

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

SELPA Kings County (1600)

Fiscal Year 2021-22

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 Kings County Special Education Local Plan Area (SELPA) shall include all local education agencies (LEAs) located within Kings County and the Kings County Office of Education (KCOE), and will serve all eligible individuals with special needs residing within the boundaries of the school districts and LEAs. LEA members include all districts which are within the Kings County Boundaries and Kings County Office of Education.

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 Special Education Governance Council shall be composed of the District Superintendents and the County Office of Education Superintendent. Each of these permanent members may appoint an alternate to represent his/her district in his/her absence. Non-voting members include the SELPA Administrator, Special Education Advisory Council Chairperson, and the SELPA Finance Council Chairperson. The Special Education Governance Council will serve to coordinate the administration of the Local Plan and will have the prime responsibility of implementing special education policies of local boards of trustees and the county board of education within the guidelines of the Local Plan through the SELPA Administrator.

The Special Education Advisory Council is composed of one voting member from each participating district and the County Office of Education. SELPA staff are non-voting members. Members shall be appointed by their respective Superintendents. The Special Education Advisory Council shall assist and support the Special Education Governance Council and the SELPA Administrator to achieve the best possible program to meet the individual requirements of all children with exceptional needs residing in Kings County. The Council shall propose operational procedures and shall act as a committee for proposing policies for consideration by the Governance Council.

The Advisory Council shall articulate the needs of the districts to the SELPA Administrator for consideration by the Governance Council.

The SELPA Finance Council shall consist of the Chief Business Officers (CBOs) of each district and the Kings County Office of Education CBO. Non-voting members include the SELPA Administrator, Special Education Advisory Council Chairperson, and the Governance

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Council Chairperson.

The SELPA Finance Council advises the Special Education Governance Council on matters related to recommended changes in base program services requiring funding model changes or other recommendations made by the Special Education Advisory Council that affect the allocation of resources. Each participating LEA in the Kings County SELPA shall operate its own special education programs and services using its own employees, facilities, and equipment as specified in and pursuant to the provisions contained in the contract between SELPA members. The special education programs and services operated directly by the Kings County office of Education shall be considered a district for purposes of this administration. The Kings County Office of Education shall be designated as the administrative unit (AU) and shall function as the administrative and fiscal agent for the SELPA in order to insure maximum utilization of all available resources in providing a full range of services to all children and youth ages zero through twenty-one years.

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 process for creating policies for the SELPA will start with discussion of program needs within the county with the Advisory Council. The Advisory Council will review Federal and State Laws which apply to the policy in discussion and a subcommittee of district representatives will be formed to create an initial draft of the policy. The draft policy will be presented for information to all three SELPA groups: Advisory, Finance, and Governance. The draft policy will then be presented to the Advisory Council and Finance Council for recommendations to the Governance Council. The Governance Council shall adopt all policy matters for the SELPA.

The Governance Council shall:

- Receive reports from, and be advised by, the SELPA Administrator
- Be advised by the SELPA Advisory Council
- Be advised by the SELPA Finance Council
- Be advised by the Community Advisory Committee (CAC)
- Provide direction to the SELPA Administrator

The primary responsibility of the Advisory Council is to provide coordination for operation of programs throughout the Local Plan Area. The Special Education Advisory Council operates under by-laws developed and approved by it and the Governance Council.

The primary responsibility of the Finance Council is to provide fiscal support and analysis for the operation of programs throughout the Local Plan Area. The Special Education Finance Council operates under by-laws developed and approved by it and the Governance Council.

Each of the LEA District Boards of Education and the County Office of Education have authority

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over programs operated by their respective agencies.

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 County Office of Education shall be the Administrative Unit (AU) for the Kings County SELPA. The County Office shall be responsible for the following:

- Providing Fiscal supports and services to the participating districts
- Providing Human Resources supports and services to the participating districts, including guidance on credentialing
- Providing supports related to the accurate reporting of student special education data through the CALPADS system
- Providing supports and services to participating districts as it relates to all reporting to the California Department of Education
- Selects, employs and provides supervision of SELPA staff of the Administrative Unit
- Provides consultation and coordination related to procedural safeguards including issues of equal access, free/low cost legal services, and uniform complaint procedures and due process procedures.

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

All charter schools that are chartered by Kings County SELPA member districts or the Kings County Office of Education (KCOE) or granted a charter on appeal by the Kings County Board of Education or the State Board of Education in which oversight responsibilities have been assigned to a district within the SELPA or the Kings County Office of Education shall be covered by the Kings County SELPA Charter School Policy, unless said Charter School has selected to be a member of a Charter SELPA. Students enrolled in charter schools are entitled to special education services provided in the same manner to students enrolled in other public schools. The charter schools within the SELPA shall comply with all requirements of state and federal law regarding provision of special education services (Education Code § 56000 et seq., Individuals with Disabilities Education Act 20 U.S.C. Chapter 1400). A charter school shall not discriminate against any pupil in its admission criteria on the basis of disability. Funding for special education services, participation in governance structures and responsibility for provision of services shall be based on the categorization of the charter school.

For the purposes of provision of special education services, charter schools shall be deemed either a public school within the chartering district or an LEA that receives funds and provides services independent of the chartering entity. All approved charter schools will be deemed public schools within the chartering entity until the charter school has been deemed an LEA following the SELPA Charter School Policy.

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Charter schools identified as an LEA within the SELPA shall:

- Participate in governance of the SELPA by naming one representative to the Governance Council, the Advisory Council, and the Finance Council;
- Contribute to, participate in, and receive the benefits of reimbursement from the SELPA Extraordinary Costs Pool in the same manner as other members, and for the same costs as may be agreed to by the Governance Council;
- Receive state and federal funding for special education in accordance with the SELPA AB 602 Funding Allocation Plan.
- Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to: instruction, services, transportation, nonpublic school/agency placements, inter/intra-SELPA placements, due process proceedings, complaints, and attorney fees.
- Document that all State and Federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities; and
- Special education apportionment must be used solely for the purpose of providing special education instruction and/or services to identified students with disabilities. Any apportionment not used for provision of special education will be reviewed by the Governance Council for potential recapture and/or reallocation of funds.

Prior to approval of a new charter school, or renewal of an existing charter school, the petitioner shall consult with both the superintendent or designee of the chartering entity and the SELPA Administrator to ensure that the charter school responds to district and SELPA guidelines and timelines as they relate to special education. The petition presented must provide assurances that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with state and federal law and the SELPA 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 SELPA Community Advisory Committee is composed of 1) parents of individuals with exceptional needs enrolled in public schools participating in the Local Plan, 2) parents of pupils enrolled in public or private schools, 3) disabled pupils and adults, 4) regular and special education teachers, 5) other school personnel, 6) representatives of other public and private agencies, 7) persons concerned with individuals with exceptional needs. At least a majority of the members are parents of pupils enrolled in schools participating in the Local Plan, and at least a majority of these parents are parents of individuals with exceptional needs. Members of the Community Advisory Committee are appointed by, and are responsible to, their respective governing boards. Appointments are in accordance with the selection procedures as described in the by-laws of the Community Advisory Committee. The term of the appointments are for at least two years and are staggered.

The Community Advisory Committee has responsibilities for, but not limited to, all of the

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following:

- Advising the Special Education Governance Council through the SELPA Administrator regarding the development and review of the Local Plan. The Special Education Governance Council shall review and consider comments from the Community Advisory Committee.
- Recommending annual priorities to be addressed by the Local Plan.
- Encouraging community involvement in the development and review of the Local Plan
- Supporting activities on behalf of individuals with exceptional needs
- Assisting in parent education and in parent awareness of the importance of regular school attendance

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 will be developed with participation from General Education and Special Education staff members from districts within the SELPA, as well as parent members from the Community Advisory Committee. Draft copies of the plan will be presented to the Advisory Council at a first reading and the Advisory Council members will be responsible for discussing the drafted plan with General and Special Education staff members within their respective districts. Advisory Council members will provide input prior to the next Advisory meeting so that recommendations can be made based upon this input at the second reading of the Local Plan draft. The Drafted plan will also be presented for a first reading at a CAC meeting and input will be taken at that time as to recommended changes to the plan. This input will be discussed and considered for addition prior to the second reading of the Local Plan draft.

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:

KCOE is designated as the Administrative Unit (AU) for the Kings County SELPA. The responsibilities of the Administrative Unit shall include, but not be limited to the following, and as referenced in Education Code Section 56780(a)(1-16) and 56780(b):

- Responsibility for the SELPA approved Funding Model
 - Calculation of the AB602 funding
 - Allocation of the apportionment based on the funding model
 - Maintain and recommend model changes as needed
- Coordination of the Special Education Local Plan Area

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- Coordinated system of identification and assessment
- Coordinated system of personnel development
- Coordinated system of procedural safeguards
- Coordinated system of curriculum development
- Coordinated system of internal program review
- Coordinated system of data collection and management
- Monitoring Maintenance of Effort (MOE) for the SELPA
- Coordinated system of evaluation of the effectiveness of the Local Plan
- Coordination of interagency agreements
- Coordination of services to medical facilities
- Coordination of services to licensed children's institutions and foster homes
- Preparation of Special Education Local Plan Area reports, including but not limited to annual service and budget plans required of the SELPA by the State Department of Education
- Assurance of full educational opportunity.

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

The SELPA shall maintain agreements with local agencies who provide services within the County which can be accessed by individuals with exceptional needs. These agreements shall be updated as necessary to maintain appropriate services to these individuals within the SELPA. At minimum the SELPA shall maintain agreements with:

- Central Valley Regional Center
- Kings County Behavioral Health
- Kings Community Action Organization
- Kings County Human Services Organization
- Kings County Probation Department

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

Participating LEAs may enter into additional contractual agreements with local entities or Nonpublic Agencies to meet the requirement of applicable federal and state law. Each participating agency agrees to carry out the duties and responsibilities stated in the Memorandum of Agreement (MOU).

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Kings County SELPA has developed a Master Contract and Service Agreement for students placed in certified nonpublic, nonsectarian schools. When a student requires a higher level of service than what is available within the programs in Kings County, the LEA where the student resides and the SELPA shall evaluate the potential placements for the student. The SELPA shall execute a Master Contract and Service Agreement with the NPS identified as the appropriate placement for the student. Once students are placed, at least annually, a representative from the LEA or SELPA shall go to visit and reevaluate the placement and appropriateness for the student and to ensure that the agreed upon services are being provided.

10. For multi-LEA local plans, specify:

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

As identified above, all policies shall be created as follows: A subcommittee of LEA representatives shall meet to review Federal and State Laws which apply to the policy in discussion and create an initial draft of the policy. The draft policy will be presented for information to all three SELPA groups, Advisory, Finance, and Governance, allowing for discussion and edits. The edited draft policy will then be presented to the Advisory Council and Finance Council for recommendations to the Governance Council. The Governance Council shall adopt all policy matters for the SELPA. With policy matters, the governing boards of the LEAs and COE shall be made aware of policy changes to allow for effective implementation of the Local Plan.

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

As the LEA representative on the Governance Council, it is the responsibility of the Superintendent or designee from each LEA to ensure that their district is aware of the Local Plan and Policy changes which are approved by the Governance Council. This distribution of knowledge shall ensure that each LEA is aware of the Local Plan and can establish the implementation of the plan. The SELPA Administrator shall distribute this information to the COE program team.

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

Each district shall be provided with a copy of the approved Local Plan. During meetings of the Advisory Council, any legislative updates, changes to education code, or new case law findings shall be discussed. The LEA representative who attends the Advisory Council meeting shall be responsible for distributing any new information to the LEA staff in order to ensure that the Local Plan is implemented and to coordinate the administration of the plan within each LEA. At the monthly Advisory meeting, any revision to the SELPA policies will be distributed and LEA representatives will place the revised policies into the district copy of the SELPA Procedure

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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 SELPA Administrator shall be selected through a hiring process which includes a subcommittee of SELPA Governance members or appointed staff and the KCOE Superintendent. While the direct supervision of the SELPA Administrator shall be the responsibility of the KCOE Superintendent, each year, a subset of Governance members will be selected, based upon a calendared schedule, to provide for evaluation and discipline of the SELPA Administrator.

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

Funding for special education is based on regular education Average Daily Attendance (ADA) for the SELPA as per the AB 602 Education Reform Act of 1997. Each SELPA develops its own method of distribution. The Kings County SELPA has adopted a variation of an ADA model whereby the Kings County Office of Education receives a percentage of funds to provide certain designated services. The remaining funds are distributed to each district based on respective ADA.

KCOE receives the program specialists/regionalized services and low incidence funding. Those funds are to be used for their purpose. After funding these, KCOE receives a set percentage of the AB 602 funding. The county office funding is derived from the Kings County SELPA AB 602 base funding divided by the total AB 602 funding base, which includes federal, state, and property tax.

The district portion of the AB 602 funds is first used to fund the NPS and Extraordinary Cost Fund. The remainder of the district funds are distributed based on the district's ADA divided by the total districts' ADA. This is calculated using P-2 ADA, excluding adult and ROP ADA.

- c. The operation of special education programs:

Each Local Educational Agency within Kings County is responsible for providing special education services to the students who reside within their boundaries or are enrolled within the school. When a student requires a higher level of service than what is available within the LEA, the LEA may contract with another LEA within the SELPA to provide the service or may refer the student to the regional program run by the County Office of Education. The regional program shall be overseen by Kings County Office of Education Administration and the SELPA Administrator, supported by the Administrative Unit. When services through the regional program are unable to meet the educational needs of the student, the SELPA Administrator or designee shall work with the LEA to identify an appropriate Nonpublic School or Agency to

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meet the needs of the student.

Each student within Kings County shall have access to the full continuum of special educational services.

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

During monthly SELPA Finance meetings, the business official for the AU provides detailed information about how federal, state, and local special education funds can be spent. updates are provided throughout the year on specific resources to help the LEAs track their spending. Due to the small size of many of the LEAs within Kings County, some resources are only allocated to the AU, such as infant and preschool funds, as all infant and preschool services are provided by Kings County Office of Education, on behalf of the LEAs. Annually, the Maintenance of Effort (MOE) for the AU and for each of the LEAs is monitored by the AU, through the completion of forms provided by the California Department of Education.

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

The SELPA Administrator coordinates distribution of funds for identified students with low incidence disabilities to minimize the necessity to serve the students in isolated sites and to maximize the opportunities to serve the students in the least restrictive environment. Services are provided by itinerant specialists throughout the SELPA allowing for the provision of services in the student's district of residence, if appropriate. Students with low incidence disabilities, i.e., deaf/hard of hearing, visual impairment, and orthopedic impairment, or any combination thereof, are assessed by trained personnel and identified as eligible for special education services by Individualized Education Program (IEP) teams. Personnel complete a written report that documents the need for specialized services, materials, and equipment for pupils with low incidence disabilities consistent with guidelines established pursuant to Education Code Section 56136. Low Incidence Funding shall be used to purchase the appropriate books, materials, and equipment to meet the needs of students with Low Incidence Disabilities within the SELPA. When these materials are no longer needed by the student for whom they were originally purchased, the materials will be reallocated to other students with low incidence disabilities. If the materials are no longer needed within the SELPA, they will be offered to other neighboring SELPAs before being discarded (30 EC § 56771).

A committee of two SELPA Administrators and 1 low incidence service provider are responsible for reviewing each application for low incidence funding assistance and monitoring its adherence to state guidelines prior to purchasing the requested equipment. Materials not approved through the committee process will be the responsibility of the district of attendance of the student. Since the use of these funds is limited to expenditures on staffing to provide services to students with low incidence disabilities, books, materials, and equipment for students with low incidence disabilities, the purchase must relate to the unique educational needs resulting from the low incidence disability as indicated in the IEP of eligible students. For example,

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regular textbooks and workbooks would not qualify in contrast to low vision aids, digital media, large print or Braille books for students who are visually impaired. Bolsters and mats for young children are a part of basic equipment and would not qualify; while specialized adapted feeding and self-care equipment, needed by children because of their severe orthopedic impairments, would qualify. It is therefore important that specialized teachers who are credentialed to serve students with specific low incidence disabilities be involved in the team assessment process and attend the IEP meetings so that books, materials, and equipment considered for purchase for low incidence students are related directly to the unique educational needs resulting from a low incidence disability.

Policies, Procedures, and Programs

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

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"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)

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Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

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

SELPA Fiscal Year **8. Confidentiality: 20 USC Section 1412(a)(8)**Policy/Procedure Number: Document Title: Document Location:

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

☒ Yes ☐ No**9. Part C to Part B Transition: 20 USC Section 1412(a)(9)**Policy/Procedure Number: Document Title: Document Location:

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

☒ Yes ☐ No**10. Private Schools: 20 USC Section 1412(a)(10)**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

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purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to comply with the requirements of the performance goals and 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)

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Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds 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

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

SELPA Fiscal Year **22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24)**Policy/Procedure Number: Document Title: Document Location:

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

☒ Yes ☐ No**23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)**Policy/Procedure Number: Document Title: Document Location:

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

☒ Yes ☐ No**Administration of Regionalized Operations and Services**

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

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

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Document Title:

Document Location:

Description:

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

Description:

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

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Document Title: Parent/Guardian Education

Document Location: Kings County SELPA Office

Description: Kings County SELPA shall seek input each spring to determine areas of need for professional development. These development/educational offerings will be available to certificated and classified educators, volunteers, community advisory committee members, and governing boards, as appropriate.

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

Reference Number: Regionalized Operation 3090

Document Title: Kings County SELPA Procedure Guide - Curriculum Development

Document Location: Kings County SELPA Office

Description: All students with exceptional needs shall be instructed using district adopted curriculum aligned with the California Standards.

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

Reference Number: Regionalized Operation 1050

Document Title: Kings County SELPA Procedure Guide - SELPA Review of Programs

Document Location: Kings County SELPA Office

Description: Kings County SELPA shall work with SELPA LEAs to monitor the programs and services provided by the LEA. This review shall include the process for analyzing annual performance indicators and creating plans for improvement.

7. Coordinated system of data collection and management:

Reference Number: Regionalized Operation 1060

Document Title: Kings County SELPA Procedure Guide - Coordinated System of Data Collection and Management

Document Location: Kings County SELPA Office

The Kings County SELPA shall maintain a management information

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Description:

system for tracking Kings County students who are provided special education and related services. The information system shall contain all data required by the state and federal government. The system shall communicate with CALPADS as required by State Law.

8. Coordination of interagency agreements:

Reference Number:

Policy 1020

Document Title:

Kings County SELPA Procedure Guide - Interagency

Document Location:

Kings County SELPA Office

Description:

Kings County SELPA shall maintain interagency agreements for some services which are commonly needed by students within the SELPA. LEAs can also create interagency agreements to provide additional services that are not currently available within their LEA. These agreements shall be in place to ensure that all services are available to students within the SELPA.

9. Coordination of services to medical facilities:

Reference Number:

Regionalized Operation 3100

Document Title:

Kings County SELPA Procedure Guide - Hospital, LCI, and Juvenile Court

Document Location:

Kings County SELPA Office

Description:

Each LEA within Kings County shall be responsible for the provision of special education and related services to individuals with exceptional needs residing in hospitals located within the geographical area of the LEA.

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

Reference Number:

Regionalized Operation 3100

Document Title:

Kings County SELPA Procedure Guide - Hospital, LCI, and Juvenile Court

Document Location:

Kings County SELPA Office

Each LEA within Kings County shall be responsible for the provision of special education and related services to individuals with exceptional

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Description:

needs residing in Licensed Children's Institutions and Foster Family Homes located within the geographical area of the LEA.

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

Reference Number:

Regionalized Operation 1070

Document Title:

Kings County SELPA Procedure Guide - Preparation and transmission of required SELPA reports

Document Location:

Kings County SELPA Office

Description:

The SELPA Administrator shall inform LEAs of specified deadlines to ensure required data is up to date and work with the LEAs or AU Fiscal department to complete all state required reporting.

12. Fiscal and logistical support of the CAC:

Reference Number:

Regionalized Operation 5040

Document Title:

Kings County SELPA Procedure Guide - Community Advisory Committee

Document Location:

Kings County SELPA Office

Description:

Kings County SELPA Administration shall create and financially support the Kings County Community Advisory Committee which shall provide input towards the Local Plan for Kings County SELPA.

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

Reference Number:

Regionalized Operation 3110

Document Title:

Kings County SELPA Procedure Guide - Transportation Services for Individuals with Exceptional Needs

Document Location:

Kings County SELPA Office

Description:

Districts and the County Office of Education shall provide transportation to students with exceptional needs as identified on his or her IEP at no cost to the parent regardless of where the IEP services are provided.
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14. Coordination of career and vocational education and transition services:

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Reference Number: Regionalized Operation 3120

Document Title: Kings County SELPA Procedure Guide - Career and Vocational Education and Transition

Document Location: Kings County SELPA Office

Description: All students on IEPs within Kings County shall have an Individual Transition Plan which includes an appropriate course of study, on or before the student's 16th birthday.

15. Assurance of full educational opportunity:

Reference Number: Policy 3020

Document Title: Kings County SELPA Procedure Guide - Full Educational Opportunity

Document Location: Kings County SELPA Office

Description: Each LEA believes that all children are entitled to a meaningful opportunity to complete high school with college and/or career readiness skills. IEP teams consider the services and settings and select these required for a full educational opportunity.

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: Regionalized Operation 2030

Document Title: Kings County SELPA Procedure Guide - SELPA Special Education Funding Allocations

Document Location: Kings County SELPA Office

Description: The Kings County SELPA shall be responsible for the distribution of state and federal funds to local LEAs, the planning and monitoring of the spending of such funds, and the annual reporting to the state of the special education budget plan.

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

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Reference Number: Regionalized Operation 3130

Document Title: Kings County SELPA Procedure Guide - Program Specialists

Document Location: Kings County SELPA Office

Description: The Kings County SELPA shall utilize the direct support of program specialists to special education teachers and service providers to address unique needs of special education students within the SELPA.

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: Regionalized Operation 3140

Document Title: Kings County SELPA Procedure Guide - Early Intervention

Document Location: Kings County SELPA Office

Description: Kings County SELPA has a comprehensive plan for addressing the needs of children from birth to age five who show developmental delays or exceptional needs.

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: Regionalized Operation 5050

Document Title: Kings County SELPA Procedure Guide - Public Concerns and Questions

Document Location: Kings County SELPA Office

Description: The Public may address the SELPA Governance Council at the public Governance meetings. Concerns or questions can also be directed toward the SELPA Administrator by contacting the SELPA office or through a LEA representative.

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:

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Reference Number: Regionalized Operation 1080

Document Title: Kings County SELPA Procedure Guide - Governance Dispute Resolution

Document Location: Kings County SELPA Office

Description: When disputes arise between the LEAs and/or County Office, a resolution process shall be followed that starts first with addressing the concern with the Governance Council and then brings in an Independent Review Panel if the Council is not able to agree to a solution.

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: Policy 8020

Document Title: Kings County SELPA Procedure Guide - Evaluation and Pre-referral Intervention

Document Location: Kings County SELPA Office

Description: LEAs within Kings County shall evaluate students only after utilizing instructional resources and interventions of the regular educational program, if appropriate.

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: Regionalized Operation 3150

Document Title: Kings County SELPA Procedure Guide - Nonpublic School Placements

Document Location: Kings County SELPA Office

Description: Kings County SELPA Administration, with the support of the placing district, shall ensure the provision of special education services when students are placed at a NPS.

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

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described in *EC 56026(c)(4)*) who has been incarcerated in a county jail and remains eligible for special education services:

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

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

Reference Number:	Regionalized Operation 3160
Document Title:	Kings County SELPA Procedure Guide - Incarcerated Adults with Exceptional Needs
Document Location:	Kings County SELPA Office
Description:	Eligible adults who are incarcerated in adult facilities shall be provided special education services if the eligible adult wishes to receive the services.