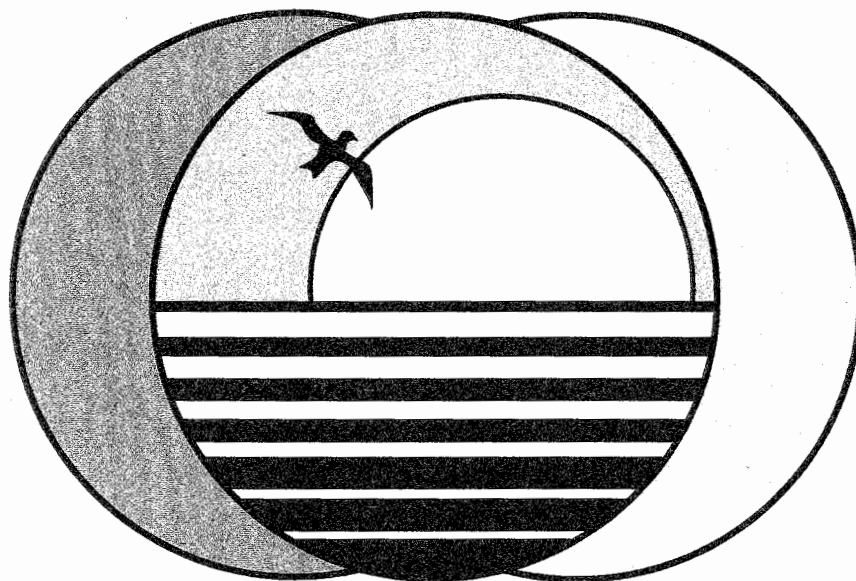

SAN DIEGO SOUTH COUNTY

**SPECIAL EDUCATION
LOCAL PLAN AREA**



Local Plan

Serving Students with Special Needs

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

SELPA South County SELPA

Fiscal Year 2020-21

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 South County SELPA's geographic service area is the geographic boundaries of the following school districts: National School District, Chula Vista Elementary School District, South Bay Union School District, San Ysidro School District, Sweetwater Union High School District, Coronado Unified School District, and the San Diego 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 governance structure of the Special Education Local Plan Area (SELPA) is established by agreement among the governing boards of the member Local Educational Agencies (LEAs). It consists of the Superintendents' Council, which sets policy, and the Community Advisory Committee (CAC), which advises on policy. The CAC members are appointed by the governing boards of the LEAs, consistent with the CAC bylaws. The SELPA Administrator, through the utilization of SELPA staff and appropriate committees, carries out the activities and duties assigned by the Superintendents' Council.

Superintendents' Council Role

The Superintendents' Council adopts policy and allocates SELPA resources in accordance with the Local Plan. It also determines, under the Local Plan, the responsibility of each LEA for providing special education services and assures access to special education and services for all students with disabilities residing in the SELPA. All meetings of the Superintendents' Council are open to the public and all persons are permitted to attend and address those meetings in accordance with Government

Code Section 54950-54961 (Brown Act).

Functions

The Superintendents' Council serves the following functions:

- Provides leadership for development of statements of philosophy, policies, goals, priorities, and plans for comprehensive services and programs to the students with disabilities of the SELPA
- Makes decisions regarding implementation, administration and operation of regional special

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~~education programs and services in accordance with the local plan~~

- Instructs the SELPA Administrator regarding the implementation, administration and operation of the local plan
- Approves the Allocation Plan for the distribution of federal, state, and local funds allocated for special education programs
- Approves procedures, which ensure the participation of each Governing Board in regional planning
- Ensures equal access to programs and services for all students with disabilities within the SELPA

Establishes policies and approves procedures to ensure compliance by LEAs with the local plan, state and federal laws and regulations. These policies and procedures can be requested through the SELPA office.

Ensures that all regionalized operations and services are performed in accordance with the local plan.

A SELPA Administrator is employed who, through the utilization of clerical staff, a special education coordinator, other staff as necessary and appropriate committees carries out the activities and duties assigned and directed by the Superintendents' Council.

Membership

The Superintendents' Council is composed of a Superintendent from each LEA in the SELPA, or the person performing these duties regardless of title (References throughout the document to Superintendent shall refer to the person performing the duties for that LEA). It is chaired by one of its members, excluding the AU, who is responsible for establishing meeting dates and times. An annual organizational meeting will be held by June of each year. The chair is elected at the annual organizational meeting and assumes responsibility at the first scheduled meeting in the subsequent fiscal year. If the chair is unable to attend, he/she may delegate another superintendent or designee to chair the meeting.

Voting Criteria

Each LEA has one vote. Voting decisions are based on a simple majority of votes cast pursuant to meetings duly called in accordance with the established practice of the Superintendents' Council. Representatives of half the LEAs, plus one additional LEA (or rounded to the next whole number) constitute a quorum. A superintendent may send a designee to represent him/her, but this individual may not be the Director or Coordinator of Special Education. A superintendent may give a proxy vote to another member of the Superintendents' Council. A Special Education Director or Coordinator may attend as a non-voting advisor at the request of the LEA Superintendent.

Community Advisory Committee

Role

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

Membership

~~Each participating LEA's governing board appoints member(s) to the CAC based on their policies~~

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and procedures. The number of members per LEA is outlined in the CAC bylaws, which are available at the SELPA Office.

Voting

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

Addition of an LEA

A request by a charter school to participate as an LEA in the South County SELPA will not be treated differently from a similar request made by a school district. For more information, see the SELPA's Policies and Procedures, for the Charter School policy and procedure. In reviewing and approving such a request, the following requirements shall apply:

The new LEA shall participate in state and federal funding for special education and will receive the funding in the same manner as other LEAs of the SELPA as specified in the SELPA funding allocation plan. The new LEA shall participate in the governance of the SELPA in the same manner as other LEAs of the SELPA.

Withdrawal of an LEA

Any LEA in South County SELPA may request to withdraw from the South County SELPA. The procedures for such action follow:

- The Superintendent of the LEA requesting withdrawal must submit written notice to the SELPA Administrator on or before September 1 of the school year preceding the school year in which the LEA anticipates withdrawing
- The SELPA Director will notify the superintendents' Council, the San Diego County Office of Education, and the California Department of Education
- The SELPA Director and/or staff will review the application and make a written recommendation within 60 days of receipt of the application
- The Superintendents' Council will receive copies of the written recommendation at least 10 days prior to the item appearing on the agenda
- The Superintendents' Council will take action to approve or disapprove the LEA withdrawing from the SELPA within 100 days of application
- If approved, the withdrawal will become effective on July 1 of the next fiscal year
- If an LEA withdraws from the SELPA, a committee will be established by the Superintendents' Council to develop a plan for the distribution of SELPA assets within the LEA. The committee will be composed of the following representatives:
 - Superintendent, Special Education Director, and Chief Business Officer of the withdrawing LEA
 - One Superintendent selected by a majority vote of the Superintendents' Council
 - Two Directors of Special Education selected by a majority vote of the Superintendents' Council
 - Two Chief Business Officers selected by a majority vote of the Superintendents' Council
 - SELPA Director

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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 governing boards of the LEAs agree to designate authority to the Superintendents' Council to approve SELPA-wide policies and procedures, Annual Budget and Service plans and any subsequent modifications. At the Superintendents' Council meetings, which follow the Brown Act rules, the Council makes decisions regarding these and other items that are required for coordinating and implementing the local plan.

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 San Diego County Superintendent of Schools is designated as the Administrative Unit (AU) for the South County SELPA. The AU is determined by a majority vote of the Superintendent's Council. San Diego County Office of Education is a participating LEA in the SELPA, and as the AU it shall be responsible for function such as, but not limited to:

- Receipt and distribution of special education funds to LEAs and SELPA accounts for the operation of special education programs and services.
- Provision of administrative support
- Provision of fiscal and personnel support
- Employment of SELPA staff to coordinate implementation of the plan
- Ensures this plan is compatible with other plans within San Diego County

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

A request by a charter school to participate as an LEA in the South County SELPA will not be treated differently from a similar request made by a school district. For more information, see the SELPA's Policies and Procedures, for the Charter School policy and procedure. In reviewing and approving such a request, the following requirements shall apply:

The new LEA shall participate in state and federal funding for special education and will receive the funding specified by the allocation plan adopted by the governance council.

The new LEA shall participate in the governance of the SELPA in the same manner as other LEAs of the SELPA, unless otherwise determined by the governance council

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 CAC membership includes special education parents, regular education teachers, representatives from community agencies, support staff, and administrators. The role of the CAC

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in the development of the local plan is to:

- Select representatives from the CAC to serve on the Local Plan Amendment Committee
- Provide input and review drafts
- Provide a forum for members of the public, including parents or guardians of students with disabilities who are receiving services under the plan to address questions or concerns
- Provide input to the Superintendents' Council

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

At least every three years during the annual budget and service plan process, the Superintendents' Council will review the Local Plan and determine if changes or amendments to the permanent portion of the Local Plan may be needed. At that time, any public input and consultation can be provided by anyone including special education and regular education teachers, and administrators selected by the groups they represent as well as parent members of the CAC to ensure information contained within the plan remains relevant and accurate. The CAC may also review the local plan at one of their meetings preceding the Superintendents' Council's review. Each year, the SELPA shall adopt annual budget and service plans at a public hearing scheduled at a Superintendents' Council Meeting. As it is a public hearing, it provides for public input and consultation by anyone including special education and regular education teachers, and may also review the annual budget and service plans at one of their meetings preceding the Superintendents' Council's adoption. When the Superintendents' Council determines that an amendment to the local plan is needed, the following process occurs:

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

- Special Education Teachers - Selected by LEA
- General Education Teachers - Selected by LEA
- Superintendent - Selected by the Superintendents' Council
- Special Education Director- Selected by the Superintendents' Council
- Charter School Representative (if applicable)- Selected by the SELPA
- Preschool Representative - Selected by the SELPA
- Community Advisory Committee - Selected by the CAC Executive Committee

During the amendment process, the Superintendents' Council reviews the recommendations of the CAC, reviews drafts of the local plan amendment committee, seeks input from the governing boards of their respective LEAs, and reviews and approves the final draft of the local plan for submission to the local governing boards for approval.

The Superintendents' Council may adopt amendments to the permanent portion of the Local Plan on an interim basis, not to exceed one school year. Amendments approved in this manner shall become permanent upon subsequent approval by all LEAs' governing boards and the California Department of Education.

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

The San Diego County Superintendent of Schools is designated as the Administrative Unit (AU) for the South County SELPA. The AU is determined by a majority vote of the Superintendents' Council. It shall be responsible for functions such as, but not limited to the following, but additional duties may be outlined in a separate memorandum of understanding or via an action and vote by the Superintendents' Council:

- Receipt and distribution of special education funds to LEAs and SELPA accounts for the operation of special education programs and services
- Provisions for administrative support
- Provisions for fiscal and personnel support
- Employment of SELPA staff to coordinate implementation of the plan

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:

Local educational agencies (LEAs) are responsible for the students ages 3 to 22 within the geographical area consistent with California education code. For children from Birth to 3, San Diego County of Office Hope Infant Program, provides services based on their allocation of Infant Funding Units. San Diego Regional Center also provides for services for children from birth to three as outlined in the Local Interagency Agreement between San Diego Regional Center, San Diego County SELPAs and Superintendent of Schools San Diego County Office of Education for California Early Start Program.

10. For multi-LEA local plans, specify:

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

Each participating LEA's governing board has the responsibilities outlined below. The LEA governing boards designate authority to the Superintendents' Council to approve SELPA-wide policies and procedures, Annual Budget and Service plans and any subsequent modifications. As it is a participating member, the COE participates in the policy making process

- Approve the Local Plan.
- Implement policies and procedures approved by the Superintendents' Council. The Governing Board may appeal unacceptable provisions as prescribed in the appeals policies.
- Appoint members to the Special Education Community Advisory Committee (CAC) in accordance with CAC bylaws and LEA policies. Encourage parental involvement through the members of CAC, receive and consider requests and recommendations from their CAC

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representatives and other parent groups.

- Review formal complaints forwarded by the respective LEA Superintendents as outlined in the LEA's Uniform Complaint Procedures.
- Address questions and concerns of the public, including parents or guardians of students with disabilities who are receiving services under the Local Plan.
- Notify the California Department of Education, impacted LEAs, SELPAs and participating county offices of education of the intent to elect an alternative option from those specified in California Code, Section 56195.1, at least one year in advance.

Exercise authority over the programs they directly maintain consistent with the Local Plan for the SELPA and individual LEA policies. Such programs may include students with disabilities who reside in other LEAs or SELPAs.

The Operations Committee, comprised of district administrators for special education and the SELPA Administrator, are responsible for reviewing and providing input to the SELPA's policy making board (the Superintendents' Council) any changes in the participating agencies' responsibility for the education of individuals with exceptional needs.

Within the SELPA, special education programs and service for low incidence disability groups are provide by all districts or by referral to other districts. Disabled infants (0-3 years) residing within the SELPA are served by the San Diego County Office of Education, through the HOPE Infant Program and San Diego Regional Center for Developmental Disabilities.

Changes in services provided by the educational agencies within the SELPA are made according to the policies on program reorganization of programs and services within the SELPA and conflict resolution. These policy statements include how changes are made, how to communicate those changes, where approval is obtained, and how disagreements are resolved.

Member Local Educational Agencies comprising the San Diego South County SELPA agree to the following with respect to a reorganization of programs and services within the Local Plan Area.

A program reorganization in the South County SELPA occurs in order to provide special education programs and services to individuals with exceptional needs in the least restrictive environment that is appropriate for the students involved. For purposes of this agreement, a program reorganization is defined as a redistribution of AB 602 funds within the SELPA from one Local Educational Agency (LEA) to another, as well as a transfer of the responsibility for providing educational services to the group of individuals with exceptional needs served in the program who reside within the second LEA.

The member LEA requesting a program reorganization of special education programs and services within the SELPA submits such a request in writing to the SELPA Director so that the request can be placed on the next regularly scheduled agenda of the Operations Committee. The Operations Committee provides input regarding the request to the Superintendents' Council for their action. The member LEA requesting a program reorganization must bring such a request to the Operations Committee for review and input by October 1, and the

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Superintendents' Council must take action on such input by December, in order for that program reorganization to be effective for the following school year. Each participating education agency may appeal a decision by the Superintendents' Council. The Superintendents' Council shall either convene an internal SELPA review panel or select to use an alternative dispute resolution agency to resolve the dispute.

In the event of an appeal, an extension of the December timeline can be granted if the LEA, which would potentially reduce service and/or programs, agrees.

The above timelines may be waived if all member LEA's that would be involved in or affected by a program reorganization of programs agree.

Any internal SELPA reorganization of programs that will not require the redistribution of AB 602 funds within the SELPA from one Local Educational Agency (LEA) to another, and not transfer the responsibility for providing educational services to the group of individuals with exceptional needs served in the program who reside within the second LEA may be approved by a majority vote of the Superintendents' Council.

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

Each Superintendent, as chief administrative officer of the participating LEA, is responsible for implementation of the local plan in that LEA.

The delegation of authority and responsibility is from the Superintendent through the chain of command to each Director or designee for LEA matters and from the Superintendents' Council to the SELPA Administrator for regional matters. As it is a participating member, the COE does participate in the implementation of the local plan, and has a role as the AU.

Superintendents of the participating LEAs are responsible for serving on the Superintendents' Council for the SELPA which instructs the SELPA Administrator regarding the implementation of the local plan. Under the direction of the Superintendents' Council, the SELPA Administrator develops, implements, and administers the SELPA budget for the establishment of designated services. The SELPA Administrator serves as an ex-officio member of all committees.

Each LEA Director, or the person performing these duties, is to provide leadership in the development, implementation, evaluation and improvement of special education programs and services within the LEA. (References throughout the document to Superintendent shall refer to the person performing the duties for that LEA.) The Director is also expected to work collaboratively with other LEAs to plan and coordinate educational programs and services for all students with disabilities within the SELPA. In addition, the LEA Director shall facilitate communication between the CAC representative(s) from the LEA and other community parent groups.

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

The role of each LEA for coordinating the administration of the local plan includes:
Individual LEAs' are responsible for:

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

The SELPA Administrator is responsible to plan, organize, coordinate, direct and manage program activities and services related to the local plan implementation. They are also responsible for providing leadership on legislative issues impacting the SELPA programs. As it is a participating member, the COE does participate in the administration of the local plan, and has a role as the AU.

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:

Selection of SELPA Administrator(s): The RLA/AU is responsible for the recruitment of SELPA Administrator(s). The selection of a candidate for a position of SELPA Administrator shall be the responsibility of individual LEAs, through their representative on the Superintendents' Council. (Note: in this section when referring to the Superintendents' Council, where each LEA is represented, this is identifying the role of the individual LEAs.)

Selection of SELPA staff: The RLA/AU shall have the responsibility of coordinating the selection process to fill the certificated, classified, and management positions that are determined needed by the Superintendents' Council in conjunction with the SELPA Administrator. Selection of personnel to certificated, classified, or management positions and subsequent appointments shall be made by the RLA/AU upon recommendation of the SELPA Administrator.

Employment of SELPA Administrator(s): Any SELPA Administrator is an employee of the AU. It

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is understood that the AU will be responsible for any allegations of violations arising under the federal and state equal employment law involving a SELPA Administrator. SELPA Administrator(s) are subject to the AU's policies and procedures for day to day operations, but receive direction from, and are responsible to, the Superintendents' Council SELPA Administrator(s)' title, salary and salary schedule shall be set and adjusted by the AU with prior written input from the Superintendents' Council.

Employment of SELPA Staff: Subject to the RLA/AU's legal responsibility as employer and subject to its applicable collective bargaining agreements, the SELPA administrator, shall be responsible to supervise, evaluate, and initiate disciplinary procedures in regard to certificated, classified, and management employees assigned to the SELPA.

Evaluation of SELPA Administrator: The AU conducts an annual evaluation of the SELPA Administrator, with prior written input from the Superintendents' Council. The Superintendents' Council will consult with and provide recommendations to the AU regarding the evaluation of SELPA Administrator. The Chair of the Superintendents' Council, or his/her designee, will participate in all SELPA Administrator evaluations with the AU's Assistant Superintendent of Student Services and Programs.

Evaluation of SELPA Staff: Subject to the RLA/AU's legal responsibility as employer and subject to its applicable collective bargaining agreements, the SELPA administrator shall be responsible to evaluate certificated, classified, and management employees assigned to the SELPA.

Discipline of SELPA Administrator: The Superintendents' Council will consult with and provide recommendations to the AU regarding the discipline of SELPA Administrator. The AU may only initiate disciplinary procedures for SELPA Administrator pursuant to approval from the Superintendents' Council. The Chair of the Superintendents' Council, or his/her designee, will participate in all SELPA Administrator disciplinary proceedings with an AU representative. The SELPA Administrator shall be free from discrimination or retaliation from the AU.

Discipline of SELPA Staff: Subject to the RLA/AU's legal responsibility as employer and subject to its applicable collective bargaining agreements, the SELPA administrator initiate disciplinary procedures in regard to certificated and classified employees assigned to the SELPA. The RLA/AU may only initiate disciplinary procedures for SELPA managers pursuant to approval from the Superintendents' Council. The SELPA staff shall be free from discrimination or retaliation from the AU.

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

The role of the RLA/AU in the local method used to distribute the federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA is to receive federal and state funds on behalf of the SELPA, and distribute the funds as determined by the Superintendents' Council.

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The role of the SELPA Administrator in the local method used to distribute the federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA is to ensure that funding is provided consistent with the method agreed upon by the Superintendents' Council.

The role of the individual LEAs associated with the SELPA in the local method used to distribute the federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA, and through their representative to the Superintendents' Council, determine the method for distribution of federal and state funds to the SELPA RLA/AU and LEAs within the SELPA.

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

The role of the RLA/AU in the operation of special education programs is to hire and employ staff necessary to operate special education programs as determined by the Superintendents' Council. The role of the SELPA Administrator in the operation of special education programs is to operate any special education programs determined by the Superintendents' Council. The SELPA Administrator will provide technical assistance to individual LEAs as needed to assist in the determination of the special education programs they operate.

The role of the individual LEAs is to provide a continuum of special education programs that meet the needs of their students with disabilities. Each LEA will determine their needs in which special education programs to operate. Through their representative to the Superintendents' Council, they will approve any changes to the Regional Programs operated within the SELPA. Individual LEAs may be the operators of regional special education programs. RLA/AU responsibilities may be authorized to LEAs by the Superintendent Council, for the operation of regional special education programs operated by Individual LEAs.

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

The role of the RLA/AU in the monitoring the appropriate use of federal, state, and local funds allocated for special education programs is to monitor through the review of expenditure reports, special education maintenance of effort reports, or any other documents to ensure appropriate use of these funds. Consistent with education code, the San Diego County Superintendent of Schools will review any fiscal audits.

The role of the SELPA Administrator, or designee, in the monitoring the appropriate use of federal, state, and local funds allocated for special education programs is to review expenditure reports, special education maintenance of effort reports, and any other necessary documents to review for appropriate use of the funds and take any corrective steps that may be necessary. The SELPA Administrator, or designee, may provide technical assistance to individual LEAs as

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appropriate.

The role of the individual LEAs in the monitoring the appropriate use of federal, state, and local funds allocated for special education programs is to monitor the appropriate use of federal, state and local funds allocated for special education programs. LEAs utilize their own procedures, including reviews by auditors as required under California Education Code.

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

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

Policies, Procedures, and Programs

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

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

Policy/Procedure Number:	1
Document Title:	Free Appropriate Public Education
Document Location:	Policy and Procedure Manual available at the SELPA Office and each LEA District Office

"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:

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☒ 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 a of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

SELPA Fiscal Year **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

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

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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 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:

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Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

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(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)

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:

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"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

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:

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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

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:

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Document Title:

Document Location:

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

☒ Yes ☐ No

Administration of Regionalized Operations and Services

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

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

Reference Number:

Document Title:

Document Location:

Direct Instructional support provided by program specialists: Not Applicable
Role of the RLA/AU: The RLA/AU is responsible for the receipt and distribution of special education funds to LEAs and SELPA accounts for the operation of special education programs and services, providing for administrative support, and employment of SELPA staff to coordinate implementation of the plan.

Role of the Administrator of the SELPA: The SELPA Administrator will ensure that the local plan is implemented and will make recommendations to the Superintendents' Council when revisions are needed. They will facilitate the review, revision, and administration of the local plan. They will also facilitate development and approval of

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Description:

SELPA policies and procedures necessary to implement the local plan.
Role of the individual LEAs: The individual LEAs ensure a full continuum of services are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. The individual LEAs, through the representative to the Superintendents' Council, will approve any policies and procedures needed to implement the local plan. Each LEA will approve and implement the local plan as well as any LEA policies and procedures needed to implement the plan. The LEAs through their representative to the Superintendents' Council directs the SELPA Administrator regarding the implementation, administration and operation of the local plan. The Special Education Directors provide input on the modification and implementation procedures for the operation of the local plan.

2. Coordinated system of identification and assessment:

Reference Number:

2

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by program specialists: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA will observe, consult and assist service providers, as appropriate.
Role of the RLA/AU: Not applicable.
Role of the Administrator of the SELPA: The SELPA Administrator will ensure each LEA conducts child find activities through monitoring of each LEA's data. The SELPA will also provide targeted and intensive support to LEAs as needed to assist them in meeting their obligation. The SELPA Administrator, or designee, will facilitate the annual consultation to the private schools. The SELPA will also participate in child find activities by establishing policies and procedures for the member LEAs and ensuring appropriate interagency agreements are in place. The SELPA Administrator, or designee, will serve on committees as interagency agreements are being reviewed, revised, or developed. The SELPA Administrator will ensure that interagency agreements are in place as required by California Education Code, and provide technical assistance and dispute resolution as needed. The SELPA Administrator, or designee, will also provide guidance to parents, as needed.
Role of the individual LEAs: Consistent with education code each LEA is

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responsible for identifying and assessing all students for whom they are the district of special education accountability. They are also responsible for conducting child find activities and implementing SELPA and LEA policies and procedures. The LEAs will also provide guidance to parents, staff, and community members. Through their representative to the Superintendents' Council, the LEAs will approve interagency agreements. Each individual LEA is responsible for implementing approved interagency agreements, as appropriate.

3. Coordinated system of procedural safeguards:

Reference Number:

3

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, to provide for alternate dispute resolution with districts as requested by parents. The program specialists assist parents with filing due process or compliance complaints when requested. The program specialists also assure procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement.

Role of the RLA/AU: Not applicable

Role of the Administrator of the SELPA: The SELPA Administrator, or their designee, provides for alternate dispute resolution with districts as requested by parents. When requested, the SELPA Administrator, or their designee, assists parents with filing due process or compliance complaints. The SELPA Administrator, or their designee, also assures procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement. The Administrator, or their designee, will also provide parents with a copy of their procedural safeguards upon request and will maintain a copy on their website. The SELPA Administrator, or their designee, also reviews compliance complaint determinations provided by the CDE and provides targeted or intensive

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assistance as appropriate.

Role of the individual LEAs: The LEAs provide procedural safeguards to parents consistent with the education code, assist parents with understanding them, and ensure that they are implemented. The LEAs assist parents with filing complaints when requested. The LEAs will respond to all complaints.

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

Reference Number:

4

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA support parent and guardian education, provide for staff development, program development, and innovation of special methods and approaches.
Role of the RLA/AU: Not applicable.

Role of the Administrator of the SELPA: On an annual basis input is collected from the Special Education Directors from member LEAs to determine the staff development needs that the SELPA is requested to provide for teachers, administrators, volunteers, CAC members, and district governing board members. On an annual basis, the Community Advisory Committee will provide input on the parent and guardian education needs. The SELPA Administrator, or designee, will provide for needed training and supports as determined appropriate. The SELPA Administrator may also provide technical assistance to individual LEAs regarding staff development and parent and guardian education.

Role of the individual LEAs: Individual LEAs will determine their staff development and parent and guardian education, based on their local needs. They will also provide input to the SELPA Administrator for any regional staff development needs. Consistent with education code requirements, they will assist in coordinating with other staff development programs in the LEAs.

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

Reference Number:	5
Document Title:	Local Plan, Section B Governance and Administration
Document Location:	SELPA Office, https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx , each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net
Description:	<p>Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, coordinate curricular resources for students with disabilities, as requested.</p> <p>Role of the RLA/AU: Not applicable.</p> <p>Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide technical assistance and staff development on curriculum develop and alignment with the common core, as determined appropriate.</p> <p>Role of the individual LEAs: LEAs will determine their needs for curriculum development and alignment with the core curriculum, based on their local needs. They ensure that each student with a disability has full access to the required core curriculum, any alternative curriculum and textbooks, and supplementary curriculum and textbooks as appropriate, and instructional materials to blind student or other students with print disabilities.</p>

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

Reference Number:	6
Document Title:	Local Plan, Section B Governance and Administration
Document Location:	SELPA Office, https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx , each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net
	<p>Direct Instructional support provided by the program specialist: Upon request, the program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, will evaluate the effectiveness of programs for students with disabilities.</p>

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Description:

Role of the RLA/AU: Not applicable.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will facilitate the review of the Annual Budget and Service Plans, and the LEAs' Annual Performance Indicators. This includes and any additional pertinent data such as the annual evaluation of services offered by the SELPA. They will also facilitate reviews by the Superintendents, Directors, CAC, and other interested parent, community or educational groups. The SELPA Administrator will also review the Funding Allocation Plan prior to the distribution of yearly funds to LEAs. Annual evaluation of services offered by the SELPA Office, completed in the spring of each year by the LEA Special Education Directors.

Role of the individual LEAs: Individual LEAs through their representative to the Superintendents' Council, review the Annual Budget and Service Plans, and the evaluation of services offered by the SELPA. Each LEAs' Special Education Director provide input through the annual evaluation of SELPA services on the effectiveness of the local plan. Each individual LEA reviews and monitors Annual Performance Reports, the California School Dashboard, and other data sources to ensure students with disabilities receive a free and appropriate public education. Individual LEAs also engage in monitoring activities as required by the CDE. The Special Education Directors provide leadership for cooperative action among LEAs pertaining to the implementation, administration, and operation of the local plan.

7. Coordinated system of data collection and management:

Reference Number:

7

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Direct Instructional support provided by the program specialist: Not applicable.

Role of the RLA/AU: Enter into any requested contracts on behalf of the SELPA to ensure a coordinated system of data collection and management.

Role of the Administrator of the SELPA: The SELPA Administrator will

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Description:

approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the California Department of Education. The SELPA Administrator, or designee, will provide technical assistance and staff development to LEAs as requested and/or deemed necessary by the SELPA.
Role of the individual LEAs: Individual LEAs are responsible for data entry, accuracy, and integrity. The LEAs gather, interpret, and report special education program data and quality indicators regarding current program operations and effectiveness. The LEAs will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the California Department of Education.

8. Coordination of interagency agreements:

Reference Number:

8

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by the program specialist: Not applicable.
Role of the RLA/AU: Not applicable.
Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will serve on committees as interagency agreements are being reviewed, revised, or developed. The SELPA Administrator will ensure that interagency agreements are in place as required by California Education Code, and provide technical assistance and dispute resolution as needed.
Role of the individual LEAs: Through their representative to the Superintendents' Council, the LEAs will approve interagency agreements. Each individual LEA is responsible for implementing approved interagency agreements, as appropriate.

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website,

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and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, assures students with disabilities have a full educational opportunity regardless of the district of residence.

Role of the RLA/AU: Not applicable.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will facilitate the coordination of these services by the designated LEAs and provide technical assistance to the medical facilities and LEAs as appropriate.

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

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

Reference Number:

10

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, assure pupils have a full educational opportunity regardless of the district of special education accountability.

Role of the RLA/AU: Not applicable.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will facilitate the coordination of these services by the designated LEAs and provide technical assistance to the licensed children's institutions and foster family homes and LEAs as appropriate.

Role of the individual LEAs: Special education services for students with disabilities residing in foster family homes or licensed children's institutions shall be the responsibility of the district in which the foster family home or the licensed children's institution is located, unless

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based on education code there is another district of special education accountability which would be responsible.

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

Reference Number:	11
Document Title:	Local Plan, Section B Governance and Administration
Document Location:	SELPA Office, https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net
Description:	<p>Direct Instructional support provided by the program specialist: Not applicable.</p> <p>Role of the RLA/AU: The RLA/AU reviews, sign and submit as appropriate any required special education local plan area reports. Role of the Administrator of the SELPA: The SELPA Administrator will ensure timely transmission of required reports and provide technical assistance to LEAs in completing those reports.</p> <p>Role of the individual LEAs: Individual LEAs will submit required accurate data in order for the SELPA to submit timely reports. The LEAs gather, interpret, and report special education program data and quality indicators regarding current program operations and effectiveness.</p>

12. Fiscal and logistical support of the CAC:

Reference Number:	12
Document Title:	Local Plan, Section B Governance and Administration
Document Location:	SELPA Office, https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net
	<p>Direct Instructional support provided by the program specialist: Not applicable.</p> <p>Role of the RLA/AU: Not applicable.</p> <p>Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide fiscal and logistical support CAC meetings, events, and trainings that are approved by the Superintendents' Council.</p> <p>Role of the individual LEAs: The LEA through their representative to the</p>

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Description: Superintendents' Council will ensure the SELPA has sufficient resources to provide fiscal and logistical support for the CAC. LEA Directors shall facilitate communication between their CAC representative from the LEA. Each LEA is responsible to appoint members to the CAC in accordance with CAC bylaws and LEA policies. Each LEA's governing board encourages parental involvement through the members of CAC, receives and consider requests and recommendations from their CAC representatives and other parent groups.

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

Reference Number: 13

Document Title: Local Plan, Section B Governance and Administration

Document Location: SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description: Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, provides staff development as requested by the LEAs.
Role of the RLA/AU: Not applicable.
Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide technical assistance, training and support in coordinating transportation as requested by the LEAs.
Role of the individual LEAs: Each member LEA is responsible for providing transportation for their students with disabilities as determined by their IEP teams.

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

Reference Number: 14

Document Title: Local Plan, Section B Governance and Administration

Document Location: SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description: Direct Instructional support provided by the program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA, support

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Description:

staff development, program development, and innovation of special methods and approaches.
Role of the RLA/AU: Not applicable.
Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide technical assistance and staff development as needed. The SELPA Administrator, or designee, may provide targeted or intensive support to LEAs based on identified needs in the Annual Performance Report and assist LEAs in completing any monitoring activities required by the CDE. The SELPA Administrator, or designee, will serve on committees as interagency agreements that address this area as they are being reviewed, revised, or developed. The SELPA Administrator will ensure that interagency agreements are in place as required by California Education Code, and provide technical assistance and dispute resolution as needed.
Role of the individual LEAs: Each LEA will provide appropriate career and vocational education and transition services as required under state and federal laws. They may also provide staff development in this area. Additionally, through their representative to the Superintendents' Council, the LEAs will approve interagency agreements. Each individual LEA is responsible for implementing approved interagency agreements, as appropriate.

15. Assurance of full educational opportunity:

Reference Number:

15

Document Title:

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Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by program specialist: The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA assure pupils have a full educational opportunity regardless of the district of special education accountability.
Role of the RLA/AU: Not applicable.
Role of the Administrator of the SELPA: Through approval of the Annual Services Plan the SELPA Administrator will ensure that the full continuum of services is provided. The SELPA Administrator will be responsible. The SELPA Administrator, or designee, will assist with intra- and inter-SELPA Transfers, as needed. Additionally, professional development and technical assistance is available upon request or as

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determined to be needed by the SELPA to LEAs and/or nonpublic schools.

Role of the individual LEAs: Each LEA, through their representative to the Superintendents' Council will determine the regional programs needed to meet the needs of the students with disabilities within the SELPA. Additionally, each LEA is responsible for providing a full continuum of services for students for whom they are the district of special education accountability.

16. Fiscal administration and the allocation of state and federal funds pursuant to *EC* Section 56836.01—The SELPA Administrator's responsibility for the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.

Reference Number:

16

Document Title:

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Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by the program specialist: Not applicable.

Role of the RLA/AU: The role of the RLA/AU is to receive federal and state funds on behalf of the SELPA, and distribute the funds as determined by the Superintendents' Council.

Role of the Administrator of the SELPA: The SELPA Administrator will facilitate the distribution of funds in accordance to the funding allocation plan approved by the Superintendents' Council. The SELPA Administrator will also facilitate the Annual Budget Plan.

Role of the individual LEAs: Each LEA through their representative to the Superintendents' Council, determines and approves the distribution allocation of funds to the member LEAs and the Annual Budget Plan. The LEAs will also submit required fiscal reports as required by state and federal laws.

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

Reference Number:

17

Document Title:

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Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Direct Instructional support provided by the program specialist:
A program specialist is a pupil services employee possessing (or eligible for) one of the following California credentials: Special Education, Clinical Rehabilitative Services, Adapted Physical Education, or School Psychology. He/she shall also have an in-depth knowledge of specific disabilities, preschool, and/or vocational development, depending upon the needs of the SELPA.

The program specialists and others that are assigned to carry out these duties, whether they are employed by the SELPA or the LEA services shall be available to all students with disabilities, their families, and LEA staff. They shall work in a cooperative manner planning activities to meet the needs of the students with disabilities within the SELPA. They help to coordinate the delivery of services by serving on SELPA committees that deal with topics such as staff development, infant and preschool services, low incidence services, transition between districts, and the SELPA's CAC. Program specialists' services and responsibilities may include, but are not limited to:

- Assure that students with disabilities have full educational opportunity regardless of LEA of residence
- Plan, direct, coordinate and evaluate instructional programs in accordance with state and federal regulations
- Provide direct instructional support, as directed
- Identify needs and develop short and long-range plans for staff development, curriculum development, and program effectiveness
- Provide staff development and training for general and special education administrators and staff
- Represent the South County SELPA on committees
- Coordinate student placements across LEA and SELPA boundaries
- Develop and disseminate forms, policies and procedures throughout the SELPA
- Monitor services and programs in nonpublic schools
- Provide direction to LEAs regarding complaints filed with the CDE
- Develop and submit proposals for grants and research projects, as requested
- Assure appropriate coordination of general and special education instructional resources for students the state including those that are part of the Focused Monitoring and the Quality Assurance Process
- Conduct audits or reviews for the LEAs as requested

Role of the RLA/AU: The RLA/AU will hire staff to perform these duties

SELPA Fiscal Year

upon request of the Superintendents' Council.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will hire, supervise, evaluate, and discipline the program specialists who are employed by the SELPA, and provide technical support needed for the implementation of the duties above for those carrying out these functions regardless of their employer. The SELPA Administrator will annually request an allocation for the services of the staff required to provide the function in EC 56836 to serve SELPA-wide needs from the Superintendents' Council.

Role of the individual LEAs: Each LEA individually decides on its allocation of staff who perform the duties of programs specialists listed above. LEAs may request to enter into an MOU with the SELPA on an individual basis for the services of a program specialist within their LEA. The individual LEAs will select, direct the work, supervise, evaluate and discipline staff that they employ to carry out these functions.

Individual LEAs, through their representative to the Superintendents' Council, determine annually the allocation the services of the staff required to provide the functions in EC 56836 to serve SELPA-wide needs.

- Serve as LEA representatives and commit LEA resources, as appropriate
- Interpret and implement new laws and regulations (Federal and State)
- Design and implement alternative dispute resolution strategies
- Coordinate mediation and due process issues for LEAs as requested
- Serve as liaison with other public agencies (such as: San Diego Regional Center, San Diego County Health and Human Services)
- Provide support to LEAs in the area of positive behavior intervention
- Coordinate program reviews and the effectiveness of the Local Plan
- Assist in the preparation, implementation and follow-up of reviews by

Special Education Local Plan Area Services

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

Reference Number:

Document Title:

Document Location:

Section B: Governance and Administration

SELPA South County SELPA

Fiscal Year 2020-21

Description:

The South County Special Education Local Plan Area (SELPA) and its member districts ensure that special education services are available for all eligible individuals 0 - 5 years of age residing within the member districts, and that those individuals have a right to participate in public education services. Individuals birth through 2 years of age with a disability, as identified by the individualized family service plan (IFSP) team, have a right to early intervention services as mandated by the Individuals with Disabilities Education Act (IDEA) - Part C. Part C is a program administered by the state of California that serves infants and toddlers through age two with developmental delays, or a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. The Early Intervention services may be delivered through an IFSP, which is a family focused, outcome-oriented plan that focuses on the developmental needs of the child and the concerns of the family.

The South County SELPA and member districts further ensure that early intervention services designed to meet the needs of the identified infants and toddlers aged 0-2 and their families will be provided by, and agreed to through an interagency agreement between San Diego Regional Center and San Diego County Special Education Local Plan Areas, and the Superintendent of Schools, San Diego County Office of Education (SDCOE) for California Early Start Program. The SDCOE Early Start will provide educational services, as deemed appropriate by the IFSP team, to identified children who are not eligible for the San Diego Regional Center and have a Solely Low Incidence disability (i.e. Deafness, Hard of Hearing, Blindness, Orthopedic Impairment, etc.).

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:

2

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Members of the public, including parents or guardians of students with disabilities who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual

Section B: Governance and Administration

SELPA South County SELPA

Fiscal Year 2020-21

Description:

administrator through:

- Contacting their school of attendance to communicate with the site administrator
- Contacting their LEA to communicate with a district administrator
- Contacting the SELPA office to request communication with the SELPA Administrator
- Contacting their LEA governing board as they are responsible to address questions and concerns of the public, including parents or guardians of students with disabilities who are receiving services under the Local Plan
- Providing public comment at the Superintendents' Council meeting.

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:

3

Document Title:

Local Plan, Section B Governance and Administration

Document Location:

SELPA Office, <https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx>, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net

Description:

Member Local Education Agencies comprising the San Diego South County SELPA agree to the following with respect to conflict resolution involving any governance and administrative issues of the Local Plan: All participating LEA's will discuss any areas of conflict at the level of the Operations Committee. Any areas regarding laws or policies of the California Department of Education (CDE) will be referred to the State Director or Special Education. Advice from the CDE will be brought back to the Operations Committee by the SELPA Administrator. The Operations Committee will reconsider the issue and reach accord. In the event that any issue cannot be resolved by the Operations Committee, the SELPA Administrator will convey the issue to the Superintendents' Council for resolution. In the event that the issue cannot be resolved by the Superintendents' Council, the member districts may use alternative dispute resolution such as an internal review panel, mediation or the use of a Alternative Dispute Resolution Mediator. The results of such mediation shall be final and binding on all parties involved.

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

Section B: Governance and Administration

SELPA South County SELPA

Fiscal Year 2020-21

considered and, where appropriate, utilized:

Reference Number:	4
Document Title:	Local Plan, Section B Governance and Administration
Document Location:	SELPA Office, https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net
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 limited to, response to intervention models, student success teams, early literacy programs, and remedial programs. Each LEA will develop, implement, and revise their own policies and procedures as needed.

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:	5
Document Title:	Local Plan, Section B Governance and Administration
Document Location:	SELPA Office, https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net
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. The IEP team will determine if the student is making appropriate educational progress through review of progress on IEP goals, including those specific to a Behavior Intervention Plan as well as any other assessments or pertinent data. The LEA will observe a pupil during instruction and will conduct a walkthrough of the facility. An LEA representative shall review the master contract, the individual services agreements, and the IEP to ensure that

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

Section B: Governance and Administration

SELPA South County SELPA

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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:	6
Document Title:	Local Plan, Section B Governance and Administration
Document Location:	SELPA Office, https://www.sdcoe.net/student-services/special-education/scselpa/Pages/south-county.aspx, each LEA's website, and the San Diego County Office of Education website, www.sdcoe.net
Description:	The SELPA will provide technical support to any districts identified as the DOR for students age 18 to 21 who are incarcerated in a county jail and remaining eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the county jails as requested.

INTRODUCTION AND RATIONALE

The Community Advisory Committee (CAC) is an integral part of the San Diego South County Special Education Local Plan Area (SELPA). Legislation mandates the role and function of Community Advisory Committees. The CAC provides a vehicle for establishing open and direct lines of communication between the community and the administrative and policy-making entities of the school LEA's.

The CAC serves as an advisory to the San Diego South County SELPA with regard to the development, amendment, and review of the Local Plan.

**COMMUNITY ADVISORY COMMITTEE
OF THE
SAN DIEGO SOUTH COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA**

BYLAWS

Article I – NAME

The Community Advisory Committee (CAC) of the San Diego South County Special Education Local Plan Area (SELPA)

ARTICLE II - PURPOSE

The purpose of this organization shall be:

- A. To advise the policy and administrative entity of the Special Education Local Plan Area (SELPA) regarding the development and review of the Local Plan.

CAC comments are reviewed and considered.

Members of the CAC are a part of the Committee that cooperatively updates the Local Plan. A draft is presented to the CAC at least 30 days prior to the Local Plan's submission to the California Department of Education.

- B. Recommending annual priorities to be addressed by the SELPA.

The SELPA Director presents the SELPA management plan to the CAC, and request the CAC to list their recommended priorities for the year.

- C. Assisting the parent education and recruitment of parents and other volunteers to help implement the plan.

The CAC serves as a source of information for parents of disabled students, assisting parents who may require information about Special Education, and also assisting the SELPA's parent/community education programs. CAC members provide parents of special education programs. CAC members provide parents of special education students with information regarding their rights, particularly the Due Process procedures available to them. The CAC works cooperatively with the LEA's Parent/Teacher Associations in the region in providing information including workshops of interest. CAC members

provide assistance in the recruiting parents and other persons interested in serving as volunteers of Special Education programs.

- D. Encouraging community involvement in the development and review of the Local Plan.
- E. Supporting activities on behalf of individuals with exceptional needs.
- F. Assisting in parent awareness of the importance of regular school attendance through CAC activities and school district parent notification procedures.

The CAC provides information to the general public regarding the SELPA's activities.

ARTICLE III – MEMBERSHIP

A. Appointment of Voting Members

1. Appointees

The members of the CAC shall be appointed by, and responsible to, the Governing Board of each participating district in the SELPA. Terms of appointment are two years. Members may be appointed by a LEA to more than one consecutive term.

2. Composition

It is the goal of the CAC to have its membership represent parents of students with a variety of disabilities and having knowledge of general/special education issues. The composition is set forth in the Local Plan. The breakout is as follows:

a. Parents – Total of 16

Chula Vista	5
Coronado	1
National	2
San Ysidro	1
South Bay	2
Sweetwater	5

b. Teachers – Total of 9

(1) Special Education – Total of 6

Chula Vista	1
Coronado	1
National	1
San Ysidro	1

South Bay	1
Sweetwater	1
(2) Regular Education – Total of 3	
Chula Vista	1
San Ysidro	1
Sweetwater	1

- c. Private Schools Representatives – Total of 1
- d. Public and Private Agency Representatives – Total of ~~4~~ 2
Representatives – Total of 2
 - (1) Disabled Adult Representative 1
 - (2) Disabled Student Representative 1
- e. Ex-officio Members (non-voting members):
May consist of the following:
 - (1) District directors of Special Education in the SELPA
 - (2) District and SELPA Program Specialists in the SELPA
 - (3) SELPA Director
- f. Guests – always welcome (non-voting participants)

ARTICLE IV – OFFICERS

Section 1. The officers of the CAC shall be Chairperson, Chairperson-elect, and Secretary.

Section 2. A. The CAC shall elect its own officers within its membership for a one-year term by a majority vote of the voting members present at the May CAC meeting.

B. Officers may not serve more than two consecutive terms.

C. The CAC Chairperson shall appoint a nominating committee each spring to be ratified by the members. The committee will represent each district with a duty to present a slate of officers in May for the coming year, and to fill vacancies occurring during the year. Nominations will be made by the nominating committee and will also be accepted from the floor.

- D. Nominees must state a willingness to serve before election.

ARTICLE V – DUTIES OF OFFICERS

Section 1. Chairperson

- A. Develop the agenda and preside over CAC meetings.
- B. Vote to break ties when necessary.
- C. With the guidance and input of the CAC, assign duties and make appointments to sub-committees/ad hoc committees (which may include students and non-members) for specific purposes whenever necessary.
- D. Make annual reports as required.
- E. Send out meeting notices

Section 2. Chairperson – elect

- A. The chairperson-elect will assume the duties of the chairperson in his/her absence and serve as the next chairperson.
- B. Vote to break ties when necessary.
- C. With the guidance and input of the CAC, assign duties and make appointments to sub-committees/ad hoc committees (which may include students and non-members) for specific purposes whenever necessary.
- D. Make annual reports as required.
- E. Send out meeting notices.

Section 3. Secretary

- A. Maintain minutes of all CAC proceedings and submit them for CAC approval.
- B. Keep committee and subcommittee reports.
- C. Perform all written correspondence of the CAC.

ARTICLE VI – REMOVAL FROM MEMBERSHIP

If any CAC member is absent from ~~three~~ two consecutive meetings without a valid excuse, he/she shall be contacted by SELPA staff to determine continued interest in being a member.

ARTICLE VII – PROCEDURES

Section 1. Meetings

- A. Procedures not specified in these bylaws shall be governed by “Robert’s Rules of Order – Newly Revised.”
- B. A quorum is at least one voting member, from a minimum of three member LEA’s, present at the time the vote is taken.

Section 2. General

- A. The CAC Chairperson shall file the CAC membership roster with the SELPA Director.
- B. In the spring, the membership will be surveyed and CAC shall draft a schedule of meeting dates and topics for the following school year. Other items may be considered as the need arises during the year.
- C. The schedule of meetings shall be adopted at the first meeting of the year by a the majority of the members present.
- D. The secretary of the CAC shall provide a copy of the minutes of each meeting to each member.
- E. The regularly scheduled CAC meetings shall be open to the public.

ARTICLE VIII – BYLAW CHANGES

- A. Changes to the bylaws may be made by a 2/3 vote of the voting members present at any business meeting. Proposed amendments/changes must be submitted to the membership at the previous meeting at which the amendments/changes are to be acted upon. The proposed amendments/changes shall be made clear to all members before a vote is taken; all amendments/changes shall become effective immediately upon acceptance by the membership.
- B. CAC bylaws shall not be in conflict with current Boards of Education policies of the SELPA’s participating LEA’s.

SOUTH COUNTY SELPA POLICY: 2002-LIT APPROVED: 10/16/02 REVISED: 3/21/2007; 12/13/2017	LITERACY POLICY
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FEDERAL REQUIREMENTS

20 USC § 1412(a)(23)

34 CFR § 300.172

STATE REQUIREMENTS

EC § 56205(a)(20)

OTHER

State Board Requirement 2/99

AB 2519 2/98

The South County Special Education Local Plan Area (SELPA) member districts ensure that all efforts will be made to improve the achievement results for student with disabilities. These efforts include that students with disabilities will have access to the same high-quality, research-based instruction as their peers in general education.

Additionally, in order to master reading and language arts skills, students with disabilities will have full access to core curriculum, including state adopted core curriculum textbooks and supplementary textbooks, and all related instructional materials and support.

In order to ensure the provision of high-quality reading and language arts education, special education instructional personnel will participate in staff development inservice opportunities provided or facilitated by South County SELPA and member districts in the areas including, but not limited to:

- ☐ Information about current literacy and learning research that aligns with the state-adopted standards.
- ☐ Research-based instructional strategies for teaching reading to a wide range of diverse learners.

The South County SELPA and member districts acknowledge that the above-noted policy components reflect the intent of the California Reading Initiative of 1999.

Access to Instructional Materials for Individuals with Print Disabilities

The South County SELPA member districts further ensure that blind student and students with other print disabilities who need instructional materials in accessible formats are provided those materials in a timely manner, according to the State definition. All reasonable steps will be taken to provide those instructional materials in accessible formats at the same time that other students receive instructional materials.

Additionally, all students with disabilities requiring instructional materials in specialized formats (ex. Braille, audio, or digital text and are print formats) will be provided those materials according to the standard established by the National Instructional Materials Accessibility Standard (NI-MAS).

- ☐ Instructional materials to blind students or other students with print disabilities in a timely manner according to state adopted National Instructional Materials Accessibility Standard

SOUTH COUNTY SELPA POLICY: 2019-IEE APPROVED: 12/11/2019	INDEPENDENT EDUCATIONAL EVALUATIONS
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This policy sets forth agency criteria for completion of independent educational evaluations, completed at public expense.

Definitions

Independent Educational Evaluation (IEE) means an evaluation conducted by a qualified examiner who is not employed by the responsible local educational agency.

Qualified Examiner is an evaluator who is competent to perform the evaluations through criteria established by the LEA in accordance with Education Code, Section 56322.

Public expense means that the local educational agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent or guardian.

Local educational agency (LEA) means the school district or charter school that is responsible for providing educational services to a child with a disability.

Parent Requests for Independent Educational Evaluations (IEE)

Parents may request an independent educational evaluation when they disagree with an evaluation completed by the Local Education Agency (LEA). Parents may only request one IEE in response to each evaluation completed by the LEA. Parent must make a request for an IEE within two years of the date of presentation of the assessment with which they disagree.

If the parents request an independent educational evaluation at public expense, the parents may be asked the reason why they object to the evaluation conducted by the LEA. The LEA may not require the parents to explain their reasons and may not unreasonably delay either providing an independent educational evaluation at public expense or initiating a due process hearing to defend its evaluation, or decision not to evaluate. If the LEA initiates a hearing and the final decision is that the evaluation conducted by the LEA was appropriate, the parent/guardian still has the right to an IEE, but not at public expense.

Procedures for Parents When Requesting an IEE at Public Expense

Parents must indicate in writing to the LEA they disagree with an evaluation conducted by the LEA and that they are requesting an independent educational evaluation at public expense. If the parent makes an oral request for an IEE, LEA staff shall offer to assist the parent in putting the request in writing and shall assist the parent if the parent so requests. The following information should be included in the request:

- a. Specific area(s) of disagreement with the LEA's assessment
- b. Requested area(s) of assessment
- c. Questions or issues with the LEA's assessment that would be addressed by the IEE;
and
- d. If a specific IEE evaluator is desired, the name must be provided so that the LEA may consider the background, qualifications, and fees charged by the assessor

Procedures for LEAs when Parents Request an IEE at Public Expense

Once the parent communicates his/her disagreement with the evaluation(s) completed by the LEA and requests an IEE at public expense, the LEA will:

- 1. Provide the parent a copy of this IEE policy, which includes the agency criteria for independent educational evaluations.
- 2. Consider the request, without unnecessary delay, and provide a Prior Written Notice stating whether the LEA is providing or denying the publicly funded IEE assessment.
- 3. If granting the request instead of filing for due process, the LEA will provide the parent provided with a list of potential evaluators and how these evaluators may be contacted. The list is not intended to be exhaustive and is not intended to limit a parent's options in obtaining an IEE from other qualified professionals who meet the agency criteria outlined in this policy, or demonstrating unique circumstances justifying departure from them.
- 4. In the event that a parent requests to utilize an evaluator who does not meet agency criteria, the LEA shall provide the parent the opportunity to demonstrate that there are unique circumstances to justify such departure. The LEA will then make a determination if the use of the requested evaluator that does not meet agency criteria is warranted, and respond to the parent with a prior written notice.
- 5. If the parent wishes for LEA to provide records to IEE assessor, or otherwise share information with such provider or communicate with them about student, parents will be required to sign a release and exchange of information between the IEE evaluator(s) and the LEA. The records review is for purposes of making recommendations as to current needs and contents of the student's IEP and not for purposes of opining on whether prior evaluations or services were appropriate.
- 6. If the parent obtains IEE without prior approval and is seeking reimbursement for the IEE assessment, the parent is responsible to ensure that the IEE provider comports with the SELPA's Independent Educational Evaluation Policy.
- 7. If the LEA does not agree to provide the IEE at public expense, the LEA must file for due process, without unnecessary delay, to demonstrate that its assessment was appropriate.

If the parent obtains an IEE and provides it to the LEA, the results of the evaluation (if the evaluation meets the agency criteria) must be considered by the LEA in making educational decisions as required by the Individuals with Disabilities Education Act. The evaluation may also be presented as evidence at a due process hearing regarding the child.

Conflict of Interest

To ensure the independence of the evaluation and any recommendations therein, the LEA will not contract with an independent evaluator who is or could be providing services to the student.

Likewise, if the independent evaluator recommends a particular service and the IEP team agrees to that service, in its discretion, the LEA will not fund the service through the independent evaluator.

Independent Evaluations Not Funded by the Local Education Agency (LEA)

The LEA does not have an obligation to reimburse parents/guardians for privately obtained evaluations completed prior to the date that the LEA's evaluation is completed and discussed at an IEP Team meeting.

Consideration of Independent Educational Evaluations

Independent educational evaluations are designed to provide an independent opinion when the parent disagrees with the LEA's evaluation(s) of the child. The LEA is responsible for offering appropriate placements and services. Therefore, the LEA will consider recommendations contained in independent educational evaluations completed in accordance with this policy and its implementing procedures and criteria. Independent educational evaluations do not control the LEA's determinations regarding eligibility for special education, appropriate goals, objectives and/or placement recommendations.

Reimbursement for Completed Independent Educational Evaluations

To request reimbursement for a completed IEE, the evaluation must meet the agency criteria included in this policy. It is the responsibility of the director/coordinator of the LEA to determine whether the completed IEE meets the agency criteria. Once the LEA receives a request for reimbursement, the special education administrator shall respond to the parent/guardian in a timely manner. Reimbursement will be in an amount no greater than the actual cost to the parent and will be subject to proof of payment.

The parents will be promptly reimbursed for the costs of the previously obtained IEE if it meets the agency criteria as determined by the special education administrator for the LEA and the LEA does not elect to request a due process hearing. Reimbursement for IEE assessments shall be limited to the cost limitations set forth in this policy. If the LEA files for a due process hearing, the parents will not be reimbursed for the cost of the evaluation unless the LEA is ordered to reimburse the parents pursuant to a due process hearing decision.

In the event that the parent believes that due to the unique needs of their particular child it is necessary to select an assessor who does not meet agency criteria, Parent will be given an opportunity to explain factors that make such a selection necessary.

If the LEA observed the child in conducting the evaluation with which the parents disagree or if its assessment procedures allow in-class observations, the independent examiner will be provided with an equivalent opportunity to observe the child in the current educational setting and to observe the LEA's proposed setting, if any. This opportunity shall also be provided if the parents obtain an evaluation at private expense.

The LEA shall define the nature and scope of an independent examiner's in-class observations consistent with the right to an equivalent opportunity to observe the student to the LEA's evaluation with which parent disagreed.

To prevent unnecessary disruption in the classroom and to protect the privacy interests of other students but provide an independent examiner an equivalent opportunity to observe the student, observations are subject to reasonable restrictions outlined in LEA policy or practice. Reasonable restrictions include, but are not limited to, the following: 1) scheduling the observations per Board policy; (2) identifying reasonable time limitations; (3) identifying LEA personnel to accompany the independent evaluator during the observations; and (4) outlining reasonable restrictions on interacting with the student and teacher during classroom instruction.

Evaluators

IEE Evaluators must be located within the boundaries of San Diego County. Evaluators outside of this area will be approved only on a case by case basis by the LEA if the parents or the LEA can demonstrate there is a unique need for a specialized evaluation

Evaluation and Cost Criteria

The cost of an IEE shall be based on reasonable rates in the area for contractors of similar qualification to perform similar evaluations to the criteria of the LEA's evaluation, with due consideration of cost of living adjustments and any. Rates will be reviewed and adjusted periodically by the Superintendents' Council. Costs include: administration and scoring of tests, report writing, observations (if necessary) in school or alternative (interviews with school staff), review of prior evaluations and progress (if necessary), and IEP team meeting attendance (as necessary and separately arranged). (See Exhibit A). The final report for the IEE shall be prepared and provided before IEP meeting is scheduled.

When insurance will cover all or partial costs of the IEE, the LEA will request that the parent voluntarily have their insurance pay the IEE costs covered by their insurance. However, parents will not be required to use insurance benefits if such action would result in a financial cost to the parents including, but not limited to the following:

1. A decrease in the available lifetime coverage or any other benefit under an insurance policy;
2. An increase in premiums or the discontinuance of the policy; or
3. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim unless the parent is willing to have the LEA reimburse them for the amount of the deductible.

As part of the contracted evaluation, independent evaluators should include the following activities within the time estimates provided on Exhibit A:

- Review student records - the need for record review and its scope will be determined on a case by case basis, and should be driven by referral questions and forward looking instead of a review and recommendation regarding east compliance, programming, or progress;
- Determine whether it is required that they attend relevant IEP team meetings by phone or in person to discuss their findings – LEA personnel may attend meetings in place of the independent evaluator. The need for attendance of the independent evaluator at the IEP meeting will be determined on a case by case basis;

- Observe the student in educational setting - the independent evaluator may observe the student in the educational setting or other setting as dictated by referral questions and case by case evaluation needs.

Evaluators must meet qualifications specified in education code or they will not be approved unless the parent can demonstrate the appropriateness of using an evaluator meeting other qualifications. (E.C. 56320(b)(3); E.C. 56329)

The SELPA will maintain a courtesy list of potential Independent Educational Evaluation (IEE) evaluators who have agreed to the agency's criteria; however, the SELPA or its member LEAs do not endorse the evaluators listed and are not responsible for any liability that may arise from use of any evaluator listed. It is recommended that parent/guardians request a copy of potential evaluators' resume or vitae, ask for references, and request a written proposal that includes the itemized costs for the evaluation including writing the report and attending the IEP meeting, prior to making a final selection. It is recommended that parent/guardians contact the LEA prior to making the final selection of an IEE evaluator to ensure that the evaluator meets the agency's licensures/credentialing criteria.

(EDUCATION CODE 56329; 56506)
(CALIFORNIA CODE OF REGULATIONS 3022)
(GOVERNMENT CODE 7572)

*****Exhibit A**

Type of Assessment	Qualifications	Rate*
Academic Achievement	<ul style="list-style-type: none"> • Credentialed Special Education Teacher • Credentialed School Psychologist • Licensed Educational Psychologist 	\$1,640 -\$2,620
Assistive Technology/ Augmentative Alternative Communication	<ul style="list-style-type: none"> • Credentialed or Licensed Speech/Language Pathologist • Certified Assistive Technology Specialist • Licensed Occupational Therapist • Credentialed School Psychologist 	\$1,250 - \$1920
Auditory Processing	<ul style="list-style-type: none"> • Licensed or Certificated Audiologist • Credentialed School Psychologist • Licensed Educational or Clinical Psychologist • Credentialed or Licensed Speech/Language Pathologist 	\$1,250 - \$1990
Behavior/Functional Behavior	<ul style="list-style-type: none"> • Credentialed School Psychologist • Licensed Educational or Clinical Psychologist • Credentialed Special Education Teacher 	\$1920 - \$2,640
Full Psycho-Educational (includes, but is not limited to, academic, adaptive, basic psychological processing, behavior, cognition, and social-emotional)	<ul style="list-style-type: none"> • Credentialed School Psychologist • Licensed Psychologist • Licensed Educational Psychologist • Clinical Psychologist • Credentialed Special Education Teacher (academic only) 	\$2,980 - \$3,710
Mental Health	<ul style="list-style-type: none"> • Credentialed School Psychologist • Licensed Clinical Social Worker • Licensed Marriage Family Therapist • Licensed Clinical Psychologist 	\$2,230 - \$2,840
Motor (Fine or Gross)	<ul style="list-style-type: none"> • Credentialed Adapted Physical Education Teacher • Licensed Occupational Therapist • Licensed Physical Therapist 	Fine: \$1,020 - \$1,920 Gross: \$1,230 - \$2,080
Neuropsychological	<ul style="list-style-type: none"> • Credentialed School Psychologist with Certification/License in Neuropsychology • Credentialed or Licensed Neuropsychologist 	\$3,080 - \$4,060

Speech and Language	<ul style="list-style-type: none"> • Credentialed or Licensed Speech/Language Pathologist 	\$960 - \$1,650
Visual Acuity and Perception	<ul style="list-style-type: none"> • Credentialed Teacher of the Visually Impaired • Credentialed School Nurse • Vision Specialist • Credentialed Orientation and Mobility Instructor • Ophthalmologist/Licensed Optometrist 	\$980 - \$1,570
Occupational Therapy	<ul style="list-style-type: none"> • Licensed Occupational Therapist 	\$330 - \$370
Physical Therapy	<ul style="list-style-type: none"> • Licensed Physical Therapist 	\$350 - \$560
Adapted Physical Education	<ul style="list-style-type: none"> • Credentialed Adapted Physical Education 	\$1,200 - \$1,800
Transition	<ul style="list-style-type: none"> • Credentialed Special Education Teacher • Credentialed School Psychologist • Licensed Educational Psychologist 	\$1,000 - \$1,500

* IEP meeting attendance to be arranged separately and final report must be provided before meeting is scheduled.

**Typical hours spent, dictated by type of assessment, case complexity and seniority of assess.

***Market rates, periodically assessed, hourly rates outside range must be preapproved.

Updated 5/22/2020.

SOUTH COUNTY SELPA POLICY: 2002-EES APPROVED: 10/16/2002 REVISED: 5/10/17	EARLY EDUCATION SERVICES PROGRAM DESCRIPTION 0-5 & EARLY INTERVENTION SERVICES - PART C AND PART C TRANSITION
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FEDERAL REQUIREMENTS

20 USC §1432
20 USC §1431 - 1435
34 CFR § 300.101

CALIFORNIA REQUIREMENTS

EC § 56205(b)(3)
EC § 56429
EC § 56361.2
5 CCR § 3031
17 CCR § 52020
17 CCR § 52100
17 CCR § 52140
GC § 95000 -95004

The South County Special Education Local Plan Area (SELPA) and its member districts ensure that special education services are available for all eligible individuals 0 - 5 years of age residing within the member districts, and that those individuals have a right to participate in public education services.

Individuals birth through 2 years of age with a disability, as identified by the individualized family service plan (IFSP) team, have a right to early intervention services as mandated by the Individuals with Disabilities Education Act (IDEA) - Part C. Part C is a program administered by the state of California that serves infants and toddlers through age two with developmental delays, or a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. The Early Intervention services may be delivered through an IFSP, which is a family-focused, outcome-oriented plan that focuses on the developmental needs of the child and the concerns of the family.

The South County SELPA and member districts further ensure that early intervention services designed to meet the needs of the identified infants and toddlers aged 0-2 and their families will be provided by, and agreed to through an interagency agreement between San Diego Regional Center and San Diego County Special Education Local Plan Areas, and the Superintendent of Schools, San Diego County Office of Education (SDCOE) for California Early Start Program. * The SDCOE Early Start will provide educational services, as deemed appropriate by the IFSP team, to identified children who are not eligible for the San Diego Regional Center and have a Solely Low Incidence disability (i.e. Deafness, Hard of Hearing, Blindness, Orthopedic Impairment, etc.).

Individuals with disabilities 3-5 years of age may access evaluation services through their South County SELPA school district of residence. If the child is identified through the evaluation process as eligible for special education under IDEA - Part B, educational services designed to meet all identified areas of need will be provided through the Individualized Education Program (IEP) process. Special education preschool services are available for children in all LEAs.

**This document is in effect until replaced by a revised interagency agreement by all participating agencies.*

TRANSITION

FEDERAL REQUIREMENTS

20 USC § 1412(a)(9)
34 CFR § 303.209

STATE REQUIREMENTS

EC § 56205(a)(9)
EC § 56426.9
17 CCR § 52140(b)(10)
17 CCR § 52112

The South County Special Education Local Plan Area (SELPA) and its member districts ensure that all children participating in Early Intervention programs under the Individuals with Disabilities Education Act (IDEA) - Part C who will participate in special education preschool programs under IDEA - Part B will experience a smooth and effective transition process.

All member districts will participate in interagency transition planning procedures beginning at least six months prior to each child's third birthday to ensure that an Individualized Education Program (IEP) has been developed, and that services required by an IEP under IDEA - Part B are initiated by the third birthday. Additionally, South County SELPA staff and member districts will follow the transition procedures outlined in the Interagency Agreement between San Diego Regional Center and the San Diego County Office of Education for California Early Start.*

**This document is in effect until replaced by a revised interagency agreement by all participating agencies.*

SOUTH COUNTY SELPA POLICY: 2002-CF APPROVED: 10/16/02 Revised: 12/13/2017	CHILD FIND
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FEDERAL REQUIREMENTS

20 USC § 1412(a)(3)

34 CFR § 300.111

CALIFORNIA REQUIREMENTS

EC 56301(d)(1),

56205(a)(3)

The South County Special Education Local Plan Area (SELPA) ensures that all individuals with disabilities 0 - 21 years of age who reside in the member districts, regardless of the severity of their disability, shall be identified, located, and assessed. This will be accomplished through the use of a continuous child find system procedure that addresses the relationships among identification, screening, referral, assessment, planning, implementation, review, and the triennial assessment.

The continuous child find system encompasses all children regardless of their disabilities, including those who may be homeless or are wards of the state; children with disabilities attending private, including religious elementary and secondary schools; highly mobile children, including migrant children; and children who are suspected of being a child with a disability though they are advancing from grade to grade.

The South County SELPA Child Find system incorporates these components:

- Infants and toddlers (birth to three years): The HOPE Infant Family Support Program provides coordinated services for infants and toddlers with disabilities or at risk for developmental delays and their families as required by the Individuals with Disabilities Education Act (IDEA) - Part C and the California Early Intervention Services Act. The HOPE program is part of California Early Start, an interagency system of coordinated services administered by the CA Department of Developmental Services (DDS) in collaboration with the CA Department of Education, and is operated by the San Diego County Office of Education (SDCOE). At this time, HOPE works in collaboration with the Exceptional Family Resource Center (EFRC) and San Diego Regional Center to ensure that quality early intervention services, including initial referral and evaluation, are made available at no cost to families. The EFRC serves as a "Point of Entry" for CA Early Start Services and processes referrals to the Regional Center. Information about referrals for

Early Start Services is available to the public from the EFRC (800-281-8252) and the DDS Early Start Central Directory at www.dds.ca.gov/earlystart. A description of additional child find activities conducted by South County SELPA districts for infants and toddlers can be found in the Local Interagency Agreement for California's Early Start Program between San Diego Regional Center, San Diego Special Education Local Plan Areas, and other participating agencies.

- Preschoolers (3 years to kindergarten age): Infants and toddlers receiving early education services from HOPE and/or San Diego Regional Center through an Individual Family Service Plan (IFSP) will participate in transition activities identified in the SELPA Local Plan. These students will directly transition, as eligible, from services under IDEA - Part C to services provided by their district of residence under IDEA - Part B. All parents and/or guardians receive information regarding the special education referral process and the continuum of preschool services available within the districts of the South County SELPA from the family's district of residence to continue efforts to identify children who have disabilities and have not previously been identified.
- School Age Children: Local schools within the SELPA use systematic methods of utilizing referrals for special education from teachers, parents and other adults. Staff are trained on the requirements for providing assistance to parents/guardians and teachers who wish to make such a referral. Designated staff, who may include special education specialists, school psychologists, program specialists or district administrators, are responsible for providing information about special education to parents when parents have a concern and/or it is suspected that a child may have a disability, and for accepting referrals and tracking timelines. When a student is experiencing academic and/or social/emotional difficulties, school site Student Study Team processes are utilized at school sites. Pertinent student information is collected to develop student action plans. These plans specify and monitor the student's progress while he/she is receiving general education research-based interventions in areas of concern. Nonetheless, all requested referrals for special education evaluation are processed according to legal mandates.
- Private School students: 3 years - 21 years: Consultation is completed annually with representatives of private schools regarding procedures for the identification, location and evaluation of students enrolled at those schools. The SELPA policy "Children with Disabilities Voluntarily Placed by Their Parents in Private Schools" delineates the consultation process utilized in an effort to identify students with disabilities.
- 0-21: SELPA and district staff collaborate with community agencies such as Head Start, the Office of Employment and Training, the Department of Rehabilitation, San Diego Regional Center to assure that all individuals with disabilities are identified.
- South County SELPA staff provide procedural support and guidance to member districts in their efforts to carry out all Child Find activities.

Additionally, South County SELPA member districts ensure that Child Find procedures include the written notification of all parents of their rights (Procedural Safeguards), and the steps

necessary for initiating a referral for assessment to identify children with exceptional needs. South County SELPA district staff complete all legally mandated referral procedures, including that persons making verbal referrals will be offered assistance by district staff to complete that referral in writing.

SOUTH COUNTY SELPA

POLICY: 2002-IEP

**APPROVED: 10/16/02
REVISED 3/21/2007;
12/13/2017**

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

FEDERAL REQUIREMENTS:

IEP

20 USC § 1401(14)
20 USC § 1412(a)(4)
20 USC § 1414(d)
34 CFR § 300.321
34 CFR § 300.322

IFSP

20 USC § 1412(a)(4)
20 USC § 1436
34 CFR § 300.24
34 CFR § 300.323(b)

STATE REQUIREMENTS

IEP

EC § 56205(a)(4)
EC § 56380
EC § 56303
EC § 56320 - 56321.5
EC § 56323
EC § 56330
EC § 56340
EC §§ 56341 - 56347
EC § 56380 - 56380.1
EC § 56383
EC 56195.7

IFSP

EC § 56320.1
EC § 56340.1
EC § 56426.8
GC § 95020
17 CCR § 52108

This South County SELPA policy defines the basic objectives and requirements of the Individualized Education Program (IEP) and the Individualized Family Service Plan (IFSP). The SELPA member districts ensure that all stipulations regarding the development, contents, timelines, revision, team meeting parameters, membership and/or other particulars of each IEP and IFSP will be adhered to as per state and federal law and regulations [20 USC § 1414; 34 CFR §§ 300.320 - 300.324].

It is the intent of the California legislature that IEP teams and team meetings be nonadversarial, and are convened solely for the purpose of making educational decisions for the good of the student with exceptional needs [EC 56341.1(h)]. This policy promotes mutual respect, civility, and orderly conduct among all parties involved in the IEP process.

IEP

The IEP is a written statement for a student that is developed, reviewed and revised according to strict legal requirements [34 CFR §§ 300-320 - 300.324]. This policy is not intended to be a comprehensive synopsis and/or listing of the requirements for the development, contents, team meeting and membership, timelines, revision and all other aspects of an IEP and the IEP process.

The South County SELPA member districts ensure that each district will initiate and conduct IEP team meetings for the purposes of developing, reviewing, and revising the IEP of each school-age individual with exceptional needs residing within the districts who is, or may be eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA Part-B).

IEP team meetings will be convened not less than annually in order to determine whether the pupil's annual goals are being achieved, the appropriateness of the placement, and to revise the student's educational program and IEP, as appropriate [EC 56343]. IEP team members shall additionally meet to address:

- To discuss the results of a special education assessment or reassessment
- A request of a parent or teacher to develop, review or revise the IEP
- The student's lack of expected progress toward the annual goals, and in the general education curriculum, where appropriate
- Information about the pupil provided to, or by, the parents or guardians

Additionally, IEP teams will meet as required for special circumstances, including but not limited to a pupil's transition from Part C (Infant/Toddler) to Part B (school-age IDEA) services; a change of district attendance, ex. transition to secondary school; and transition to and from Adult Transition Programming. It shall be the policy of the member districts of the South County SELPA that reassessment of a student with a disability shall be conducted at least once every three years, or more frequently, if appropriate.

Each local district will take the required action necessary to ensure that one or both parents of the student are present at each IEP meeting. If a parent cannot attend a proposed meeting, other methods will be used to afford the opportunity for parent participation.

When developing a pupil's IEP, the team members must consider:

- The strengths of the pupil
- The concerns of the parents
- The results of any recent assessments
- The academic, functional and behavioral needs of the pupil
- The use of positive behavioral interventions as needed
- The language needs of a pupil with limited English proficiency

- Any special needs of pupils who are blind or visually impaired, deaf or hard of hearing
- Whether the student requires assistive technology

All special education and related services determined by the IEP team to be required for a student's free appropriate public education (FAPE) will be listed on the IEP, as well as details regarding those services. SELPA districts establish that each student with a disability will be provided with the services included in his/her IEP, regardless of which district, agency, or non-public school is the provider of a service. No services will be provided to a student without prior parent consent.

IEPs and Least Restrictive Environment (LRE)

Pupils residing in SELPA districts will be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized [EC 56303].

The South County SELPA ensures that to the maximum extent determined to be appropriate, all students with disabilities, including children in public or private institutions or other care facilities, are educated in a regular educational environment with children who are not disabled. The least restrictive environment (LRE) for students is the one determined by the IEP team to meet the needs of the student. Any potentially harmful effects on the student or on the quality of services will be considered by the IEP team when determining the LRE. Students receiving special education and related services will have equal access to campus activities and facilities, including general education curriculum and nonacademic and extra curricular activities.

Special class placement and and/or separate schooling away from the general education environment occurs only when the nature or severity of student's disability is such that education in regular classes, even with the use of supplemental aids and services and modifications cannot be achieved satisfactorily.

Additionally, the SELPA ensures that specialized equipment and services will be distributed among the member districts in a manner that maximizes the opportunities to serve each student in the least restrictive environment, and as close to the student's home as possible.

IFSP

It is the policy of the South County SELPA and districts that all eligible infants and toddlers aged birth through 2 years will have an Individualized Family Service Plan (IFSP) and receive early intervention services through the Interagency Agreement between the San Diego Regional Center and the San Diego County Office (SDCOE) for California Early Start. These services are also referred to as Part C of the Individuals with Disabilities Education Act (IDEA).

The IFSP is a written document that includes the child's present levels of development in the areas of physical, health, cognitive, communication, and social, emotional and adaptive development. Additional components of the IFSP include: family concerns, major outcomes expected to be achieved when appropriate, criteria for measuring progress, a statement of the specific early intervention services necessary to meet the needs to the child along with the expected date of service initiation, a statement of medical and other services that the child or family needs or is receiving through other sources, and the name of the service coordinator responsible for the implementation of all early intervention services, including the transition of the child to Part B services before the child reaches 3 years of age.

The IFSP is evaluated at least once each year. In addition, a review of the plan is provided to the family every 6 months or more often when needed. These reviews are conducted to determine the degree of progress that is being made, and whether modification or revision of the outcomes and/or services is necessary.

All IFSP meetings are conducted in settings and at times that are convenient for the family, and in the native language or other mode of communication used by the family. Meeting arrangements are made with written notice provided early enough to afford all team members an opportunity to participate.

This document is in effect until replaced by a revised interagency agreement by all participating agencies.

SOUTH COUNTY SELPA POLICY: PS 2002 APPROVED: 10/16/02 REVISED: 9/20/06, 5/10/17	PROCEDURAL SAFEGUARDS
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FEDERAL REQUIREMENTS**20 USC 1415****CALIFORNIA REQUIREMENTS****56205(a)(6)****56195.8(b)(3)****56500.1****56195.7(b)****56301(d)(2)**

The South County SELPA and its member districts ensure that all procedural safeguards with respect to the provision of a free and appropriate public education (FAPE) under Part B of the Individuals with Disabilities Education Act (IDEA) will be established and maintained within the districts. The Notice of Procedural Safeguards is the written notification provided to parents informing them of their procedural safeguards.

The Notice of Procedural Safeguards will be available upon request at all times to parents of all students. Additionally, a copy will be given to parents of a child with a disability one time a year, and upon the initial referral for special education services or a parent request for evaluation; the first state complaint and/or due process filing of the school year, and in accordance with discipline procedures.

The South County SELPA Notice of Procedural Safeguards is distributed to parents upon request in the language or mode of communication used by the parent unless it is not feasible to do so.

<p>SOUTH COUNTY SELPA</p> <p>POLICY: PRIVATE SCHOOL</p> <p>APPROVED: 2/16/00 REVISED: 1/18/07; 4/1/09; 12/13/2017</p>	<p>CHILDREN WITH DISABILITIES VOLUNTARILY PLACED BY THEIR PARENTS IN PRIVATE SCHOOLS</p>
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FEDERAL REQUIREMENTS

20 USC § 1412(a)(10)(A)

34 CFR §§ 300.130 - 300.134

STATE REQUIREMENTS

EC § 56205(a)(10)

EC §§ 56170 - 56174

EC §§ 56174.5

EC §§ 56175 & 56177

EC §§ 56300 - 56303

EC §§ 56323

EC §§ 48222 & 48224

The South County SELPA and member districts ensure that all state and federal obligations to locate and identify all children with disabilities enrolled by their parents in private elementary and secondary schools will be completed. This policy applies only to children determined to be eligible for special education and related services who are voluntarily enrolled by their parents in private schools when there is no dispute regarding a Free Appropriate Public Education (FAPE).

A child eligible for special education and related services who is voluntarily enrolled by his parents in a private school has no individual right to receive some or all of the services under the Individuals with Disabilities Education Act (IDEA) that the child would receive if he were enrolled in a public school.

The following components provide an explanation of the South County SELPA policy regarding children with disabilities who are voluntarily enrolled by their parents in private schools:

I. Definitions

District of Residence, (“DOR”): As used in this document, the district of residence refers to the school district within which boundaries the child with a disability resides.

District of Private School, (DOPS”): As used in this part, DOPS refers to the school district where the private school or facility is located.

Private School Children with Disabilities: As used in this document, “private school children with disabilities” means children with disabilities enrolled by their parents in private, including religious, schools or facilities.

Private School or Facility: As used in this document, “private school or facility” means: (1) private full-time day school pursuant to California Education Code (EC) § 48222 (including religious schools); (2) private tutor pursuant to EC§ 48224;s and/or (3) any other California Department of Education (CDE)- identified educational institution, program, arrangement, or facility not sponsored, maintained, or managed by the school district and for which the school district does not collect average daily attendance funds; (4) CDE authorized private school affidavit.

II. Consultation

The DOPS shall consult with private school representatives and parents of parentally placed private school children with disabilities during the design and development of special education and related services for the children, regarding:

- A. The child find process and how parentally placed private school children suspected of having a disability can participate equitably, including how parents, teachers, and private school officials will be informed of the process:
- B. The determination of the proportionate amount of Federal funds available to serve parentally placed private school children with disabilities under this subparagraph, including the determination of how the amount was calculated:
- C. The consultation process among the local educational agency, private school officials, and representatives of parents of parentally placed private school children with disabilities, including how such process will operate throughout the school year to ensure that parentally placed private school children with disabilities identified through the child find process can meaningfully participate in special education and related services:
- D. How, where, and by whom special education and related services will be provided for parentally placed private school children with disabilities, including a discussion of types of services, including direct services and alternate service delivery mechanisms, how such services will be apportioned if funds are insufficient to serve all children, and how and when these decisions will be made.

Following the consultation process, the DOPS will notify the respective private schools indicating what the DOPS determined regarding services to private school children with disabilities ages five (5) to twenty-two (22) who are determined to be eligible for special education services.

If the local educational agency disagrees with the views of the private school officials on the provision of services or the types of services, either provided directly or through a contract, the local educational agency shall provide to the private school officials a written explanation of the reasons why the local educational agency chose not to provide services directly or through a contract.

When timely and meaningful consultation as described above has occurred, the DOPS shall obtain a written affirmation signed by the representatives of participating private schools and, if such representatives do not provide such affirmation within a reasonable period of time, the DOPS shall forward the documentation of the consultation process to the State Educational Agency.

III. Funding for Private School Services

One time each year, on December 1, each DOPS will calculate the proportionate share of the federal dollars that must be spent on parentally placed students in private schools. A count of private school students who have been evaluated and are deemed eligible for special education services, shall be conducted based on the number of students with disabilities, including students in private schools. Based on the calculation of the total number of children with disabilities attending private schools in its jurisdiction, each DOPS must spend the proportionate share of its federal grant under Part B on providing special education and related services for parentally placed-private school children with disabilities.

IV. Private School Complaint Procedure

A private school official has the right to submit a complaint to the California Department of Education if:

- A. The DOPS's consultation was not meaningful and timely, or
- B. The DOPS did not give due consideration to the views of the private school official.

If a complaint is filed:

- A. The private school official must provide the basis of the complaint of noncompliance, and
- B. The DOPS must forward the appropriate documentation to the CDE.

If the private school official is dissatisfied with the decision of the CDE, he/she may appeal the decision to the U.S. Department of Education.

V. Child Find

- A. The DOPS shall undertake the following child-find activities with regard to private school children in Kindergarten to age twenty-two (22):
 - 1. Consult with representatives of private school children with disabilities regarding the child-find process, including, but not limited to, criteria for special education eligibility and special education referral procedures under federal and state laws and regulations.
 - 2. Distribute materials to representatives of private school children with disabilities regarding issues including, but not limited to, criteria for special education eligibility and special education referral procedures under federal and state laws and regulations.
 - 3. The proportionate share of federal funds described in this document shall not be used for child-find activities.
- B. The DOPS shall ensure child-find activities undertaken for private school students are comparable to activities undertaken for children with disabilities in Kindergarten to age twenty-two (22) in public schools. Child-find activities shall include consultation with representatives of private school children regarding how to conduct child-find activities.

VI. Special Education Referral

- A. Students shall be referred for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized.
- B. If after considering, and where appropriate, utilizing general education resources, representatives of private school children with disabilities (including private school administrators, teachers, and parents) determine that a private school child may be eligible for special education services, a referral shall be directed to the DOPS representative.
- C. The DOPS shall notify the DOR of referral. It is the responsibility of the DOR to establish residence.
- D. The DOPS, in consultation with the DOR, will develop an evaluation plan clearly indicating which district will conduct each part of the evaluation, if appropriate. The DOPS is ultimately responsible for the evaluation.
- E. The DOPS shall report the student in CASEMIS.

VII. Procedures Determining Eligibility for Special Education Services

- A. Upon completion of the evaluation, the DOPS shall schedule an Individualized Education Program (IEP) meeting to review the assessments and determine eligibility for special education services.
- B. The DOPS shall invite representatives of both the DOR and the private school (including the teacher) to the IEP meeting. If the private school representative cannot attend, the DOPS shall use other methods to ensure participation by the private school, including individual or conference telephone calls.
- C. The IEP team, including DOR and/or DOPS representatives, shall document the eligibility decision in accordance with applicable state and federal laws and regulations. If the child is eligible for special education and related services as a child with a disability, the DOPS shall develop a proposed Individual Services-Plan (ISP) in accordance with the service plan option(s) determined during collaboration with the private school representatives.
- D. If the team has determined that the pupil is eligible for special education and related services, the DOR will, within the 60-day timeline, develop an IEP reflecting an offer of FAPE for the student, in accordance with the evaluation results and the IEP team's determination of eligibility for special education and related services.
- E. If the parents agree with, and consent to the IEP developed by the IEP team, the parent shall enroll the child in the DOR public school and the IEP shall be implemented without delay.

If the parents of a private school child with a disability agree with but decline the IEP developed by the IEP team, the IEP team shall ask the parents to indicate their agreement with the following statement on the student's IEP form: "I agree that the [District of Residence] has offered to my child a free appropriate public education, including appropriate services in special education. However, I am declining that offer and voluntarily placing my child in a private school."

It should be explained to the pupil's parents and documented in the IEP that should the parents decide to enroll the pupil in public school in the future, the public school of attendance will take steps to update the IEP through the IEP team process.

VIII. Individualized Service Plan

- A. After consultation with representatives of private school children with disabilities, the school districts in the South County SELPA of San Diego developed the

following plan or the provision of services through the Individualized Services Plan (ISP):

1. No child with a disability who is enrolled in a private school has an individual right to receive some or all of the special education services that the child would receive if enrolled in public school.
2. Based on each district's proportionate share, and in consultation with the Special Education Director or his/her designee, speech therapy and/or resource specialist services/specialized academic support(SAI) will be provided to eligible private school children ages kindergarten through age 22 attending a private school within the district boundaries pursuant to IDEA.
3. The speech services will be comprised of consultation to private school staff and parents and monitoring of student progress on specified ISPs by speech therapists and/or trained speech assistants, consistent with the limits of federal funding.
4. The resource specialist services/SAI can be comprised of consultation to private school staff and parents, or, as appropriate, professional development, identification and/or provision of appropriate materials, technology, or other instructional supports.
5. The services may be provided at the private schools, including parochial schools, to the extent that these services are consistent with state and federal law. However, the DOPS shall not use funds allocated for services to students with disabilities to finance the existing level of instruction in a private school or otherwise benefit the private school.
6. No District will be required to expend more than their proportionate share in order to provide services to students served on an ISP. Should the proportionate share of funds be expended prior to the end of the school year, services would be suspended until the beginning of the next school year. At that time the LEA would re-evaluate the plan for provision of services based on the number of students to be served and the appropriate proportionate share.

IX. IEP Meetings after the Initial IEP Team Meeting

- A. All children with disabilities eligible for special education are entitled to receive a Free Appropriate Public Education (FAPE) from their District of Residence (DOR) if they are enrolled in public school. One year after an eligible private school child's initial IEP team meeting, and annually thereafter, the DOR shall notify the child's parents in writing that the DOR:
 1. Continues to offer a FAPE in accordance with federal and state laws and regulations:

2. Is ready, willing, and able to schedule an IEP team meeting for their child in order to offer the child a FAPE, subject to assessment, if appropriate, if the parents express an interest in enrolling their child in public school.

Unless Paragraph IX B below applies, the parents shall be requested to send the document back to the DOR and indicate their agreement with one of the following statements:

1. I understand that the District of Residence continues to offer my child a free appropriate public education (including appropriate special education and related services) if he/she is enrolled in public school. I continue to unilaterally place my child in a private school; and:

____ I would like my child to continue to receive services pursuant to his/her ISP. I am not interested in enrolling my child in public school.

(In this case, the District of Residence will forward within 3 business days a copy of this document to the DOPS.)

OR

____ I am interested in enrolling my child in public school. I would like to schedule an IEP team meeting for my child. Please call me at: [parent inserts phone number] in order to schedule the IEP meeting.

2. If the parent does not respond to the notification, the DOPS shall assume that the parent is not interested in enrolling the child in the public school.

- B. Notwithstanding Paragraph IX A above, the DOR shall convene an IEP team meeting at least every three years in order to determine continuing eligibility for special education.

X. Dispute Resolution

- A. When FAPE is not at issue, special education due process procedures are not available to parents for resolving disagreements about the services provided to private school children unilaterally placed by their parents.
- B. Neither the DOPS nor the DOR are required to pay for the cost of educating a child with a disability at a private school (including special education and related services) if: (1) the DOR made a FAPE available to the child, and (2) the parents voluntarily elected to place their child in a private school.
- C. Dispute regarding whether the DOR made a FAPE available to the child may be resolved pursuant to local policies and procedures and/or by filing a request for a due process hearing with the Office of Administrative Hearings.

SOUTH COUNTY SELPA POLICY: 2002-CSPD/PERS APPROVED: 10/16/02 REVISED: 5/10/17	COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT/PERSONNEL STANDARDS
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FEDERAL REQUIREMENTS

20 USC 1413 (a) (3)

20 USC §1412(a)(14)

34 CFR § 300.156

CALIFORNIA REQUIREMENTS

EC § 56240; 56241

EC § 56205(a)(13)

EC § 56070

The South County Special Education Local Plan Area (SELPA) and member districts ensure that a comprehensive staff development program will be provided for regular and special education teachers, administrators, other certificated and classified employees, volunteers, community advisory committee members, and, as appropriate, members of the district and county governing boards. The SELPA will coordinate the development of staff development with member districts and San Diego County Office of Education (SDCOE) staff development programs, including school level staff development programs authorized by state and federal law. Some trainings are offered at the local level, while others are offered outside the districts. The specific needs of special education personnel are identified early during each school year, and personnel participate in staff development opportunities based upon their individual needs for continued professional development.

SELPA staff development programs will be structured according to State mandate to include the following:

- a) Provision of opportunities for the SELPA and member district administrators, personnel paraprofessionals, and volunteers to participate in development activities pursuant to a systematic identification of pupil and personnel needs.
- b) Provision of opportunities to the SELPA and member district administrators, teachers, other participating personnel, students with exceptional needs and parents of such students to be involved in the design and implementation of staff development programs.
- c) Professional development activities and programs that provide opportunities for experiential, hands-on and reflective learning to include but not be limited to various size groups (small, medium and large), self-directed learning, and systematic observation during visits to other classrooms or schools.

- d) Allowing time set aside for professional learning throughout the year, including, but not limited to, time when participating school personnel are released from regular duties.
- e) The evaluation and modification of staff development programs and activities on an ongoing basis with participating personnel, and with the aid of outside consultants as necessary.
- f) Inclusion of school administrative personnel as active participants in one or more staff development activities.
- g) Provision of an annual budget for reasonable and necessary expenses relating to staff development programs.

The South County Special Education Local Plan Area (SELPA) and member districts ensure that all personnel, including special education teachers and personnel and paraprofessionals providing related services, are appropriately and adequately trained in accordance with all state and federal mandates. The SELPA and member districts will take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities residing within the SELPA districts. Recruitment activities will include but not be limited to:

- Working closely with the San Diego County Office of Education to attract qualified candidates
- Advertising with local newspapers and institutions of higher learning
- Posting position announcements on member district websites
- Recruiting staff at local, state and national conferences and recruitment fairs

This policy shall not be construed as to create a right of action on behalf of an individual student for the failure of the SELPA or a member district staff person to be highly qualified, or to prevent a parent from filing a complaint about staff qualifications with the state agency.

SOUTH COUNTY SELPA POLICY: STATE ASSESSMENT APPROVED: 10/16/02; 12/13/2017	PARTICIPATION IN STATE ASSESSMENT
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FEDERAL REQUIREMENTS

20 USC §1412(a)(16)

STATE REQUIREMENTS

EC § 56205(a)(15)

The South County SELPA ensures that all students with disabilities will have the opportunity to participate in state and districtwide assessments, including alternate assessments, in accordance with the Individuals with Disabilities Education Act (IDEA). All students with disabilities will be provided with the accommodations, guidelines, and alternate assessments required by their respective Individualized Education Program (IEP).

At least annually, the IEP of each student receiving special education services under IDEA will be reviewed to include the determination of the need for any alternate assessments, accommodations and/or modifications to be used by the student during all instructional and testing activities.

SOUTH COUNTY SELPA

POLICY: 2002-CS

APPROVED: 8/30/99

CHARTER SCHOOL POLICY

Provision of Special Education Services to Students Voluntarily Enrolled in Charter Schools

This policy shall apply to all Charter Schools that are chartered as public schools by local educational entities located within the South County SELPA, including the San Diego County Office of Education, or who have applied to participated in the Local Plan for the South County as an Local Education Agency pursuant to Section 47640. As students enrolled in charter schools are entitled to special education services provided by State and Federal funding, the charter schools shall comply with all requirements of the Local Plan through their participation as a public school within a member LEA of the SELPA or as an LEA approved to participate in the plan.

Policy Statement

Special education and related services shall be provided to all eligible individuals within the jurisdiction of the South County SELPA in accordance with this Local Plan. Students enrolled in charter schools chartered by member districts shall receive services in a manner similar to other students. No governing board shall grant a charter unless the charter includes assurances that special education instruction and/or services shall be provided to all eligible disabled students, enrolled in the charter school, in accordance with the federal law, SELPA local plan, and IDEA.

Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on whether the charter school operates as a public school within the District, or operates as a Local Education Agency (LEA) for the purposes of special education. Education Code section 47640 et seq., added in 1999, allows a charter school to operate as public school within the District or as a LEA. If the approval of a charter requires a change to the SELPA allocation plan, such change will be adopted pursuant to the policy making process of the SELPA.

1. SELPA Involvement with Approval and Renewal of Charters

Prior to approval of a new charter, or renewal of an existing charter, the superintendent or designee of the chartering entity should consult with the SELPA Director regarding the provision of special education services to students enrolled by the charter school. The petition presented shall provide adequate assurances that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with the South County SELPA local plan. The charter shall provide assurances that no student otherwise eligible to enroll in the Charter School will be denied enrollment due to a disability or the charter schools inability to

serve the student. The SELPA shall assist the chartering entity in calculating the potential fiscal risks that may be associated with granting the requested charter.

In order to be approved, the charter shall delineate the entity responsible for providing special education instruction and services, any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. These provisions may be included in a Memorandum of Understanding between the chartering agency and charter school.

2. Categories of Charter Schools

A Public School within a District

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

The chartering district shall receive all applicable special education funds, as outlined in the SELPA allocation plan. The chartering district shall represent the needs of charter schools, like other schools within the district, in the SELPA governance structure. The chartering district shall be responsible for ensuring that all eligible students are appropriately served. The district shall be responsible for procuring, and funding appropriate special education services, even though the student may live anywhere in the State of California. The district may contract for these services with public or private educational entities. When a student lives outside the boundaries of the chartering district, the district in which the child lives shall have no responsibility to provide services or pay excess costs.

The district and the charter school may enter into agreements whereby the charter school is billed for excess costs associated with providing special education services to identified students, including the administration of special education programs, and any other costs associated with educating charter school special education students. The charter school may also be held fiscally responsible for an equitable share of any encroachment on District general funds that is created by the provision of special education services throughout the district.

Charter School as a LEA within the SELPA

The South County SELPA Local Plan outlines procedures for changes in the governance structure of the SELPA. These procedures describe the requirements for participation in the plan. A charter school may apply to participate in the South County SELPA Local Plan as an LEA, in the same manner as any other LEA, in accordance with procedures outlined in the plan. (CCR 15420 (b)).

If approved as a member LEA within the local plan, the charter school shall:

- ◆ Participate in governance of the SELPA (see note below.)
- ◆ Participate in and receive regionalized services in the same manner as other districts within the SELPA.
- ◆ Receive state and federal funding for special education in accordance with the revised SELPA 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, 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. Such funds shall be used to supplement and not supplant other sources of federal, state and local funds apportioned to charter schools.

Participation in the SELPA governance structure by a LEA charter school

A LEA charter school may choose to participate directly on the Operations Committee and Superintendents' Council or designate a member district as its representative. If there is more than one charter school LEA located in the SELPA, and they have not designated a member district as their representative, the charter schools must elect one representative from their number to serve on the Operations Committee and Superintendents' Council.

SOUTH COUNTY SELPA POLICY: SELPA MONITORING APPROVED: 5/14/03; 12/13/2017	SELPA MONITORING RESPONSIBILITIES
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FEDERAL REQUIREMENTS:

STATE REQUIREMENTS:

EC 56195.7(c)(6)

EC 56195.7(j)(2-3)

In accordance with EC 56195.7, the South County SELPA develops written agreements to be entered into by all entities participating in the SELPA Local Plan. Those agreements include the SELPA's provision of regionalized services to local programs. Among the regionalized services is the ongoing review of programs conducted by the SELPA, including the procedures utilized in the reviews, and a mechanism for correcting any identified problems.

The SELPA Director and the Special Education Directors of each Local Education Agency (LEA) are responsible for the completion of all components in the program review. These component activities include but are not limited to the following:

- A review of LEA performance in the California Department of Education (CDE) Special Education Annual Report Measures, including the State Performance Plan (SPP) data and indicators and the Annual Performance Report (APR).
- A review of LEA California Special Education Management Information System (CASEMIS) data.
- A review and monitoring of any corrective actions related to LEA participation in CDE's Quality Assurance Process (QAP), including Performance Indicator Reviews, Comprehensive Reviews, Disproportionate Reviews, and Data Identified Non-Compliance Reviews.
- A review and monitoring of any corrective actions related to LEA participation in CDE Compliance Complaint investigations and Due Process Hearing findings.
- Monitoring IEP-related procedures, including but not limited to those of child find, referral, evaluation, identification, placement, program development, timelines, and IEP development.

- Monitoring of all SELPA regional instructional programs.

Identified problems will be corrected through these means:

- At regularly scheduled meetings, SELPA staff members and district administrators will address all identified problems.
- Additional strategies utilized for the correction of identified problems include collaboration, discussion, and/or the formulation of workgroups within the SELPA and LEA personnel, and the provision of consultation and technical assistance by the SELPA when needed.
- Ongoing training opportunities will be provided by the SELPA and LEAs for South County SELPA and LEA staff on relevant and timely topics.

In cases where the identified problem persists following implementation of such steps as outlined above, the LEA superintendent shall be notified regarding the issue.

SOUTH COUNTY SELPA POLICY: SL 2007 APPROVED: 5/1/2007 REVISED: 5/10/17	SPEECH AND LANGUAGE CASELOADS
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CALIFORNIA REQUIREMENTS

EC § 56363.3 SELPA Average Speech and Language Case Load
EC § 56195.8(b)(7) SELPA Policies for Caseloads
5 CCR § 3051.1 LSH Services & SELPA/District Caseload

EC § 56441.7(a) Speech Caseload 3-5 Years
EC § 56441.11 Preschool Eligibility

Each South County Special Education Local Plan Area (SELPA) Local Education Agency is responsible for hiring Language, Speech and Hearing (LSH) Specialists to serve Part B students with Individualized Education Programs (IEPs) aged three through 21 years of age. Specialists may be assigned to serve preschool age students (3-5), school age students (5-22), or a blended caseload of preschool and school age students.

The maximum caseload for a LSH specialist providing services exclusively to preschool students shall not exceed a count of forty. Specialists who either exclusively serve school age students or have blended caseloads shall not have caseloads exceeding a District or SELPA wide average of 55 pupils. Each Local Education Agency is responsible for monitoring caseloads on an ongoing basis.

SOUTH COUNTY SELPA POLICY: PMM 2007 APPROVED: 3/21/2007 REVISED: 5/10/17	PROHIBITION ON MANDATORY MEDICINE
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FEDERAL REQUIREMENTS

20 USC § 1412(a) (25)

34 CFR § 300.174

CALIFORNIA REQUIREMENTS

EC § 56205(a)(22)

EC § 56040.5

It shall be the policy of the South County Special Education Local Plan Area (SELPA) that school personnel are prohibited from requiring any student to obtain a prescription for a medication that is a substance covered by the Controlled Substances Act as a condition of attending school or receiving an evaluation and/or services under the Individuals with Exceptional Needs Act (IDEA).

Nonetheless, nothing in the first paragraph of this policy shall be construed to create a Federal or SELPA prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, his/her behavior in the class and/or school, or regarding the need for assessment for special education and related services, which may be part of Child Find activities under IDEA.

SOUTH COUNTY SELPA

POLICY: 2007 OVR-DIS

APPROVED: 3/21/2007

REVISED: 5/10/17

**OVER IDENTIFICATION AND
DISPROPORTIONALITY**

FEDERAL REQUIREMENTS

20 USC § 1412(a) (24); 20 USC § 1418

34 CFR § 300.173

CALIFORNIA REQUIREMENTS

56205(a)(21)

The South County Special Education Local Plan Area (SELPA) will participate in all state and federal monitoring designed to prevent the inappropriate over identification and/or disproportionate representation by race and ethnicity of children with disabilities.

This monitoring will include the compilation of data regarding the identification of children as children with particular disabilities; the placement in particular educational settings; and the incidence, duration, and type of disciplinary actions, including suspension and expulsions.

Additionally, the South County SELPA member districts will consider all state and federal mandates related to over identification and disproportionality when designing and implementing district procedures including, but not limited to the areas of evaluation, eligibility, and monitoring.

SOUTH COUNTY SELPA POLICY: 2007-DATA APPROVED: 3/21/2007 REVISED: 5/10/17	DATA & INFORMATION ON PUPILS PROVIDED WITH SPECIAL EDUCATION AND RELATED SERVICES, AND PERFORMANCE GOALS AND INDICATORS
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FEDERAL REQUIREMENTS

Data & Information on Pupils Provided with Special Education and Related Services:
20 USC § 1418 a-d

Performance Goals and Indicators
20 USC §1412(a)(15)

CALIFORNIA REQUIREMENTS

Data & Information on Pupils Provided with Special Education and Related Services:
EC § § 56195.7(c)(4); 56195.8

Performance Goals and Indicators:
EC §§ 56205(a)(14); 56195.8(b)(6)

Data & Information on Pupils Provided with Special Education and Related Services

The South County Special Education Local Plan Area (SELPA) will provide data collection through a Management Information System (MIS) for the use of the SELPA member districts. This system will be utilized to collect and monitor all required data regarding children with disabilities residing within the member districts. The information will be made available to the California Department of Education and other governmental agencies upon request.

Additionally, the SELPA and member districts ensure that all requirements will be completed regarding information on the number of individuals with exceptional needs who are being provided special education and related services.

Performance Goals and Indicators

The SELPA and member districts will support and implement all California state-adopted accountability systems of student performance, including those that incorporate the state goals, indicators and performance standards. This system will be implemented in all SELPA districts to include all students, including those with disabilities. Additionally, all students with disabilities

within the SELPA will be provided with the accommodations, guidelines and alternative assessments required by their respective Individualized Education Programs for any state and federally-required assessments. The South County SELPA and member districts ensure that all children with disabilities will have the opportunity to participate in the statewide accountability and assessment systems in order to ensure the effectiveness of the efforts to educate those children.