frequently needed, the services will be available within the District or region at District expense. It further means that the District is responsible to provide those services required by a child’s Individual Education Program (IEP).

The District has elected to provide some special education services in regionalized settings. For example, for students with autism or other severe disabilities requiring more intensive or low incidence services regionalized services are those services only provided at selected sites within the District. Transportation is provided for any such student to receive those services who is not on an interdistrict transfer at parent request.

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 Orange County Department of Education provides support to the Tustin Unified School District SELPA in the following ways:

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- specialized programs for students with disabilities
- staff development
- legal and fiscal guidance
- Child Find support

Additionally, the County office of education is responsible for approving the local plan in accordance with EC 56140.

- Post on the Internet Web site of the county office any local plan, annual budget plan, annual service plan, and annual assurances support plan upon approval of the county office, and any updates or revisions to the plans upon approval of the county office.
- Initiate and submit to the Superintendent a countywide plan for special education that demonstrates the coordination of all local plans submitted pursuant to Section 56205 and that ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including, but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by districts, community schools operated by county offices of education, and juvenile court schools, will have access to appropriate special education programs and related services. However, a county office shall not be required to submit a countywide plan when all the districts within the county elect to submit a single local plan.
- Within 45 days, approve or disapprove any proposed local plan submitted by a district or group of districts within the county or counties. If approved, the county office shall submit the plan with comments and recommendations to the Superintendent. If disapproved, the county office shall return the plan with comments and recommendations to the district. The district may immediately appeal to the Superintendent to overrule the county office's disapproval. The Superintendent shall make a decision on an appeal within 30 days of receipt of the appeal. A local plan shall not be implemented without approval of the plan by the county office or a decision by the Superintendent to overrule the disapproval of the county office.

Approval shall be based on the capacity of the district or districts to ensure that special education programs and services are provided to all individuals with exceptional needs, and both of the following:

- Whether the local plan adheres to the guidelines established pursuant to Section 56122 for the development of local plans.
- Whether the local plan contains all of the required components as detailed in Section 56205.
- Participate in the state on-site review of the district's implementation of an approved local plan.
- Join with districts in the county that elect to submit a plan or plans pursuant to subdivision (c) of Section 56195.1. Any plan may include more than one county, and districts located in more than one county. Nothing in this subdivision shall be construed to limit the authority of a county office to enter into other agreements with these districts and other districts to provide services relating to the education of individuals with exceptional needs.

For each special education local plan area located within the jurisdiction of the county office of education that has submitted a revised local plan pursuant to Section 56836.03, the county office shall comply with Section 48850, as it relates to individuals with exceptional needs, by making available to agencies that place children in licensed children's institutions.

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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 a local educational agency, in the SELPA may not be treated any differently from a similar request made by a school district. In reviewing and approving a request by a charter school to participate as a local education agency in the SELPA, the following requirements shall apply pursuant to Education Code section 56207.5 and applicable Board Policies: The SELPA shall fully comply with County Office requirements under Education Code section 56140 The charter school shall participate in State and Federal funding for special education, and the allocation plan developed pursuant to Education Code requirements, in the same manner as the SELPA (See Education Code sections 56195.7 and 56836.05) The charter school shall participate in governance of the SELPA as provided in Education Code section 56207.5

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 Community Advisory Committee (CAC) for the Tustin Unified School District SELPA has been established in accordance with EC 5619 and has adopted by-laws consistent these requirements. The CAC is composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in schools, students and adults with disabilities, general and special education teachers, other school personnel, representatives of public and private agencies and persons concerned with the needs of individual with exceptional needs. The majority of the committee is composed of parents of students enrolled in the schools within the Local Plan Area (including charter schools) and a majority of parents of students with exceptional needs.

The Responsibilities of the Community Advisory Committee:

1. Advise in the development and review of the Local Plan
  2. Assist in parent and public education and in recruiting parents who may contribute to the implementation of the Local Plan
  3. Act in a support role to individuals and parents of individuals with exceptional needs
  4. Assist in recruiting volunteers who may contribute to parent activities and training
  5. Assisting in the development of parent awareness of the importance of regular school attendance.
- The CAC has regularly scheduled meetings no less than two times per year, and traditionally meet eight times per year. The CAC provides input on any proposed changes to the Local Plan. The Assistant Superintendent, Special Education/SELPA Director presents the CAC's input to the Superintendent or designee for consideration.

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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 Local Plan shall be developed and updated cooperatively by a committee of representatives of special and general education teachers and administrators, and representatives of SELPA charter schools selected by the groups they represent and with participation by parent members of the community advisory committee.

Within the Tustin Unified School District SELPA, the achievement of students with disabilities and special education program development is discussed in conjunction with the development of the annual Local Control Accountability Plan (LCAP). The LCAP committees include representatives from both general education and special education. Additionally, each year, the chair of the LCAP committee meets with the Special Education CAC and solicits their input regarding needs and priorities for students with disabilities.

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:

As a single district SELPA, the Responsible Local Agency (RLA) and the Administrative Unit (AU) are the Tustin Unified School District. The AU is governed by the Board of Education of the Tustin Unified School District. The Chief Business Official and the Assistant Superintendent, Special Education/SELPA Director or designee are responsible for monitoring on an annual basis the appropriate use of all funds allocated for special education programs. Final determinations and action regarding the appropriate use of special education funds shall be made through the Annual Budget Plan process. Funds allocated for special education programs shall be used for services to students 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:

In addition to providing a broad range of programs and services to students within the District attendance area, the SELPA may provide for the education of individual students in special education programs maintained by other districts or counties. Students who reside in other districts or counties may be included within the special education programs.

The SELPA shall develop written agreements to be entered into by entities participating in the Local Plan, if any. Such agreements need not be submitted to the State Superintendent.

The SELPA may develop written agreements including, but not limited to, the agreements listed in Education Code section 56195.7.

The Tustin Unified School District SELPA works collaboratively with the Orange County Department of Education (OCDE) and the Orange County SELPA administrators to develop an annual Master Contract

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and Service Agreement for students requiring placement in a certified nonpublic, nonsectarian school (NPS), or the services of a certified nonpublic agency (NPA). When the Tustin Unified School District SELPA contracts with a nonpublic, nonsectarian school, staff shall evaluate the placement of its student(s) in such schools on at least an annual basis as part of the annual IEP review. Staff shall review the master contract, the individual service agreement and the IEP to ensure that all services agreed upon and specified in the IEP are provided.

10. For multi-LEA local plans, specify:

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

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

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

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 Assistant Superintendent, Special Education/SELPA Director is hired, evaluated, and disciplined by the Superintendent of the Tustin Unified School District. The other District staff that support the local plan are hired, evaluated and disciplined in accordance with procedures developed and administered by the Human Resources Department.

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

As a single district SELPA, the special education funds are part of the adopted budget each year. All state and federal monies designated for special education are accrued and spent in accordance with the adopted annual budget and service plan and applicable state and federal requirements.

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c. The operation of special education programs:

Following a public hearing, the Governing Board approves the annual budget and service plan at a public annual meeting with the input of staff and community stakeholders. The Assistant Superintendent, Special Education/SELPA Director maintains responsibility for the oversight and operations of special education programs.

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

The Chief Business Official and the Assistant Superintendent, Special Education/SELPA Director or designee are responsible for monitoring on an annual basis the appropriate use of all funds allocated for special education programs. Final determinations and action regarding the appropriate use of special education funds shall be made through the Annual Budget Plan process. Funds allocated for special education programs shall be used for services to students with disabilities, and are part of the District annual audit process.

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 Tustin Unified School District strives to provide special education services and supports to students in the Least Restrictive Environment and to the extent possible, in a student's home school or school of choice. Unless a student's IEP team determines that a student requires a specialized program or placement that is not their home school or school of choice, specialized equipment and services follow students to their home school or school of choice.

**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:



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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

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No

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

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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:

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

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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:

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

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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

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

Policy/Procedure Number:

Document Title:

Document Location:

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"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

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**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

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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:

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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 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:

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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:

"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:

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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:

"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

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**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

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**Administration of Regionalized Operations and Services**



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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:

Description:

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2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

Description:

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

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Document Location: Tustin Unified SELPA Office

Description:

Procedural Safeguards are identified and explained within Volume 1 of the Special Education Policies and Procedures Manual and are provided to parents upon referral to special education for assessment and at least once annually at their student's IEP meeting.

Coordinators (Program Specialists) : Assure procedural safeguards by providing technical assistance and guidance on procedural safeguards, forms, and procedures to parents and school staff. They provide alternate dispute resolution support as requested by parents.

RLA/LEA: The LEA provides procedural safeguards to parents consistent with the education code, assists parents with understanding, ensures that they are implemented and maintains a copy on its website. They ensure parents receive written notice of their rights in the language easily understood by the general public and in the primary language of the parent/guardian or other mode of communication used by the parent/guardian, unless to do so is clearly not feasible. These shall include but not be limited to , those rights prescribed by Education Code 56341.(Education Code 56341, 56506; 34CRF 300.503).

A procedural safeguards notice shall be made available to parents/guardians of students with a disability annually and upon: (20 USC 1415 (d)) 1. Initial referral for evaluation, 2. Each notification of an IEP meeting, 3. Reevaluation of the student, and 4. Registration of a complaint. This notice shall include information on the procedures for requesting an informal meeting, a resolution session, a pre-hearing mediation conference, a mediation conference, or a due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; and the right of the parent/guardian and/or the district to electronically record the proceedings of IEP meetings in accordance with Education Code 56341. A copy of this notice shall be attached to the student's assessment plan and referred to at each annual IEP meeting. (Education Code 56321, 56321.5)

In addition, this notice shall include the procedural safeguards relating to: independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints; the student's placement while due process proceedings are pending; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parent/guardians of students in private schools at public expense; mediation; due process hearings; and state level complaints.

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

Reference Number:	Volume 1; Section I and Appendix H; Volume 2, Section C.4 and D
Document Title:	Policies and Procedures Manual; Volume 1 and 2
Document Location:	Tustin Unified SELPA Office
Description:	<p>All personnel in the SELPA are to be provided opportunities for training designed to ensure delivery of services to identified students and their families.</p> <p>Coordinators (Program Specialists) : In coordination with SELPA Director, conduct staff development with school staff and parents, the Community Advisory Committee, and others, based on needs assessments.</p> <p>RLA/LEA: The LEA ensures implementation of the Local Plan through administrative support and allocation of fiscal resources.</p> <p>SELPA Director: Develops and implements plans for providing staff development opportunities to staff, parents, the Community Advisory Committee(CAC), and others as indicated.</p>

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

Reference Number:	Volume 1; Section XIII and Volume 2, Section C.5, and D
Document Title:	Policies and Procedures Manual; Volume 1 and 2
Document Location:	Tustin Unified SELPA Office
Description:	<p>Through the IEP process, students participate in the core curriculum with supplementary aids and services, as appropriate. Student progress in the core curriculum is monitored on a continuous basis and is curriculum based.</p> <p>Coordinators (Program Specialists) : To ensure the focus on implementation of the core curriculum, program specialists coordinate instructional planning between general and special education staff.</p> <p>RLA/LEA: The School Board ensures implementation of the Least Restrictive Environment board policy that supports alignment with the core curriculum for students with disabilities. Through its administrative</p>

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function, the LEA ensures coordination of curriculum development between general and special education.

SELPA Director: Coordinates the development and implementation of the SELPA program and student outcomes and ensures access to coordinated aligned curriculum for students with disabilities.

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:

Document Title:

Document Location:

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Description:

RLA/LEA: Within its accountability purview, administration monitors data and provides administrative and technical support for the data management system. It is the policy of the LEA to comply with the requirements of the performance goals and indicators developed by the CDE and to provide required data. As such, the School Board and designee adopt and approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the CDE.

SELPA Director: Implements and manages a data management system. Coordinates and approves the SELPA California Longitudinal (CALPADS) data submission. Utilizes data systems to improve achievement of students with disabilities.

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Description:

Coordinators (Program Specialists): As needed, will provide school based IEP teams with information on services for students with disabilities that are available through interagency agreements.

RLA/LEA: Approves and ensures implementation of interagency agreements as appropriate.

SELPA Director: Ensures that interagency agreements are in place as required by California Education Code, and provides technical assistance and dispute resolution as needed.

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

Coordinators (Program Specialists): Assure that pupils have full educational opportunity regardless of the district of special education accountability.

RLA/LEA: Tustin SELPA LEA may provide for the education of

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Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:



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Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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15. Assurance of full educational opportunity:

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:

Description:

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the annual budget plan and oversees implementation of all special education programs. Through administrative oversight procedures, the SELPA Director approves all special education expenditures and designates budget funding sources. The SELPA Director is responsible to prepare and submit all fiscal/accounting reports as required by the CDE.

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

Reference Number: Volume 2, Section C.17 and D

Document Title: Policies and Procedures Manual; Volume 1 and 2

Document Location: Tustin Unified SELPA Office

Description: 

Coordinators (Program Specialists): Shall provide direct instructional support within all programs for students with disabilities in accordance with their expertise and assignments by the Assistant Superintendent/ SELPA Director or designee.

(a) A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization and has advanced training and related experience in the education of individuals with exceptional needs and a specialized in-depth knowledge in preschool disabilities, career vocational development, or one or more areas of major disabling conditions.

A program specialist may do all the following:

- (1) Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
- 2) Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
- (3) Participate in each school’s staff development, program development, and innovation of special methods and approaches.
- (4) Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise.
- (5) Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence. *EC* Section 56368

**Special Education Local Plan Area Services**

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

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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:

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:

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Document Location:

Description:

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:

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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:

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*)

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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: