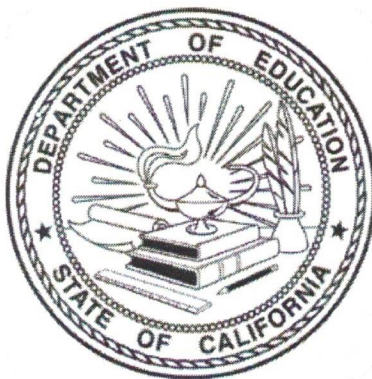


LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

SELPA North Region

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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 geographic service area of the North Region SELPA includes the geographic boundaries of the Alameda Unified School District, the Albany Unified School District, the Berkeley Unified School District, the Emery Unified School District, and the Piedmont Unified School District.

2. Describe the SELPA regional governance and administrative structure of the local plan.

Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:

The North Region Special Education Local Plan Area (SELPA) is a multi-district SELPA comprised of five local educational agencies (LEAs) joined together to provide for the coordinated delivery of programs and services to students with disabilities. In adopting the Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan and to ensure equal access to programs and services to eligible persons requiring special education in the service region.

The governance and administrative structure of the SELPA is established by agreement among the school boards of the member LEAs. The governance structure consists of the Administrative Unit, the SELPA Director, the LEA School Boards, the Policy Board, the Community Advisory Committee. The SELPA Director may convene additional advisory committees.

The Albany Unified School District is designated as the Administrative Unit (AU) for the North Region SELPA. The AU is the SELPA's fiscal agent and a written agreement is maintained by the Policy Board that describes the AU responsibilities for implementing the following functions:

- a. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law
- b. Administrative support of the SELPA, including payroll, benefits, information technology, expenditure accounting, and ensuring that facilities to house and operate the SELPA are provided by a member district.
- c. Employment of SELPA staff to coordinate implementation of the Local Plan, including human resource activities required to recruit, interview, and start new employees.

The SELPA Director is responsible for coordination of the SELPA and implementation of the Local Plan. The SELPA Director assures equal access to all programs and services in the SELPA and provides information and guidance to members of the public (including parents or guardians of students with disabilities who are receiving services under the Local Plan) on the availability of established due process and legal service

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options and procedures. In cooperation with the State Department of Education, the SELPA Director provides information to assure that all students receiving special education services receive due process of law. Specific duties include, but are not limited to:

- a. Coordinate Local Plan development and amendments
- b. Develop and monitor Interagency agreements
- c. Develop and monitor non-public school/agency contracts and services
- d. Determine and evaluate SELPA Program Specialist services
- e. Complete program review, data collection, and evaluation
- f. Assist LEAs with curriculum and program development
- g. Hire, monitor and evaluate SELPA personnel
- h. Coordinate and conduct staff development
- i. Allocate special education fiscal resources
- j. Compile and submit to the state special education fiscal reports
- k. Maintain special education policies and procedures documentation and recommend new policy and procedure updates for Policy Board approval
- l. Participate in dispute resolution
- m. Coordinate necessary services for individuals with disabilities among LEAs
- n. Provide LEAs with technical assistance to meet special education compliance requirements
- o. Consult with LEAs to ensure students with disabilities are appropriately represented in Local Control Accountability Plans
- p. Advocate for legislation that supports special education policy and funding
- q. Facilitate member LEAs to communicate and collaborate on common goals
- r. Inform the Policy Board, CAC, and LEAs of legislative and fiscal changes, proposals, trends, and concerns related to the provision of services for students with disabilities.

The school board of each LEA shall approve its participation in the North Region Local Plan for Special Education. The local school board responsibilities include, but are not limited to:

- a. Adoption of the Local Plan
- b. Adoption of SELPA policies and procedures for special education programs and services within their districts
- c. LEA compliance with all elements of the Local Plan, including policies and procedures approved by the SELPA Policy Board.
- d. Approval of district-specific modifications to SELPA policies and procedures
- e. Input on SELPA policies and procedures through the Superintendent of the LEA
- f. Appointment of one individual per LEA to the CAC and receiving recommendations from the CAC representative

The Policy Board is made up of the Superintendents from each of the five districts. A quorum shall consist of three members. A chair and vice-chair shall be elected annually. The SELPA Director is an ex-officio member. The Policy Board meets a minimum of four times per school year. All meetings of the policy board shall be held according to law and the Brown Act. The notice, agenda, and minutes of all regular meetings shall be provided to all district Superintendents and published on the SELPA website. It is the responsibility of the Policy Board to review and approve amendments to the Local Plan, the SELPA annual service and budget plans, program transfers, and any changes in the income distribution model. The Policy Board provides input to and approves the evaluation of the SELPA Director. All Policy Board members have one vote and decisions will be made by a majority vote except in circumstances where state or federal mandates require a unanimous vote.

The Policy Board shall:

- a. Coordinate and implement the SELPA Local Plan

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- b. Approve policy and procedures for the SELPA
- c. Select and evaluate the SELPA Director
- d. Approve an agreement with Administrative Unit for services
- e. Adopt an operations budget for the SELPA including regionalized services and program specialist funds at an annual cost not to exceed the available funds for such service
- f. Approve interagency agreements
- g. Approve the Local Plan, Annual Budget Plan, and Annual Service Plan
- h. Monitor compliance as required by law
- i. Provide for an annual audit of all income and expenditures, as required by law
- j. Receive recommendations from the Community Advisory Committee, SELPA Director, LEA Boards, and other concerned agencies and individuals
- k. Decide disputes, if any, between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan and other agreements or policies between or among the LEAs

The North Region SELPA Community Advisory Committee (CAC) serves in an advisory capacity. CAC membership includes parents of individuals with disabilities enrolled in public or private schools, parents of other students enrolled in school, students with disabilities, adults with disabilities, general education teachers, special education teachers, other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with disabilities. At least a majority of the CAC shall be composed of parents of students enrolled in schools participating in the Local Plan and at least a majority of such parents shall be parents of individuals with disabilities. One CAC member shall be appointed by each Local Education Agency (LEA) school board. The LEAs are the five member school districts in the SELPA. The SELPA Director or SELPA designee serves as a nonvoting ex officio member of the CAC and acts

as the liaison between the CAC and the SELPA Policy Board.

CAC responsibilities include:

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

The CAC shall have regularly scheduled meetings at least once every two months for ten months a year. The SELPA Director/designee will present the CAC's input to the Policy Board for consideration. Announcements of CAC meetings and activities will be distributed to parents of children with disabilities in the SELPA and posted on the SELPA website.

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 maintains special education policies and procedures documentation and recommends new policy and procedure updates for Policy Board approval.

The Policy Board approves policy for the SELPA. The Policy Board is made up of the Superintendents from each of the five districts. The Policy Board meets a minimum of four times per school year. All meetings of the

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policy board shall be held according to law and the Brown Act. The notice, agenda, and minutes of all regular meetings shall be provided to all district Superintendents and published on the SELPA website. All policy board members have one vote and decisions will be made by a majority vote except in circumstances where state or federal mandates require a unanimous vote.

The school board of each LEA shall approve its participation in the North Region Local Plan for special education. The local school board responsibilities include, but are not limited to adoption of the Local Plan, LEA compliance with all elements of the Local Plan, adoption of policies and procedures for special education programs and services within their districts, (including policies and procedures approved by the SELPA Policy Board), input on SELPA policies and procedures through the Superintendent of the LEA, approval of district-specific modifications to SELPA policies and procedures, and appointment of one individual per LEA to the CAC.

Superintendents of each LEA are responsible to their respective school boards. In addition, the Superintendents serve as members of the SELPA Policy Board, assist in the identification of special education program and service needs for the North Region SELPA through participation on the Policy Board, and communicate SELPA information to their school boards. LEA Superintendents are responsible to implement special education policies and procedures approved by the Policy Board. Superintendents will consult with the SELPA Director to ensure students with disabilities are appropriately represented in LCAP goals.

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 Alameda County Office of Education complies with Local Plan administration and implementation requirements defined in California Education Code 56140.

Special education funding allocations to LEAs are made according to state and federal funding regulations and SELPA policy. Funding distributions are processed through the Alameda County Office of Education for apportionment directly to the LEAs. The Alameda County Office of Education provides special education pass through funds accounting.

Member districts maintain a Memorandum of Understanding with the Alameda County Office of Education that defines procedures for placement and delivery of services to students identified as eligible for special education and placed by the school district in a county Community/Alternative Education school.

The Albany Unified School District is designated as the Administrative Unit (AU) for the North Region SELPA. The AU is the SELPA's fiscal agent and a written agreement is maintained by the Policy Board that describes the AU responsibilities for implementing the following functions:

- a. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law
- b. Administrative support of the SELPA including payroll, benefits, information technology, expenditure accounting, and ensuring that facilities to house and operate the SELPA are provided by a member district.
- c. Employment of SELPA staff to coordinate implementation of the Local Plan, including human resource activities required to recruit, interview, and start new employees.

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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:

Special education and related services shall be provided to all eligible individuals within North Region Alameda County SELPA in accordance with this Local Plan. Students enrolled in charter schools chartered within this SELPA shall receive services in a manner similar to students enrolled in member districts within the SELPA. The charter schools will follow all requirements of state and federal law regarding provision of special education services

Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the status of the individual charter school. For the provision of special education services, charter schools may be categorized as either a separate LEA or a Public Charter School within a district. All approved charter schools will be deemed public schools within a district unless the charter school has been deemed an LEA by the SELPA Policy Board and approved by the County Superintendent of Schools. A request by a charter school to participate as an LEA in the North Region SELPA will not be treated differently from a similar request made by a school district. In reviewing and approving such a request, the following requirements shall apply:

- a. The charter school shall participate in state and federal funding for special education and receive funding in the same manner as other LEAs of the North Region SELPA as specified in the North Region SELPA income distribution model.
- b. The charter school shall participate in the governance of the North Region SELPA in the same manner as other LEAs of the North Region SELPA.
- c. The addition of new members to the North Region SELPA, as approved by the Policy Board, shall be followed by an amendment to the local plan.

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 North Region SELPA Community Advisory Committee (CAC) serves in an advisory capacity. CAC membership includes parents of individuals with disabilities enrolled in public or private schools, parents of other students enrolled in school, students with disabilities, adults with disabilities, general education teachers, special education teachers, other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with disabilities. At least a majority of the CAC shall be composed of parents of students enrolled in schools participating in the Local Plan and at least a majority of such parents shall be parents of individuals with disabilities.

One CAC member shall be appointed by each Local Education Agency (LEA) school board. The LEAs are the five member school districts in the SELPA. The SELPA Director or SELPA designee serves as a nonvoting ex officio member of the CAC and acts as the liaison between the CAC and the SELPA Policy Board.

CAC responsibilities include:

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

The CAC shall have regularly scheduled meetings at least once every two months for ten months a year. The

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SELPA Director/designee will present the CAC's input to the Policy Board for consideration. Announcements of CAC meetings and activities will be distributed to parents of children with disabilities in the SELPA and posted on the SELPA website.

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

The SELPA will review the Local Plan at least every three years and update the plan as needed to ensure information remains accurate and relevant. The North Region SELPA Director shall be responsible for coordinating any proposed amendments to the Local Plan.

Amendments to the permanent portion of the Local Plan may be considered at any time. The Policy Board may approve changes to the Local Plan on an interim basis, not to exceed one school year. To formally approve proposed and interim amendments the following procedure shall be followed:

- a. Input and recommendations from special and regular education teachers and administrators as well as CAC representatives shall be obtained regarding the proposed or interim amendments to the Local Plan.
- b. The CAC and other advisory groups as determined appropriate by the North Region SELPA Director will review the recommended amendments to the Local Plan, and provide additional input and revision, if needed.
- c. The Policy Board will review the recommended amendments, propose any final revisions, and submit the final draft to the Policy Board for approval.
- d. The Policy Board will review and approve the final draft amendments of the Local Plan and submit to the LEA school boards for approval.
- e. LEA school boards will review and take action on the recommended amendments to the Local Plan within 45 days of submission from the Policy Board.
- f. Amendments require the approval of each LEA school board and the county office of education.

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

The Albany Unified School District is designated as the Administrative Unit (AU) for the North Region SELPA. The AU is the SELPA's fiscal agent and a written agreement is maintained by the Policy Board that describes the AU responsibilities for implementing the following functions:

- a. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law
- b. Administrative support of the SELPA, including payroll, benefits, information technology, expenditure accounting, and ensuring that facilities to house and operate the SELPA are provided by a member district.
- c. Employment of SELPA staff to coordinate implementation of the Local Plan including human resource activities required to recruit, interview, and start new employees.

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

The Albany Unified School District is designated as the Administrative Unit (AU) for the North Region SELPA. The AU is the SELPA's fiscal agent and a written agreement is maintained by the Policy Board that describes the AU responsibilities for implementing the following functions:

- a. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law
- b. Administrative support of the SELPA, including payroll, benefits, information technology, expenditure accounting, and ensuring that facilities to house and operate the SELPA are provided by a member district.
- c. Employment of SELPA staff to coordinate implementation of the Local Plan, including human resource activities required to recruit, interview, and start new employees.

Interagency agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed between the North Region SELPA and the following agencies and will be followed by member school districts:

- a. Regional Center of the East Bay
- b. California Children's Services
- c. Early Head Start/YMCA of the East Bay

Other interagency agreements will be developed as needed. Copies of these documents can be requested through the North Region SELPA office.

Each district of special education accountability is responsible for providing special education programs and services to the students within their jurisdiction. However, when a school district is unable to provide an appropriate program or service, it shall arrange for an appropriate placement/service through an Individual Education Program (IEP) team meeting with other agencies as required to meet the needs of the student. The North Region SELPA facilitates written placement and billing agreements between one member district to provide placement for a student from another member district. Districts may also place students if necessary to provide a free appropriate public education at nonsectarian schools (NPS) or provide services through nonpublic, nonsectarian agencies (NPA). The North Region SELPA develops (in coordination with other Bay Area SELPAs) a Master Contract and Individual Service Agreement template that member school districts use to document terms and conditions for contractual agreements between the districts and NPSs or NPAs that are certified by the CDE. LEA board approval is obtained for master contracts with nonpublic schools and agencies that provide special education and/or related services to students that reside within the SELPA. Nonpublic schools and agencies are responsible to meet the terms of the master contract.

A Memorandum of Understanding is maintained between the Alameda Unified School District and Children's Hospital Parent Infant Program for the provision of special education services to infants with developmental disabilities.

Member districts maintain a Memorandum of Understanding with the Alameda County Office of Education that defines procedures for placement and delivery of services to students identified as eligible for special education and placed by the school district in a county Community/Alternative Education school.

Member districts that wish to have the option of providing Educationally Related Mental Health Services

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through Alameda County Behavioral Health maintain a Memorandum of Understanding with Alameda County Behavioral Health.

There are no contractual agreements that supersede Education Code.

The North Region SELPA's system for determining the responsibility of participating agencies for the education of each student with a disability residing within the geographical area served by the plan include:

- a. LEA input from each Superintendent through their role on the SELPA Policy Board
- b. SELPA Director obtains input from special education administrators in each LEA
- c. Community Advisory Committee input
- d. Collaboration with and input from outside agencies and other LEAs

10. For multi-LEA local plans, specify:

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

The school board of each LEA shall approve its participation in the North Region Local Plan for Special Education and comply with all elements of the Local Plan. The local school board responsibilities include, but are not limited to approval of the Local Plan, adoption of policies and procedures for special education programs and services within their districts, and input on SELPA policies and procedures through the Superintendent of the LEA.

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

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

- a. Serve as a member of the SELPA Policy Board
- b. Assist in the identification of special education program and service needs for the North Region SELPA through participation on the Policy Board
- c. Communicate SELPA information to their school boards
- d. Implement special education policies and procedures approved by the Policy Board.
- e. Ensure Local Plan implementation in their respective LEAs

The Alameda County Office of Education complies with Local Plan administration and implementation requirements defined in California Education Code 56140.

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

The North Region Special Education Local Plan Area (SELPA) is a multi-district SELPA comprised of five local educational agencies (LEAs) joined together to provide for the coordinated delivery of programs and services to students with disabilities. In adopting the Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan and to ensure equal access to programs and services to eligible persons requiring special education in the service region.

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The school board of each LEA shall approve its participation in the North Region Local Plan for Special Education. The local school board responsibilities include, but are not limited to:

- a. Adoption of the Local Plan
- b. Adoption of SELPA policies and procedures for special education programs and services within their districts
- c. LEA compliance with all elements of the Local Plan, including policies and procedures approved by the SELPA Policy Board.
- d. Input on SELPA policies and procedures through the Superintendent of the LEA
- e. Approval of district-specific modifications to SELPA policies and procedures
- f. Appointment of one individual per LEA to the CAC

LEA administrators and staff coordinate and implement special education services and programs within their respective LEA. LEAs monitor IEPs for compliance with state and federal law, engage in Child Find, ensure students with disabilities have access to an educational program in the least restrictive environment, and ensure special education expenditures align with federal and state law.

The Alameda County Office of Education complies with Local Plan administration and implementation requirements defined in California Education Code 56140.



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 Albany Unified School District is designated as the Administrative Unit (AU) for the North Region SELPA. The AU is responsible for administrative support of the SELPA and employment of SELPA staff to coordinate implementation of the Local Plan, including human resource activities required to recruit, interview, and start new employees.

The SELPA Director hires, monitors and evaluates SELPA personnel.

The Policy Board is made up of the Superintendents from each of the five districts. The selection of a candidate for the position of SELPA Director shall be the responsibility of the Policy Board. The Policy Board conducts and approves the evaluation and discipline of the SELPA Director.

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

An income distribution model has been adopted by the North Region SELPA and shall be reviewed and revised as necessary to align with changes in federal, state, and local requirements. The model distributes all funds pursuant to applicable state and federal regulations, as well as SELPA policy.

The AU is the SELPA's fiscal agent and is responsible for receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law.

The SELPA Director develops allocation spreadsheets twice annually at state funding certification timeframes to communicate accurate allocations and adjustments to the county, the AU, and the LEAs.

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The LEAs allocate and adjust special education funds according to the allocations defined by the SELPA twice annually.

c. The operation of special education programs:

The SELPA Director assures equal access to all programs and services in the SELPA and provides information and guidance to members of the public, including parents or guardians of individuals with disabilities who are receiving services under the Local Plan, on the availability of established due process and legal service options and procedures. In cooperation with the State Department of Education, the SELPA Director provides information to assure that all special education pupils receive due process of law. The SELPA Director shall provide LEAs with technical assistance to meet special education compliance requirements and consult with LEAs to ensure students with disabilities are appropriately represented in Local Control Accountability Plans.

Board policy of each LEA member of the North Region SELPA Local Plan shall indicate that the LEA is responsible for educating children with disabilities in the least restrictive environment. Placement in separate special education programs or services occurs only when the nature or severity of the disability is such that the child's education, even with the use of modifications of the general education program or use of supplementary aids or programs, cannot be achieved satisfactorily. Children with disabilities are served in their home districts whenever the needs identified on the individualized education program can be met within the home district. However, it is recognized that some students have unique educational needs that cannot be met in their home districts. Because of such identified unique educational needs, some students receive services from other districts within the SELPA. LEA responsibilities include, but are not limited to:

- a. Coordinating and conducting child find activities
- b. Developing and providing programs and services for all eligible students residing in the district and for students at private schools located in the district
- c. Identifying and serving students in medical, foster or LCI facilities
- d. Participating in state/district-wide assessments
- e. Operating all special education programs and services in accordance with state and federal laws and regulations
- f. Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings
- g. Utilizing the same special education information system, forms, procedures and guidelines as all other districts within the SELPA.
- h. Collecting and completing state and federal report requirements; including self-reviews, comprehensive reviews, and data entry, data integrity and approval of special education CALPADS reports.

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

An income distribution model has been adopted by the North Region SELPA that distributes all funds pursuant to applicable state and federal regulations

The AU is the SELPA's fiscal agent and will maintain accounting records for the receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law.

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The SELPA Director will submit fiscal reports to the state according to federal regulations, state funding model, and SELPA policy. Records of reports are maintained in the SELPA office.

LEAs will maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than that of the prior year (Maintenance of Effort), in compliance with state and federal mandates. Each LEA will provide accounting of special education expenditures according to state and federal funding regulations and SELPA policy. LEAs will provide grant expenditure reports and other required special education fiscal reports to the SELPA.

The Policy Board is made up of the Superintendents from each of the five districts. It is the responsibility of the Policy Board to review and approve amendments to the Local Plan, the SELPA budget plans and any changes in the income distribution model. The Policy Board shall:

- a. Approve an operations budget for the SELPA including regionalized services and program specialist funds at an annual cost not to exceed the available funds for such service
- b. Approve the Annual Budget Plan for submission to the state
- c. Provide for an annual audit of all income and expenditures, as required by law

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

Specialized equipment and services, including books, materials, and supplies for students with low incidence disabilities as well as assistive technology for students who require it will be provided at the site where the Individual Education Program (IEP) team determined provides the student with a free appropriate public education in the least restrictive environment. Funding for specialized equipment and services is intended to supplement, not supplant, funding for equipment and services provided in the general education program.

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: BP 0430

Document Title: Comprehensive Local Plan for Special Education

Document Location: SELPA Policy Binder located in the SELPA and District offices

"It shall be the policy of this LEA that a free appropriate public education is available to all children

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with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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:

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Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"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)

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Policy/Procedure Number: AR 6164.4

Document Title: Identification and Evaluation of Individuals or Special Education

Document Location: SELPA Policy Binder located in the SELPA and District offices

"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: NA

Document Title: North Region SELPA Procedural Guidelines Handbook, "Confidentiality of Student Records"

Document Location: SELPA office and online in the special education information system (SEIS)

"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: NA

Document Title: Interagency Agreement Between Regional Center East Bay and Alameda and Contra Costa County SELPAs

Document Location: SELPA and District offices

"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

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

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:

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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

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:

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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

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:

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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

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)

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Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ 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

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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: North Region SELPA Board Policy #2800

Document Title: Regional Operations/Services Roles and Responsibilities

Document Location: SELPA Policy binder on file in SELPA and District offices.

Also see Administrative Unit Agreement located in SELPA office.

In order to implement the local plan, the Program Specialist shall be considered a "school official and employee" in regards to access to student records. The Program Specialist may do all of the following:

- a. Assist in supervision of selected support staff within the member districts to assure quality services are provided to students and parents.
- b. Serve as liaison between member districts, SELPA, and other public agencies to ensure timely services are provided.
- c. Assist districts in monitoring compliance with state and federal laws.
- d. Assist in the development of SELPA policies, Local Plan, and procedures related to the provision of special education and related services.
- e. Provide coordination and consultation in program development within member districts.
- f. Assist with placement of students outside of their districts of residence into member districts, neighboring SELPAs, or nonpublic schools.

The Albany Unified School District is designated as the Administrative Unit (AU) for the North Region SELPA. The AU is the SELPA's fiscal agent and a written agreement is maintained by the Policy Board that describes the AU responsibilities for implementing the following functions:

- a. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law
- b. Administrative support of the SELPA, including payroll, benefits, information technology, expenditure accounting, and ensuring that facilities to house and operate the SELPA are provided by a member district.
- c. Employment of SELPA staff to coordinate implementation of the Local Plan, including human resource activities required to recruit, interview, and start new employees.

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Description:

The SELPA Director assures equal access to all programs and services in the SELPA and provides information and guidance to members of the public, including parents or guardians of individuals with disabilities who are receiving services under the Local Plan, on the availability of established due process and legal service options and procedures. In cooperation with the State Department of Education, the SELPA Director provides information to assure that all special education pupils receive due process of law. Specific duties include, but are not limited to coordinating Local Plan development and implementation. The SELPA Director will make recommendations to the Policy Board when revisions are needed and coordinate amendments to the Local Plan. The SELPA Director facilitates development and approval of SELPA policies and procedures required to implement the Local Plan. In order to implement the local plan, the SELPA Director shall be considered a "school official and employee" in regards to access to student records.

LEAs will ensure a full continuum of service is available to provide a free appropriate public education to all students with disabilities for whom they are responsible. The school board of each LEA shall approve its participation in the North Region Local Plan for Special Education. The local school board responsibilities include, but are not limited to:

- a. Approval of the Local Plan
- b. Adoption of policies and procedures for special education programs and services within their districts
- c. LEA compliance with all elements of the Local Plan, including policies and procedures approved by the SELPA Policy Board.
- d. Input on SELPA policies and procedures through the Superintendent of the LEA
- e. Approval of district-specific modifications to SELPA policies and procedures
- f. Appointment of one individual per LEA to the CAC

2. Coordinated system of identification and assessment:

Reference Number:

North Region SELPA Board Policy #6164.4

Document Title:

Identification and Evaluation of Individuals for Special Education

Document Location:

SELPA Policy Binder on file in SELPA and District offices

Description:

The SELPA Director will provide support to LEAs, guidance to parents, policies and procedures to LEAs, and appropriate Interagency Agreements to support a coordinated system of identification and assessment across the SELPA.

Each LEA is responsible to coordinate and conduct child find activities to ensure all

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children within their jurisdiction suspected of having a disability are identified and assessed, including students in medical facilities, foster homes, LCI facilities, and private schools

3. Coordinated system of procedural safeguards:

Reference Number: North Region SELPA BP and AR #6159.1

Document Title: Procedural Safeguards and Complaints for Special Education

Document Location: SELPA Policy binder on file in SELPA and District offices

Description:

The SELPA provides a coordinated system of procedural safeguards including alternative dispute resolution services to LEAs and families.

The SELPA Program Specialist provides parents with a copy of their procedural safeguards upon request, assists families to understand procedural safeguards and assists them to file complaints when required. The Program Specialist ensures procedural safeguards by providing technical assistance to LEAs on forms and procedures related to assessment, identification, and placement.

The SELPA Director provides parents with a copy of their procedural safeguards upon request and maintains a copy on the SELPA website. The SELPA Director assists families to understand procedural safeguards and assists them to file complaints when required. The SELPA Director ensures procedural safeguards by providing technical assistance to LEAs on forms and procedures related to assessment, identification, and placement.

The LEAs provide procedural safeguards in writing to families consistent with Education Code, ensures the safeguards are implemented, assists families to understand procedural safeguards and assists them to file complaints when required.

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

Reference Number: North Region SELPA Board Policy #4100

Document Title: Comprehensive System of Staff Development

Document Location: SELPA binder on file in SELPA and District offices

The SELPA provides a coordinated system of staff development and parent education.

The SELPA Program Specialist plans and implements staff development

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Description:

based on annual needs assessment with LEA administrators as required or determined appropriate for each LEA.

The SELPA Director provides training and support as required or determined appropriate for each LEA.

Each LEA determines their staff development and parent/guardian education local needs and seeks technical assistance or input from the SELPA as needed.

The Community Advisory Committee (CAC) provides regular parent education events based on annual needs assessment.

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

Reference Number:

North Region SELPA Board Policy #2800

Document Title:

Regional Operations/Services Roles and Responsibilities

Document Location:

SELPA binder on file in SELPA and District offices

Description:

The SELPA supports a coordinated system of curriculum development and alignment with the core curriculum among member LEAs.

The North Region SELPA Program Specialist assists LEAs in the identification, selection, and use of instructional materials, curriculum and methodologies.

The SELPA Director provides technical assistance and staff development as required or determined appropriate to assist LEAs with curriculum and program development

Each LEA Superintendent will consult with the SELPA Director to assure each LEA's Local Control Accountability Plan (LCAP) appropriately aligns learning opportunities for students with disabilities with the core curriculum.

Each LEA shall ensure that students with disabilities will have access to instructional materials, support, and all required core curriculum including state adopted core curriculum and supplementary materials.

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

Reference Number:

North Region SELPA Board Policy #2400

Document Title:

Program Certification

Document Location:

SELPA Policy binder on file in SELPA and district offices

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Description:

The SELPA Director conducts an annual Program Certification process that includes a review of data trends from previous years and consultation on options for the current year with each LEA's special education administrator, business official, and other LEA staff at the LEA's request. The data review includes students, services, personnel, expenses, assessment, and resources.

The SELPA Program Specialist may contribute to the Program Certification data collection and analysis process. The Program Specialist evaluates the effectiveness of programs for students with disabilities as requested or determined necessary.

Each participating LEA agrees to carry out the duties and responsibilities assigned to it within the Local Plan and to ensure equal access to programs and services to eligible persons requiring special education in the service region. Each LEA reviews and monitors Annual Performance Reports, California School Dashboard outcomes, and other data sources to ensure students with disabilities receive a free, appropriate, public education. LEAs engage in additional monitoring and reporting activities as required by the California Department of Education.

7. Coordinated system of data collection and management:

Reference Number:

North Region SELPA Board Policy #2500

Document Title:

Data Collection

Document Location:

SELPA Policy binder on file in SELPA and District offices

Description:

The SELPA provides a coordinated system of data collection and management and directly approves California Longitudinal Assessment and Pupil Data System (CALPADS) special education reports as required by the California Department of Education. The SELPA provides technical assistance and training to LEAs as requested and/or deemed necessary by the SELPA.

The LEA responsibilities include, but are not limited to:

- a. Utilizing the same special education management information system, forms, procedures and guidelines as all other districts within the SELPA.
- b. Collecting and completing state and federal report requirements; including self-reviews, comprehensive reviews, and data entry, data integrity and approval of special education CALPADS reports.

8. Coordination of interagency agreements:

Reference Number:

North Region SELPA Board Policy #1200

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Document Title: Coordination with other Agencies

Document Location: SELPA Policy Binder in SELPA and District offices

Description:

Interagency agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed with the following agencies:

- a. Regional Center of the East Bay
- b. California Children's Services
- c. Early Head Start/YMCA of the East Bay

Other interagency agreements will be developed as needed. Copies of these documents can be requested through the North Region SELPA office.

The SELPA Director coordinates interagency agreements and serves on committees when interagency agreements are being developed, reviewed, and/or revised. The SELPA Director ensures that interagency agreements are in place as required by Education Code and also provides technical assistance and dispute resolution as needed.

LEAs approve interagency agreements through their Superintendent representative on the Policy Board. LEAs implement the terms of interagency agreements as applicable.

9. Coordination of services to medical facilities:

Reference Number: NA

Document Title: North Region SELPA Procedural Guidelines Handbook, "Placement and Services for Students"

Document Location: SELPA office and online in the special education information system (SEIS)

Description:

The SELPA facilitates services to medical facilities by the designated LEA and assures full educational opportunity regardless of district of special education accountability.

LEAs identify and serve students with disabilities who are placed in public hospitals, state licensed children's hospitals, psychiatric hospitals, proprietary hospitals, or other health facilities for medical purposes that are located in within their district.

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

Reference Number: NA

Document Title: North Region SELPA Procedural Guidelines Handbook, "Foster and Homeless"

Document Location: SELPA office and online in the special education information system (SEIS)

Description: The SELPA facilitates services to licensed children's institutions and foster homes by the designated LEA and assures full educational opportunity regardless of district of residence.

Description: Special education services for students with disabilities residing in foster family homes or licensed children's institutions are the responsibility of the district in which the foster family home or licensed children's institution is located, unless based on Education Code there is another district of special education accountability which is responsible.

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

Reference Number: North Region SELPA Board Policy #2500

Document Title: Data Collection

Document Location: SELPA Policy binder on file in SELPA and District offices

Description: The SELPA ensures timely preparation and transmission of required SELPA reports and provide technical assistance to LEAs completing those reports.

Description: Each LEA prepares and submits timely data in order for the SELPA to submit timely reports.

12. Fiscal and logistical support of the CAC:

Reference Number: North Region SELPA Policy #1100

Document Title: Community Advisory Committee

Document Location: SELPA Policy binder on file in SELPA and District offices

Description: The SELPA will provide fiscal and logistical support for CAC meetings, parent education, and other events.

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The Policy Board will ensure the SELPA has sufficient resources to provide fiscal and logistical support to the CAC.

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

Reference Number: NA

Document Title: North Region SELPA Procedural Guidelines Handbook "Related Services"

Document Location: SELPA office and online in the special education information system (SEIS)

Description:

The SELPA provides technical assistance and training to LEAs as needed to support coordination of transportation services for individuals with disabilities.

Each LEA member is responsible for providing transportation for students with disabilities as determined by IEP teams.

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

Reference Number: North Region SELPA Board Policy #6159.5

Document Title: Individualized Education Program

Document Location: SELPA Policy binder on file in SELPA and District offices.

Description:

The SELPA Director and Program Specialist will coordinate technical assistance and/or training as needed to support LEAs implementation of career and vocational education and transition services for students with disabilities.

The SELPA Director will ensure appropriate interagency agreements are in place and facilitate LEA connection to agencies as appropriate.

Each LEA will provide appropriate career and vocational education and transition services as required under federal and state law.

15. Assurance of full educational opportunity:

Reference Number: North Region SELPA Board Policy #6159.5

Document Title: Individualized Education Program

Document Location: SELPA Policy binder on file in SELPA and District offices.

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Description:

The SELPA Director ensures all students with disabilities have full educational opportunity regardless of their district of special education accountability. The SELPA Director will develop an Annual Service Plan and facilitate interdistrict and interSELPA transfers as needed to ensure a full continuum of services is available to all students with disabilities within the SELPA.

Each LEA is responsible to provide programs that meet the individual needs of all students with disabilities in their district and ensure educational benefit for students with disabilities.

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:

North Region SELPA Policy #0400; Policy #3100

Document Title:

Special Education Maintenance of Effort; Special Education Resource Allocation

Document Location:

SELPA Policy binder on file in SELPA and District offices.

Description:

The SELPA Director will facilitate the administrative processes required to allocate and distribute state and federal special education funds in accordance with the funding allocation plan approved by the Policy Board. The SELPA Director will also develop and recommend for Policy Board approval an Annual Budget Plan.

Each LEA through their Superintendent representation on the Policy Board will determine and approve the allocation of funds to member LEAs and will also approve the Annual Budget Plan.

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

Reference Number:

North Region SELPA Board Policy #2800

Document Title:

Regional Operations/Services Roles and Responsibilities

Document Location:

SELPA Policy binder on file in SELPA and District offices

The North Region SELPA Program Specialist is employed through the Administrative Unit and serves the SELPA under the direction of the SELPA Director. The SELPA Director evaluates the program specialist. The program specialist must hold at least one of the following: a valid California Education Specialist credential, a California Special

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Description:

Education credential, a basic Pupil Personnel Services credential, or a Pupil Personnel Services credential in School Psychology, Counseling, or Social Work. The SELPA Program Specialist shall have advanced training and related experiences in the education of individuals with disabilities and a specialized in-depth knowledge in one or more areas of disabling condition. In order to implement the local plan, the Program Specialist shall be considered a "school official and employee" in regards to access to student records. The program specialist may plan and implement staff development and innovation of special methods and approaches for the instruction of individuals with disabilities and assist districts in the identification, selection, and use of instructional materials, curriculum and methodologies.

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:

NA

Document Title:

- Interagency Agreement for 0-3 Between Regional Center East Bay and Alameda County SELPAs
- Annual Service Plan

Document Location:

SELPA and District Administrative offices

Description:

See Interagency Agreement between North Region SELPA and Regional Center of the East Bay related to services for children aged birth to three years. For a description of programs for early childhood special education programs and services for children aged three through five years of age, see the Annual Service Plan.

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:

SELPA Policy #9000

Document Title:

Governance Bylaws

Document Location:

SELPA Policy Binder located in the SELPA and District offices

Description:

All LEA Boards within the North Region SELPA and the North Region SELPA Policy Board have adequate notice of meeting and public comment sections on their agendas

The North Region SELPA Administrator and the LEA Special Education

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Directors are also available to meet with parents or members of the public who may have questions or concerns.

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:

Board Policy #9000

Document Title:

Governance Bylaws

Document Location:

SELPA Policy Binder located in the SELPA and District offices

Description:

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

The goal of the North Region SELPA is for disputes to be resolved at the lowest possible level. The first step in the dispute resolution process, therefore, is for the aggrieved party(s) to contact the other party(s) and attempt to resolve the matter informally. If the matter is not resolved at this level, the aggrieved party(s) may request formal mediation. Any request for mediation must be submitted in writing to the North Region SELPA Director. If the issue is related to an action taken by the Policy Board, the request must be submitted within thirty (30) days of the action taken by the Policy Board. The written request must clearly identify the reason(s) for the request and the potential resolution(s) to the problem. If mediation is not successful, the aggrieved party(s) may request a review by an independent review panel of the results of the mediation. A request for review by an independent review panel must be submitted in writing to the North Region SELPA Director within thirty (30) days of the completion of the mediation process, and must include the reason(s) for the request and the potential resolution(s) to the problem.

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

Reference Number:

Board Policy #6164.4

Document Title:

Identification and Evaluation of Individuals for Special Education

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Document Location: SELPA Policy Binder located in the SELPA and District offices

Description:

Each LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, response to intervention models, student success teams, early literacy programs, and remedial programs.

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: Board Policy #6159.2

Document Title: Nonpublic, Nonsectarian School And Agency Services For Special Education

Document Location: SELPA Policy Binder located in the SELPA and District offices

Description:

Each LEA that contracts with a nonpublic, nonsectarian school shall evaluate the placement of its pupil(s) in such schools on at least an annual basis as part of the annual IEP review. Evaluation includes an onsite visit to the NPS before placement of a pupil if the LEA does not have any pupils enrolled at the school at the time of placement and an on-site visit at least once annually. The LEA representative shall also review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are provided.

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

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

The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in

Section B: Governance and Administration

SELPA North Region

Fiscal Year 2021-22

accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (EC Section 56040)

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

Reference Number:

Board Policy #6165

Document Title:

Services to Adult Students in County Jail Facilities

Document Location:

SELPA Policy Binder located in the SELPA and District offices

Description:

The SELPA will make FAPE available to otherwise-eligible adults in county jail, age 18-21 who had received special education services in accordance with an IEP but left school prior to incarceration or who had been identified as a child with a disability and did not have an IEP in their last education setting

The district of residence will provide special education and related services to adults age 18-21 in county jail who remain eligible for services and wish to receive them. The district of residence is where the parents resided when the student turned 18 unless and until the parents move to a new district of residence. For conserved students, the district of residence is the residence of the conservator.